



**TOWN OF MIDDLEBURG  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**



**MONDAY, DECEMBER 21, 2020  
PENDING APPROVAL**

**PRESENT:** Terence S. Cooke, Chair  
Donald Woodruff, Vice Chair  
Edward R. Fleischman, Member  
Rachel Minchew, Member  
H. H. "Dev" Roszel, Member

**STAFF:** William M. Moore, Deputy Town Manager/Town Planner  
Rhonda S. North, MMC, Town Clerk  
Estee LaClare, Planning & Project Associate

**ABSENT:** Mimi Dale Stein, Member  
Morris "Bud" Jacobs, Councilmember

The Middleburg Planning Commission held a work session on Monday, December 21, 2020. Due to Governor Northam's executive order requiring that people social distance, the meeting was held remotely with most members of the Commission participating from their respective homes/offices.

Chair Cooke explained for the viewing audience that it was the Commission's responsibility to conduct essential public business despite the COVID-19 pandemic; however, it recognized the need to do so safely, not only for its members but also for the Town staff and members of the public. He further explained that to that end, in accordance with the Council's resolution declaring a local emergency and ordinance implementing emergency procedures and effectuating temporary changes to address the continuity of governmental operations, the Commission would hold its meetings via remote access until such time as the Governor rescinded his executive orders. Mr. Cooke advised the viewing audience that copies of the agendas were available on the Town's website and that the meetings would be livestreamed and recorded for viewing on the website. He explained that anyone wishing to participate in the meetings during the public comment periods or the public hearings, if applicable, could do so by dialing (540) 339-6355. Mr. Cooke reviewed the process that would be utilized for the remote meetings. He called the work session to order.

Town Clerk North called the roll at 6:33 p.m.

**Discussion Item**

**Implementing Comprehensive Plan/Ordinance Updates**

Deputy Town Manager Moore advised that based on recent discussions, it was the desire of the Council and Planning Commission to move forward with studying potential updates to the Town's development regulations in support of the goals of the Comprehensive Plan. He reminded them that they would not look at any areas that would involve Federal Street until a planning charrette could be safely held. Mr. Moore further reminded the members that it was previously suggested that they individually review the Comprehensive Plan to identify the elements that spoke to them as being most important, so the Commission could discuss and reach a consensus on them. He advised that once that occurred, the staff would identify what ordinances could be revised or needed to be created to address the items.

Each member of the Commission identified their individual priorities. They included:

- Transportation Chapter: Address sidewalk safety, including repairs of existing sidewalk and new construction of sidewalk.
- Natural & Environmental Resources Chapter: Work with Loudoun & Fauquier Counties on plans to promote conservation and preservation of land surrounding the town.
- History & Historic Resources Chapter: Update the Historic District map to relate to existing conditions and emphasize the National Register District's boundaries.
- Population & Housing Chapter: Address infill development, particularly the demolition of existing homes to allow for new construction. Encourage property owner to renovate homes as opposed to demolish them. Address need for affordable housing.
- Community Facilities & Services Chapter: Update the Town's Master Utility Plan to ensure adequate capacity to support housing growth. Ensure public safety services were also available to support growth.
- Transportation Chapter: Improve parking in downtown area.
- Economy Chapter: Install better/right signage.
- Natural & Environmental Resources Chapter: Update the Town Code to ensure the protection of the quality and quantity of the Town's water supply, including the water resources in the extraterritorial areas.
- Natural & Environmental Resources Chapter: Preserve the hard edges of the town. It was acknowledged that most properties were located outside of the Town's corporate limits.
- History & Historic Resources Chapter: Update the Historic District Guidelines.
- History & Historic Resources Chapter: Develop a plaque or other program to inform visitors and property owners of historically significant properties.
- Population & Housing Chapter: Assure new homes blend with the existing neighborhood aesthetics. Look at floor-area-ratio (FAR) limits, lot coverage regulations, impervious surface regulations, etc. It was suggested that massing and height limits be decreased, and yard size requirements be increased. It was also suggested that mixed uses be encouraged, such as housing above retail.
- Community Facilities & Services Chapter: Identify ways to implement the Comprehensive Plan recommendations.
- Economy Chapter: Increase housing in order to increase retail demand, which would address empty storefronts. It was suggested that the zoning ordinance not be an impediment to the expansion of services. Allow small business development centers as a by-right use in commercial zoning districts to accommodate the trend to work from home.
- Land Use Chapter: Strategies #3 and #5 should be a priority. Create guidelines to ensure new development is compatible with Middleburg's small-town scale and historic character and add them to the Comprehensive Plan.
- Transportation Chapter: Develop a sidewalk improvement plan. Implement wayfinding signage program.

It was noted that Councilmember Jacobs submitted his thoughts in writing. Chair Cooke asked that they be included in the record (see attached). He advised that he would also provide his comments in writing. The Commission asked that copies of each be distributed to them.

Deputy Town Manager Moore noted that some of the items that were identified would not require ordinance updates. He advised that others, such as the Historic District map and updates to the Historic District Guidelines, were or soon would be under review by the HDRC. Mr. Moore reported that as to the item related to promoting the preservation of land surrounding the Town, the Council was currently working with Loudoun County; although, they had not yet engaged in conversation with representatives from Fauquier County. He noted the need to discuss this with the Council and agreed it was an important item. As to the wayfinding signage, he advised that VDOT implemented new regulations since the previous application was submitted; therefore, that approval expired. Mr. Moore reported that Planning & Project Associate LaClare was serving as the Project Lead for this item; and, advised that the Town was within a couple of months of getting the design approval. He advised that the signage would then be bid. Mr. Moore opined that the Town would receive a better product than previously proposed.

In response to an inquiry from the Commission as to next steps, Deputy Town Manager Moore reported that he would take the lists and combine the similar items. He advised that he would then analyze the regulations as they related to the concerns. Mr. Moore further advised that he would return in January with a list of the affected regulations, including where updates would be needed. He noted there may be items that were not currently addressed in the regulations, for which new regulations would need to be developed. Mr. Moore advised that some of the items may already be underway outside of the planning and zoning regulation.

**Quorum of January Meeting**

Those members who were present reported that they would be present during the January 25<sup>th</sup> meeting.

There being no further business, Chair Cooke adjourned the meeting at 7:25 p.m.

RESPECTFULLY SUBMITTED:

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Rhonda S. North, MMC, Town Clerk

**From:** Bud Jacobs

**Sent:** Monday, December 21, 2020 10:42 AM

**To:** Will Moore; terencecooke6201@comcast.net

**Subject:** Tonight's Meeting

Since it is likely that I will not be able to join you this evening, here is my scrub of the priorities for review of our zoning ordinance, keyed to the comprehensive plan. Please feel free to incorporate in tonight's roundtable discussion or not, as you see fit.

#### Natural and Environmental Resources

3. Develop environmental and performance standards, etc. Amend zoning (and subdivision) ordinances to conform to those standards. Require more permeable surface areas in residential/commercial development?

#### History and Historic Resources

Not sure there is direct play here for zoning ordinance review, except to note that undertaking our review should strengthen the Town's position in any future negotiations or discussions with Loudoun County regarding development on the outskirts of Middleburg (see Strategy 1).

Similarly, there might be some relevance of our zoning ordinance review to maintaining/identifying historic archeological resources with the Town (see Strategy 4).

#### Population and Housing

Each of the four strategies identified is relevant to a zoning ordinance review. Not sure how to prioritize them, but my own preference would be to use zoning ordinance review to improve prospects for affordable or workforce housing in Middleburg. Ridgeview in-fill surely comes into play here.

#### Community Facilities and Services

In my view, strategies 4 (adequacy of Town utilities and public safety capabilities in connection with rezoning applications), and 5 (development of Town-owned park space) might be relevant for consideration in a zoning ordinance review. I'm always worried about water.

#### Economy

Strategy 3 (expand the central business district to include Federal Street). On hold, pending charette.

Strategy 5 (develop shared workspaces or small business center). This may be relevant, given the increase in remote working in the COVID environment.

#### Land Use

Strategy 2 (dwelling units above commercial central business district) including by-right in C3. Not sure this is a high priority but seems relevant to zoning ordinance review.

Strategy 4 (evaluate existing residential and commercial zoning district regulations for compatibility with comp plan). Pretty obvious, I guess.

## Implementing the Comprehensive Plan/Ordinance Updates

Terry S. Cooke

A review of the Middleburg Comprehensive Plan adopted Oct. 10, 2019 suggests that consideration be given to zoning and subdivision ordinance amendments keyed to the following objectives:

- **Natural and Environmental Resources**

The Town's recent experience with the proposed Banbury Cross residential development highlighted the community's deep concern with protecting its somewhat vulnerable water resources, both as to water quality and water quantity. Are there steps that can/should be taken via ordinance amendments that would strengthen local control and management of water resources, particularly in extra jurisdictional areas?

Open space preservation is key to maintaining the attractive countryside that draws so many visitors to the Town. Again, this is a matter of extra jurisdictional authority as most of this open space lies outside the Town's borders. Most likely this objective will require working closely with Loudoun and Fauquier counties to encourage continued and perhaps more aggressive government actions to preserve open space in surrounding areas and strong adherence to development limits in the rural policy areas and preservation of the "hard edge" referred to in the "Preserving Farms and Open Space" section in this part of the Comp Plan.

- **History and Historic Resources**

The historic character of the Town is its principal draw. It makes Middleburg unique. Are current Historic District Design Guidelines adequate? Are there areas that need updating?

Though Middleburg has many historic structures, there is, with some exceptions, nothing that informs visitors (or local residents, for that matter) of information regarding these structures and their significance. Is there some initiative the Town might take in this regard, for example, plaques placed on appropriate structures?

- Population & Housing

Much has been made lately by some regarding the character of recent infill residential construction in the Ridgeview section of Town. Some are concerned about the size of new homes being built among the area's many homes of relatively modest size. This has raised the question of how to assure newer homes more smoothly blend with the neighborhood aesthetic.

My research on this question suggests that the most common means employed to control "McMansionization" is limits on Floor Area Ratios (FARs). The Town's zoning ordinance already includes maximum lot coverage limits for residential construction. The limit in Ridgeview's R-2 district is 30 % of the lot area. To me, this seems appropriate, but is there sufficient reason to consider lessening the permitted lot coverage? Perhaps consider reducing the by-right FAR for lots of less than X sq. ft. in certain districts?

And what about garages? Attached garages can add plenty of mass to a large single-family home. Should garages in certain districts be require to be detached and located at the rear of the house?

What other means might be considered to regulate the size & bulk of new single-family residences in certain zoning districts, e.g., increase yard sizes, lower height limits?

Federal Street redevelopment may offer an opportunity to expand moderate cost housing by encouraging mixed use to include apartments above retail uses or small condo developments.

- Community Facilities & Services

Nothing to add here except to identify ways to implement Comp Plan strategies 1 - 5, particularly as they relate to expanding economic development opportunities in Middleburg.

- Economy

The prevalence of empty storefronts is an obvious and challenging drawback to the Town's attractiveness and vitality. I suspect that future high-end residential communities such as Banbury Cross and the residences at Salamander will generate a significant uptick in consumer demand for more retail, entertainment,

and dining alternatives than currently exist within the Town and our zoning regulations should be an impediment to the expansion of such services.

Further, the trend to more work-from-home employment options suggests good prospects for some small business center development as a by-right use in the Town's commercial zoning districts.

- Land Use

Give priority to strategies 3 & 5, i.e., work with Loudoun and Fauquier Counties *td* a Middleburg Area Plan and develop community to assure that new in- town development is compatible with Middleburg's small-town scale and historic character and make those guidelines a part of the Comp Plan.

- Transportation

Give priority to continuation of sidewalk improvement program, particularly in the Federal Street corridor.

Also speed the implementation of the Town-wide way finding program (see Strategy 4). Why is this taking so long?

**Middleburg Planning Commission Transcript**  
**December 21, 2020**

**(Note: This is a transcript prepared by a Town contractor based on the video of the meeting. It may not be entirely accurate. For greater accuracy, we encourage you to review the video that is on the Town's website – [www.middleburgva.gov](http://www.middleburgva.gov))**

**Terry Cooke:** Well welcome everybody, thanks for making yourselves available, suspending your online shopping for a little while tonight so we can conduct this work session and we will call the work session to order. As is our custom, I will need to review the Covid meeting procedures, so bear with me. It is the Planning Commission's responsibility to conduct essential public business despite the covid-19 pandemic. However, it recognizes the need to do so safely. And not only for not only its membership, but also for the town staff and members of the public. To that end, in accordance with the resolution confirming the declaration of a local emergency and the ordinance implementing emergency procedures and effectuate temporary changes to address continuity of governmental operations during covid-19 as adopted by the Middleburg Town council, the planning commission will hold its meeting via a hybrid system of in-person for those commissioners who feel safe doing so and remote access participation for the public and those commissioners who prefer remote access until such time as the governor rescinds his emergency order mandating social distancing. To ensure adequate social distancing, a maximum of 10 individuals will be allowed in the council chambers at any given time. Copies of the previously referenced documents are available on the town's website for those who wish to view them. The town will continue to live stream and record its public meetings, which are available for viewing along with the meeting agenda packet on our website at [www.MiddleburgVA.gov](http://www.MiddleburgVA.gov). Members of the public who wish to participate in the planning commission meeting during the public comment period and or public hearings if applicable, and or applicants who are speaking on behalf of their application may do so by dialing (540)339-6355. You will be placed on mute until such time as the public comment or public hearing is opened for your application or your application is heard. To ensure trust in the process, the town clerk will do a roll call of the Planning Commission members at the beginning of the meeting and at least once an hour. In addition, I will ask each member by name if they have any comments or questions related to each item as we proceed. When anyone speaks, he or she is asked to first state his or her name for the benefit of the viewing audience. all votes of the planning commission will be taken by roll call. The town clerk will announce the member's name with the individual then stating how they are voting. So thank you all. With that, we will move to our agenda. And I will remind everyone that this is a work session, we have decided that a Planning Commission regular meeting would not be necessary this evening, but we will begin by taking a roll call. Rhonda I'll ask you to run through that, please.

**Rhonda North:** Yes, sir. Chair Cooke.

**Terry Cooke:** Present.

**Rhonda North:** Vice Chair Woodruff.

**Don Woodruff:** Present.

**Rhonda North:** Commissioner Fleischman.

**Ed Fleischman:** I'm here. Thank you.

**Rhonda North:** Commissioner Minchew.

**Rachel Minchew:** I'm here. Thank you.



**Rhonda North:** Commissioner Roszel.

**Dev Roszel:** I'm here. Thank you.

**Rhonda North:** Commissioner Stein is absent and Council Member Jacobs is absent.

**Terry Cooke:** Ok, reviewing the agenda, we have just one discussion item regarding implementing the comprehensive plan and ordinance updates. And will, I would ask that you introduce that for us before we begin our discussion.

**Will Moore:** Yes. Thank you, Mr. Chairman. Members of the commission, as we've discussed recently and as recently as last month, there was a desire of council as well as the commission after some clarification, with some discussion with the mayor and members of council to move forward with studying the potential for some updates to our development regulations those primarily being the zoning and subdivision ordinances to help support some of the goals, strategies and so forth in the comprehensive plan. And again, as we discussed, we're looking at areas that would not necessarily involve the redevelopment of Federal Street, that that is a major component of our updated comp plan. But until such time as we can safely convene and conduct the development charrette, we've agreed to set aside that study area. But the desire was to kind of come through the comprehensive plan and look for some other areas exclusive of the federal street redevelopment, where we might be able to move forward with some potential amendments. So as we discussed last month, and as I may be further clarified in my memo that accompanies this item this month. A suggestion for how to sort of start with this review was to essentially do an individual refresher, have each commissioner kind of go back, do a read through of our comp plan and to essentially pick out elements of the plan. And I made the suggestion that maybe the strategy level so each of the seven topical chapters has an overarching goal and then it has a few supporting strategies that would support that goal. And maybe the strategy level is the correct place to begin. But to have the commissioners kind of comb through those strategies or any other text within the plan and pick out some things that maybe speak to you individually as maybe most important. We could say the whole thing is important, our comp plan. But there's also the saying that everything can't be important or nothing is important. So it's really, you know, picking out the things that maybe speak as to the highest priority to you. And that's really, I think, where we need to start tonight. The follow up to that would then be that we can see if there's some consensus around some of those areas and then staff can spend some time over the next month kind of identifying where there are pertinent ordinance elements currently and maybe show those to you next month and maybe even begin to talk about ways in which some of those might stand to be revised. Again, this is a process that will take at least several months or to maybe point out to you where our ordinance is lacking and not addressing those elements at all. So again, Mr. Chairman, I think maybe I whether you want to do this chapter by chapter or commissioner by commissioner, I think that's an appropriate place to start is with kind of hearing what people have to say as to what those elements are that maybe speak to them as most important.

**Terry Cooke:** Thank you. Will for setting the table on that. That's a very good predicate. I think I'd prefer it to do this by going commissioner by commissioner and seeing how each of our commissioners feel about certain things in the comp plan. We'll all have a probably different priorities and preferences in terms of what we think might be addressed sooner rather than later. But hopefully everyone has had an opportunity to go through the comp plan again. I know it's a lot to go through and I appreciate everybody devoting some time to this, but I'd like to basically follow our roll call and invite anyone who cares to offer any comments to do so. Again, as I alluded last meeting, there may not be anything that strikes anyone as particularly urgent or more of a priority, but I suspect there probably are some who have some thoughts on this. So I encourage you to share those thoughts with us at this time. And we will begin, according to my roll call list with our Vice Chair, Don Woodruff. Don. Any any thoughts, ideas, comments.

**Don Woodruff:** Thank you, Mr. Chairman. Don Woodruff here. I remain, as I have for my last 15 years, concerned about sidewalk safety. I think it is still a prime issue. It's in the comp plan to repair revise several of these. But I think it's something that I put number one on my list of what we need to address for the benefit of the town and the benefit of anybody visiting the town. Thank you very much.

**Terry Cooke:** Thank you, Don.

**Will Moore:** And if I may.

**Terry Cooke:** Yes,

**Will Moore:** So our goal eventually is to kind of distill this into where our development ordinances might be potentially revised. So the issue that Mr. Woodruff brings. It's a great issue to highlight, and I absolutely agree, I'm not sure that that issue will necessarily translate into any ordinance requirements, but it may. So I think like his comment there, any plan you see in here that speaks to you, throw it out and then we can do the analysis as to whether that translates into an ordinance update or it's just something that falls elsewhere. But, yeah, that's a very good point.

**Terry Cooke:** No, but I and I think I appreciate that. But I think one of the objectives of this roundtable, if you will, is to sort of lay out where our principle concerns are. And I think Don's comment about sidewalks, frankly, is one that I share when I get to my comments, is one that we ought to make note of and realize that it is important. Well, that being said, I will now offer Ed Fleischman an opportunity to share his thoughts. Ed.

**Ed Fleischman:** Thank you, Mr. Chairman. I'm looking at the comprehensive plan. I don't know whether it's ordinance that can solve this, but it's something that is important to me and should be important to the Commission. It's on the land use Chapter seven, strategy number three. Which, if I might read it, it says, Work with Loudoun and Fauquier County to develop a Middleburg area plan that promotes conservation in areas surrounding the town, preserves nearby rural and scenic areas, and maintains the hard edge between the town and surrounding rural land uses. So I don't know who has the action on this if it's the council or there should be some other people that do it. But I think that's an important item and I'd like to do some follow up on that particular strategy. The other area that I find when I'm reviewing the plan is down in chapter on historic areas. Let's see if I can pull that up on my computer here. And that's down, is that the last chapter. Seven.

**Will Moore:** Should be chapter three, Mr. Fleischman.

**Ed Fleischman:** Chapter three. So one of the things that, again, I don't know, this is not an ordinance, but just rereading the comprehensive plan, I just think it's something the planning commission and the town should be thinking about. And that's the historic district. And I always was taken aback really by the map we have in the comp plan showing the historic district map, which goes through properties and houses and really isn't related to the existing condition. It's just related to how many feet you are from, I guess, Washington Street. And I know that the Historic Preservation Committee is working on some new boundaries, maybe. But I think one of the concerns that sort of pops to me is the location of the new town hall and how that relates to historic district. Because when I'm looking at the map and the comprehensive plan, it seems the existing town hall is in the historic district, as well as a portion of the new grounds that Salamander might give to the city or has already given to the town for the new town hall. And I think that that's something just that wherever that falls, that's something that should be highlighted as a potential problem. So those are the two areas. I don't know whether the ordinance related, but there are two areas of that should be highlighted as we go forward. Thank you, Mr. Chairman.

**Terry Cooke:** Thanks Ed.

**Will Moore:** A quick follow up. A very good observation, Mr. Fleischman, about the the boundaries of our local historic district. That is something that our historic district review committee started to study via a subcommittee earlier this year that kind of went away with Covid at first. They are currently working on updating the historic district design guidelines, which is strategy number two of Chapter three. I anticipate that shortly after that concludes, which should be the middle of next year, that we will revisit studying the boundaries of the historic district. They are very arbitrary in places. We did an update to our survey of the historic district in 2016. And out of that survey update, we had some recommendations from our consultant as to ways to potentially modify the boundaries of that district. So I do see that as something that will probably be addressed middle to late of this coming year. And that would eventually come to you because modifying those boundaries is, in effect a rezoning of property so the historic district is an overlay zoning district. So that is something that will be coming back to you at some point.

**Ed Fleischman:** Will, this is Commissioner Fleischman again. One of the things that if I had to do it over again, I'd put a lot of emphasis on putting a map of the Federal historic district boundaries in the plan, because I think that's very important also. And I'm not sure. I don't remember if I've seen that. I wondered if you could go back and send me a copy or other members of the commission that are interested of that particular map.

**Will Moore:** Yes. In fact, I can send you a map that has both on the same map so you can compare the National Register District versus our local district. So, yes, okay.

**Ed Fleischman:** That would be great. Thank you very much for that. And another item is that if the committee, the Historic Preservation Group or a consultant has a committee, I would volunteer to assist in that effort. My professional background was working with the Interior Department on districts and buildings that were potentially eligible for the National Register of Historic Places. So if needed, I would be happy to assist them as sort of technical advice, so to speak.

**Will Moore:** Thank you. Fantastic. Thank you. And one other thing with regards to the new town hall location, it is going to be subject to our historic District Review Committee's review that will require a certificate of appropriateness from our HDRC.

**Terry Cooke:** Very good.

**Ed Fleischman:** Also getting back, do you have a comment on my comment on land use and the hard edge that is in the comp plan.

**Will Moore:** Yes, that's there are some there are some things going on currently with members of our elected body and the county toward that end. But I'll qualify that by saying with Loudoun County, we're not really engaged with Fauquier at this point. So that is something that we're going to have to have some discussions with council as to how they want to engage in that outreach. But that is a very important, important part of the plan, is working with the surrounding counties to protect and preserve the land that surrounds us. So some of that is in the works at an initial level with Loudoun, but nothing with Fauquier as to this point.

**Ed Fleischman:** Ok, thank you. Will. Mr. Chairman, those are two issues that popped out when I reread the plan, and I'll defer now to the next commissioner on your list.

**Terry Cooke:** Thank you, Ed. Well, that's what we're looking for. Looking for those things that light your fire, so to speak, among the commissioners. Commissioner Minchew, any thoughts or concerns or suggestions you'd like to make?

**Rachel Minchew:** Yes, I do. Thank you. And reading through and then just observing what's happening right now in town and around, I really would like to talk about the population and housing. And I have to

say, one of my big concerns are infill and knocking down I mean, some of the older homes, which is, it's happening. Not a lot. We don't have a whole lot of lots available, but how we can preserve that so that the neighboring houses don't have all [inaudible] dwell in homes. I came from that in Arlington and I really do not want to see that happen out here. So that's one of my biggest concerns, is how to, you know, initiate maybe renovation without tearing down the older homes and then also with Salamander building how that all plays into it and having affordable housing still for the community out here. So that would be my that's my big, big, big issue right now, thinking and watching that.

**Terry Cooke:** Thank you, Rachel.

**Rachel Minchew:** You're welcome.

**Terry Cooke:** Commissioner Roszel. Dev.

**Dev Roszel:** Yes. Hi, everyone. Thank you very much, Mr. Chairman. You know, in listening to everybody, obviously there's lots and lots of info that goes into this comprehensive plan. And I'll make a couple of comments that I think from my perspective, I mean, the historic issues. I mean, we address those I feel like almost on a weekly basis. So I feel like those a lot of those issues are, you know, we continue to work on some of those things about working with Loudoun County and Fauquier County, making sure that the buildings meet our historic code. And the housing issue, to Rachel's point, I think is a concern. Where I feel the importance of the comp plan comes in two sections. One is chapter five and one is Chapter seven. The community facilities and services ties back to what Rachel's talking about I think correct me if I'm wrong, Rachel, but, you know, the more housing we put in, if you look at the strategies that they listed under number five, number three is to pursue updates to the town's utility master plan to establish the growth capacity of the town's water and sewer system. I believe that whether that's an ordinance and Will correct me if I'm wrong, I'm not sure, you know, I don't know that that's an ordinance issue. But more of a management issue for the town is to make sure that when we're allowing this growth, that we have the ability and the capacity in the water and sewer systems to manage that stuff. So to me, I think that's important. Considering the adequacy of the town utilities and public safety services, you know, when we do rezoning. I think those things are very important because we're looking at adding multiple houses in the Salamander. You know, this Covid thing has changed a lot of stuff. People are moving out here. You know, we're having a lot of changes within our own community. So I think that those issues are underlying what we really should be looking at and making sure that the town can sustain some of this growth. My other comment ties back probably to some of what Commissioner Woodruff talked about, and that's the transportation. It's Chapter eight and providing safety and adequate systems for the [inaudible] street. We do need to better sidewalks and continue to analyze ways to improve downtown parking. I realize that's something that we've talked about forever and ever. But, you know, the signage, there's a piece in this development plan about economics. But if you can't get people to go where you want them to go, the economy, you know, sort of goes hand in hand. So for me, some of these things are sort of underlying. We need to get make sure that we have we're going to build an economic strategy which the EDAC has been doing. I think we have to have the right signage. We've got to continue to work and build those things that are going to bring people here. So for me, again, I'm not sure that that's an ordinance issue or more of just a management issue from the town's perspective. But anyway that's what I had. Number five and eight are the two issues I think are more underlying for us. That's all. Thank you.

**Terry Cooke:** Thank you Dev. Commissioner Stein has indicated she had some job responsibilities that would keep her from participating this evening in her absence is excused, Commissioner Council Member Jacobs also indicated that he probably would not be able to attend. And apparently that has come to come to be and he's not with us tonight. But he did submit a rather detailed outline of a written outline of his thoughts and comments to Will and and to me. And Will I would ask that those be entered into the record of this of this meeting.

**Will Moore:** Yes, sir.

**Terry Cooke:** I don't know that it's necessary for me to review them at this time. Do you think?

**Will Moore:** I would concur. I think we can add to the list that we're looking at. OK, but he basically went chapter by chapter and picked out something essentially from each chapter.

**Terry Cooke:** Yeah, he did his homework as I said in my note back to him. He has some I think some legitimate comments for consideration as we as a group go forward. So I thank him for submitting those thoughts to us. I also.

**Ed Fleischman:** Excuse me, Mr. Chairman. Excuse me. This is Ed Fleischman. Just on those comments. Are they going to be in the record that they would be part of the minutes or can they be distributed separately to the other commissioners? How would we go about getting the commissioners to see them?

**Terry Cooke:** Well, I would suggest they be included as part of the minutes. But also, if you'd like, I'm sure Will would be happy to distribute those among the commission members.

**Will Moore:** Yeah, I will be happy to forward those. As soon as this meeting is over. I will forward Mr. Jacobs comments to.

**Ed Fleischman:** Thank you.

**Terry Cooke:** Finally, I have a few thoughts. I also wrote mine out in the form of an outline which I will provide to Will so that he can include them in the minutes of the meeting. But I would like to take a few minutes and just review them. It might spark some conversation among other commissioners. We'll see. But I spent a fair amount of time going through the comp plan and thinking about those things that at least to me and this is a work session, it's informal and these are subjective opinions. But in that vein, I offer them for for consideration. I state that a review of the Middleburg Comprehensive Plan, adopted October 10, 2019, suggests that consideration be given to zoning and subdivision ordinance amendments keyed to the following objectives, natural and environmental resources. The town's recent experience with the proposed Banbury Cross residential development highlighted the community's deep concern with protecting its somewhat vulnerable water resources. Both as to water quality and water quantity. Are there steps that can or should be taken via ordinance amendments that would strengthen local control and management of water resources, particularly in the extra jurisdictional areas? Open space preservation is key to maintaining the attractive countryside that draws so many visitors to the town. Again, this is a matter of extra jurisdictional authority, as most of this open space lies outside the town's borders. Most likely, this objective will require working closely with Loudoun and Fauquier counties to encourage continued and perhaps more aggressive government actions to preserve open space and surrounding areas and strong adherence to development limits in the rural policy areas and preservation of the, quote, hard edge, end quote, referred to in the preserving farms and open space section in this part of the comprehensive plan. History and historic resources. The historic character of the town, is its principal draw, it makes Middleburg unique. Are current historic district guidelines adequate, are there areas that need updating? I don't know the answer to that question, but I think it's something that we probably ought to consider. Though Middleburg has many historic structures, there is, with some exceptions, nothing that informs visitors or local residents for that matter of information regarding these structures and their significance. Is there some initiative the town might take in this regard, for example, plaques placed on appropriate structures? I believe there are some buildings in town that are plaqued or have some indication of their significance and their history, but they are in the minority and perhaps a broader program to address that might be worth considering. Population and housing. Much has been made lately by some regarding the character of recent infill residential construction, particularly in the Ridgeview section of town. Some are concerned about the size of new homes being built among the area's many homes of relatively modest size. This has raised a question of how to assure newer homes more smoothly blend with the neighborhood aesthetic. My research on this question suggests that the most common

means employed to control, quote, McMansionization, End quote is limits on floor area ratios or FARs. the town zoning ordinance already includes maximum light coverage limits for residential construction. The limit in Ridgeview's R2 district is 30 percent of the lot area. To me, this seems appropriate, but is there sufficient reason to consider lessening the permitted lot coverage? Perhaps consider reducing the by right FAR of lots of less than X square feet, certain number of square feet in certain districts? Excuse me, I'm going to rest for a minute. I was struck by reading that 30 percent lot coverage. Is that really being enforced? I mean, I look at the house going out in my backyard, the large house that we've all spoken about a couple of times at the intersection of Walnut and Martin Street, i that not covering more than 30 percent of lot area?

**Will Moore:** It is not. As lot coverage is defined in our ordinance.

**Terry Cooke:** All right. That's my next question.

**Will Moore:** This is an area, I think, where we can spend some time. I think it will help maybe better inform this discussion. It also ties in with the Natural and Environmental Resources chapter, which has a strategy that refers to potentially considering limits on impervious cover of lot. So the way we define lot coverage right now is, well, it's not done well. It's essentially area under roof, under roof. So it excludes covered porches or I'm sorry, uncovered porches. It excludes decks. It excludes asphalt, concrete, swimming pools. So it's area under roof.

**Terry Cooke:** What about attached garages?

**Will Moore:** Again, that it's under roof. So that does factor in. So the property that you referred to in close proximity to yours, it's currently under construction. It is within I want to say it's roughly 100 square feet of meeting that maximum. Its sized to the point where the owner of that home comes in in the future and wants to put a garden shed on their property. They won't be able to because they have maximized the area under the roof. But I think there's some again, there's some area of concern in that the way the ordinance is right now, you could essentially pave your entire lot and that wouldn't count the way we define lot coverage.

**Terry Cooke:** Well, speaking for myself, I think that's an area that really needs to be considered. And the zoning ordinance and subdivision ordinance are the appropriate places to address that. And I'm not picking on one structure. I mean, there are, as others have pointed out, some new construction on Reed Street. I consider the houses there attractive, but they are large. And I mean, if that's the way we want to go, that's fine. But I think it warrants because some folks have raised concerns about it. I think it's something we need to consider. And I'm going to pick up where I left off here and I'll just say, and what about garages. Attached garages can add plenty of mass to a large single family home. Should garages in certain districts be required to be detached and located at the rear of the house? Again, one means to reduce the mass. What are the means that might be considered to regulate the size and bulk of new single-family residences in certain zoning districts? For example, increase yard sizes, lower height limits, etc.. Federal Street redevelopment may offer an opportunity to expand moderate cost housing by encouraging mixed-Use to include apartments above retail uses or small condo developments. That's something that we will obviously deal with in more detail when we get to the charrette on Federal Street. But it does it does implicate housing stock in the town. Turning to community facilities and services. I have nothing to add here except to identify ways to implement comp plan strategies one through five, particularly as they relate to expanding economic development opportunities in Middleburg. I next turn to economy. The prevalence of empty storefronts is an obvious and challenging drawback to the town's attractiveness and vitality. I suspect that future high end residential communities such as proposed at Banbury Cross and the residences of Salamander will generate a significant uptick in consumer demand for more retail, entertainment and dining alternatives than currently then exists within the town. And our zoning regulations should not be an impediment to the expansion of the services. I favor the expansion of these services, and I think we need to recognize that with these new developments coming online in the next

several years and an increase in our housing population of roughly 25 percent, folks who live here, are going to want more services, entertainment, dining alternatives. And I want to make sure that our zoning regulations don't impede the development of those sorts of uses. Further the trend to work from home employment options suggests good prospects for some small business center development as a by right use in the town's commercial zoning districts. Is that permitted by right now, Will do you know?

**Will Moore:** We would probably define that if the specifics of the use of really matter here, but in general we would probably define that as professional office use. So in our central business district, it is by right on a floor other than first level main floor. Office use on first level requires a special use permit in C2. C3 it is or sorry C1 is a by right [inaudible].

**Terry Cooke:** Ok, OK, but I think it's sort of is I think Dev alluded to I mean, this is sort of the new normal, if you will. I think that with so many folks working remotely, either full time or part time is going to be, I think, some demand for that sort of facility. And it's something we should work to accommodate. Turning to land use, I suggest we give priority to strategy three and five, as stated in the land use section, which include working with Loudoun and Fauquier Counties to develop a Middleburg area plan and develop community. Well, I can't read my own thoughts here, develop a Middleburg area plan to assure that new in town development is compatible with Middleburg small town scale and historic character and make those guidelines a part of the comp plan. I guess we don't have guidelines on that right now in the comp plan. But it's worth trying to develop those and including them in the comp plan. And finally, with regard to transportation, I'd give priority to continuation of sidewalk improvement programs, particularly in the Federal Street corridor. Walking the Federal Street corridor is an exciting experience and definitely needs some help on the sidewalk side. And also speedy implementation of town wide wayfinding program see strategy four under the transportation section. Why is this taking so long? That wayfinding project has been in the works since I moved here six years ago. What is so complicated about that? Why is it taking all this time to do that? Put up signs telling people excuse me, where to go?

**Will Moore:** Yeah. So it's I your frustration is palpable, and I echo that. The short answer is it was pursued poorly by both, I think, town staff and a consultant we were using several years ago. It was admirable that we were pursuing it, but we weren't doing it correctly. Since then, the VDOT has changed its regulations regarding wayfinding, I should say actually, they've implemented regulations. We were doing that under a pilot program with VDOT previously. We had an approval for a plan set it wasn't a good plan set. but we had approval. But that approval expired when VDOT actually implemented their actual program. Now we have restarted that. We've brought on an appropriate consultant. We've had Estee spearheading the work with a group, a committee of folks on that. And we are within a couple of months maybe of having it finally, the final design, final approval, and we'll be ready to put together the bid documents. So it has been going on in the background, but you're right, it's taken way too long.

**Terry Cooke:** It was good to hear that. It's the light at the end of the tunnel.

**Will Moore:** It will be a better product this way. But it's not been a good example of how local government should work to this point.

**Terry Cooke:** Yeah, it just on its face, it doesn't seem to be that complex an issue. But yeah, I'm sure there's probably more to it than.

**Estee LaClare:** Well we altered it too.

**Will Moore:** Yeah, VDOT's involvement is always. Makes things a little bit murky. They've actually been really good to work with during this latest iteration of the process. I can't say enough about actually how helpful they've been. So good improvements overall with our relationship with VDOT over the last year or two, which is good.

**Terry Cooke:** Thank you, that concludes my remarks. I'll make this I'll give this to you, Will so you and Rhonda can, you know, put them into the into the record. One time around the horn again. Anyone else have comments or questions arising from what your fellow commissioners have said or suggested an opportunity to speak those now or forever hold your peace. Don, anything from you?

**Don Woodruff:** Mr. Chairman, I would just suggest that it sounds to me like there's a great deal of concern about the historic district landmarking wayfaring has always been an issue. I know there's been some work on it, but it's still not as clear as we'd like it to be. So I really support everything that has been said 100 percent and thank everybody for their attention to these details.

**Terry Cooke:** Thank you. Thank you. Commissioner Fleischman, Ed, anything further?

**Ed Fleischman:** Just that there are some really good comments and discussions, and I think it's been really valuable and I'm not ready to add anything right now. I think I'm fine. Thank you very much.

**Terry Cooke:** Thank you. Commissioner Minchew.

**Rachel Minchew:** I guess the only thing and I know that we've talked about this in the past is having access to the zoning ordinance within the town, being able to I mean, an example would be, you know, the lot size and the building and that and maybe having that access to that to read. I know we've talked about maybe in the past Will, that would be something that I would be interested in at this time just to brush up on that.

**Will Moore:** Ok, the zoning ordinance is available on our website to look at that maybe the best way if you navigate under planning and zoning, there's a link to the zoning ordinance. You can look at it chapter by chapter, or you can download the whole thing at once if you like.

**Rachel Minchew:** So perfect. Thank you.

**Will Moore:** Yes, ma'am.

**Terry Cooke:** Let's see. Who have I missed? Dev. Commissioner Roszel.

**Dev Roszel:** Thank you. Yes, thank you, Mr. Chairman. So Will, I have a question with regard to all of this. It's you know, there's a lot of information here and we're having all this conversation. So what is the next step? I mean, are we going to sort of put all this down and prioritize it and figure out how we're going to what's the you know, obviously this is our footprint. So in the process was to figure out which elements were the most important to the planning commission. So are we going to sort of see which ones were sort of filter to the top and then say, OK, here's what we're going to approach first and second, or what's the next move with all of this? I mean, I think it's been great conversation. And I think everybody I mean, we've vetted this thing for several years. And I think it's there's obviously a lot of interest in seeing a lot of this done. But where do we go from here?

**Will Moore:** Yeah. Yeah, good. Good question. I think I might have touched on this a little bit at the top, but what we will do at a staff level now is kind of take this list, we'll I won't say we'll pair it down, but we'll try to maybe combine if couple commissioners said similar things will try to group those together. And we're just going to do some analysis of our existing regulations as it relates to these areas that you've brought up. And we will return to you now whether we'll have the full analysis next month or maybe we'll have analysis on four different points. But we'll bring that back to you. We'll show you what, if anything, our existing development regulations say to those topics now. And we can then have some initial discussion about whether or not those seem to be the right regulations that are in place now, we may also come back and say our regulations don't really say anything about this right now. And they should we may say our development regulations don't say anything about this, but it's being addressed outside of the



area of planning and zoning regulations. So essentially, staff is going to do some analysis for you and we'll bring something back to you that will better inform and better structure that discussion going forward.

**Dev Roszel:** Ok, thank you, Will. I appreciate that and I apologize if I missed something at the beginning on this. I do like the fact that, you know, a lot of work was put into the comp plan. And it's great to see that we're actually moving things to the top where we can, you know, make the changes or not necessary changes, but continue to improve on the areas that we have. So I'm really encouraged by listening to everybody here, putting the stuff down so that we can continue to move forward, not just have a document that sits there, but actually work on it and make it a better spot. So I appreciate the work everyone has done. Thank you.

**Will Moore:** Implementation of the plan is always the most important part and too many localities, whether they write a good plan or a bad plan, a plan that's not implemented is always a bad plan.

**Dev Roszel:** I would agree 100 percent. Thank you for that comment.

**Will Moore:** Yes, sir.

**Terry Cooke:** Thank you Dev. I think I've reached out to everybody, Bud's not here. So I take it we won't have a council members report this evening. I don't think I missed anybody. I hope not. If I did speak up, but I too appreciate everybody's effort and attention to this. As Dev alluded to, there are many points on which we which we all touched on, several of us touched upon, and that's a good thing. I think it indicates that we're all focusing on a lot of the same things and and undoubtedly we'll have some more detailed conversations about these things as as we go through the next meeting or two. The only other remaining item has to do with a quorum for next month's meeting, which is when?

**Rhonda North:** January the 25th.

**Terry Cooke:** January the 25th. In 2021, good riddance to 2020. [laughter] Is anyone on the call tonight not going to be available for next month's meeting? OK, very good. We'll start the new year off, right, hopefully. And thank you all again. I know this was as Bud mentioned, I think this was a lot of homework for all of us, but it needed to be done and would probably be some more to come. But it's a good start. I wish everybody a Merry Christmas. Happy Holidays and stay well. Enjoy your holidays with your family and friends, socially distance and responsibly. And we'll see you all in the new year. Thank you again. We're adjourned.

**Dev Roszel:** Rhonda, Rhonda and Will and everyone. Thank you all so much for all the stuff that you all do every day. It's a lot of work and I really appreciate it.

**Rhonda North:** Thank you Dev.

**Terry Cooke:** Amen Thank you all.

**Terry Cooke:** [inaudible] Not soon enough. Bye bye. Thank you.