

# Town of Lovettsville

## Planning Commission

### Minutes of Reconvened Regular Meeting, February 18, 2009

Commission Chair Zachritz reconvened the Regular Monthly Meeting of the Lovettsville Planning Commission at 7:33 P.M. on February 18, 2009.

#### Present at Meeting

- Mayor Elaine Walker
- Commission Chair Robert Zachritz
- Commissioners Jack Burden, Lorraine Bauer, Mari Bushway, Rodney Gray
- Zoning Administrator Steve McGregor
- Town Clerk Judy L. Kromholz

#### Absent

- Town Manager Keith Markel

#### Present In the Audience

Among those present in the audience was Howard Williamson (Lovettsville Business Association) and Russ Smith of Bowman Consulting.

#### Public Comment

Chairman Zachritz called for public comment.

Kristen Riley, 11 N. Light Street, stated that she has noticed several people coming around taking pictures of her house and she wanted to know if that has anything to do with the road being planned in the Focus Area. Administrator McGregor stated that there should not be any picture taking related to the Focus Area and explained that the possibility of that road being implemented any time in the near future is extremely small. He explained that the Town is still in the process of discussing the Focus Area and of amending the Town Plan. Chairman Zachritz stated that he knows nothing about the pictures and that the Focus Area discussion is future oriented and has been under discussion for a year or more. Ms. Riley stated that she had received phone calls telling her the Town was planning to do something to her property. Chairman Zachritz informed her that neither the Town nor any developer can do anything to her property without her consent.

#### Additions/Deletions/Modifications to the Agenda

Chairman Zachritz proposed reordering the agenda to accommodate the members of the public present at the meeting. The Commissioners all agreed to the modification.

#### Approval of Planning Commission Minutes

No minutes were presented.

#### Action Items

##### A. Post Office Construction Drawings Revision for approval

Administrator McGregor explained that the revised construction drawings dated February 3, 2009 were received in Town Hall on February 17<sup>th</sup> and are being distributed to the Commission tonight. These revisions were prompted by a Virginia Department of Transportation review that surfaced VDOT requirements not known at the time the original construction drawing were approved. He noted that this set of plans also includes the commitment by the Post Office to install three street lights.

Russ Smith of Bowman Consulting explained that the changes are hard to see because they are all technical in nature, including such aspects as moving the sanitary system, relocating a manhole, specifying slightly larger pipes and changing their elevation. These plans officially include the three street lights in locations approved by VDOT. The plans also specify improved handicapped access and update the location of the right of way line in front of the bank.

Mr. McGregor asked about the lighting plan and Mr. Smith explained that VDOT requested a technical drawing verifying that the street lighting will be sufficient. Mr. McGregor also asked about the street light maintenance agreement between the Town and VDOT. Commissioner Bauer noted that the agreement was explained in the Bowman letter dated February 4, 2009 which was included in their packet. Commissioner Burden asked if that letter reflects the total of all changes made and Mr. Smith said that it did.

Mayor Walker noted that moving the water meter to an accessible location is a Town requirement.

Chairman Zachritz called for additional questions from the Commissioners. When there were none, he called for the motion.

**Motion:** I move that the Planning Commission approve the revised construction drawings, dated February 3, 2009, as found acceptable by Christopher Consultants, the Town Engineer related to the construction drawings by USPS.  
**By:** Commissioner Bushway  
**Second:** Commissioner Gray  
**Aye:** Commissioners Burden, Bauer, Bushway, Gray, Zachritz  
**Nay:** None  
**Abstain:** None  
**Absent:** None

At 7:55 P.M., Chairman Zachritz called a five minute recess in order to sign the Revised Construction Plans so that Mr. Smith could take their copies with them

B. LVPA 2007-0001 Town Center Focus Area Plan Amendment Recommendation

Chairman Zachritz explained that, because more than 90 days had elapsed since the Planning Commission originally recommended the Focus Area Plan Amendment, the Commission needs to re-vote. Additionally, he strongly urged the Commissioners to attend the Town Council work session on this item tomorrow night.

Administrator McGregor explained that the Town Council had voluntarily held an additional public hearing on this topic because of the number of changes that had been made since the original public hearing. Chairman Zachritz explained that this would be an amendment to the Town's Comprehensive Plan "Town Plan", which looks out five to fifteen years into the future. The Town Plan is implemented through zoning ordinances. Administrator McGregor reminded the Commission that the Town cannot make developers adhere to the Town Plan if they develop under the existing zoning.

Commissioner Burden stated that page 6 of the report lists the restaurant that is now Andy's as inactive. Mayor Walker noted that the dilapidated blacksmith shop is now gone.

Administrator McGregor noted that he had not updated the report for tonight's vote and that the text that is recommended to go into the Town Plan begins on page 8 of the document.

Chairman Zachritz stated that under the approved Conditional Use Permit for the Lovettsville BP, the property may be sold as is in perpetuity. He explained that there are no roads planned, only suggested traffic patterns. He explained that the indicated road cannot be constructed as long as either Bonnie's Restaurant or the Lovettsville BP object to its construction.

Administrator McGregor stated that it is clear that the residents of New Town Meadows do not want the road anywhere near their development and that issue is addressed in the packet prepared for tomorrow night's Town Council session. He reminded the Commission that this is a pro forma vote repeating the Planning Commission recommendation made before the Public Hearings.

Mayor Walker stated that she had instructed that letters be sent to all affected households notifying them of the January hearing even though such notification was not required by law.

Commissioner Burden said that the plan simply states that the Town believes that a second intersection would be beneficial for traffic flow and it should be pursued where possible in the future. Administrator McGregor agreed that this is the intent of the Plan.

There being no further comments at this time, Chairman Zachritz called for a motion.

**Motion:** I move that the Planning Commission recommend approval of the Plan Amendment text as presented in the January 29, 2009 Town Council staff report for LVPZ 2007-0001 Town Center Focus Area.  
**By:** Commissioner Zachritz  
**Second:** Commissioner Bushway  
**Aye:** Commissioners Burden, Bauer, Bushway, Gray, Zachritz  
**Nay:** None  
**Abstain:** None  
**Absent:** None

C. Schedule LVZA 2009-0003: Inoperable Vehicles for Public Hearing

Administrator McGregor is proposing that the Public Hearing on this item be scheduled for the same night as the Public Hearing on the proposed Wall Check.

Chairman Zachritz explained that the Commission had already held one work session on this item and would have another work session after the Public Hearing.

Mayor Walker asked if this is the only paragraph that Administrator McGregor is recommending be changed and Administrator McGregor said that it is, along with a title change as noted. The Mayor asked if any 8' fences are allowed anywhere in Town.

Administrator McGregor replied that they are only allowed in commercial districts. The proposed motion was modified to explicitly state maximum fence height in residential and in commercial districts.

The Commission also agreed to modify the proposed motion to allow only fitted car covers and not tarpaulins. There being no further discussion, Chairman Zachritz called for a motion.

**Motion:** I move that the Planning Commission authorize the following proposed Zoning Ordinance text amendment for public hearing:

4-12 INOPERABLE VEHICLES

No inoperable vehicle shall be parked on any privately owned property in the Town unless it is enclosed in a building or enclosed on four sides by opaque outdoor fencing or walls that are at least six feet in height for passenger cars in residential zoning districts or eight feet in height for vehicles over 3.5 tons in commercial or industrial zoning districts. An inoperable vehicle may be parked in view from any adjacent property or street for a period of time not exceeding thirty (30) days only if it is covered by a fitted vehicle cover."

And to include a change in name in Section 13-2 DEFINITIONS to INOPERABLE VEHICLE instead of INOPERATIVE VEHICLE.

**By:** Commissioner Gray  
**Second:** Commissioner Bushway  
**Aye:** Commissioners Burden, Bauer, Bushway, Gray, Zachritz  
**Nay:** None  
**Abstain:** None  
**Absent:** None

Administrator McGregor noted that he will ask Attorney Whiting to review the language of the changes before scheduling the Public Hearing. He will bring this back before the Commission if she proposes any significant changes.

Information Items

No information items were presented.

Comments from the Commissioners

Commission Chair Zachritz called for comments from the Commissioners. There were none at this time.

Public Comment

Commission Chair Zachritz called for comments from the public. There were none at this time.

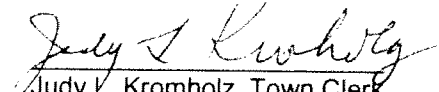
Adjournment/Recess

**Motion:** To adjourn the Planning Commission meeting of February 18, 2009  
**By:** Commissioner Burden

**Second:** Commissioner Gray  
**Aye:** Commissioners Burden, Bauer, Bushway, Gray, Zachritz  
**Nay:** None  
**Abstain:** None  
**Absent:** None

The Meeting was adjourned at 9:05 P.M.

Respectfully submitted,

  
Judy L. Kromholz, Town Clerk

Date Approved: July 1, 2009

Attachment I: LVPA 2007-0001 Town Center Focus Area Plan Amendment Recommendation

# Town of Lovettsville

## MEMORANDUM

**TO:** Mayor and Planning Commission

**FROM:** Stephen E. McGregor, Comprehensive Planner

**DATE:** February 18, 2009

**SUBJECT:** LVPA 2007-0001 Town Center Focus Area – Commission Recommendation

**PURPOSE:** For the Planning Commission to make a recommendation to the Town Council on LVPA 2007-0001 Town Center Focus Area Plan amendment in order to satisfy the State Code requiring the Town Council to take action on a public hearing item within 90 days of the date the Commission made its recommendation.

**BACKGROUND:** The State Code requires that the Town Council take action on a public hearing item within 90 days of the date that the Planning Commission made a recommendation on the item. The Council has not taken action on item LVPA 2007-0001 since the Planning Commission made its recommendation on this item on June 6, 2007.

**DISCUSSION:** The purpose of this item is to have the Commission make another recommendation on the Focus Area Plan amendment so the Council may take action subsequent to its January 29, 2009 public hearing on the item. The text presented for hearing was that Council directed be subject to the hearing.

Many revisions of the text have been made by the Council since the Commission made its recommendation in June 2007. These changes have been the result of Council discussions and Council discussions in work sessions with the Commission since the Commission made their recommendation. There appeared to be general combined consensus by both bodies on the text. There may still be some more changes that the Council wants to make as a result of their recent public hearing. However, the process has continued for almost two years and it seems reasonable that it be brought to a close as soon as possible.

Staff has scheduled the Planning Commission to join the Town Council, February 19, for the Council's work session on the Focus Area Plan amendment. This will help solidify the Town's adoption of the proposal.

February 12, 2009

**RECOMMENDATION:** I recommend that the Planning Commission make a recommendation to approve the text provided at the Town Council January 29 public hearing as the evolution of the process has brought us to this point (see the attached January 29, 2009 staff report) and as this will satisfy the State Code requirement for the timing of the Commission recommendation and the Council's projected action on this item.

**DRAFT MOTION:** "I move that the Planning Commission recommend approval of the Plan Amendment text as presented in the January 29, 2009 Town Council staff report for LVPZ 2007-0001 Town Center Focus Area."

**ATTACHMENT:** 1) Staff report, January 29, 2009 Town Council public hearing on LVPA 2007-0001 Town Center Focus Area Plan amendment.

*Town of Lovettsville*

**PROPOSED  
PLAN AMENDMENT  
LVPA 2007-0001  
Town Center Focus Area**

## STAFF REPORT

**Town Council Public Hearing: January 29, 2009**

**7:00 PM at the Lovettsville Community Center 57 E. Broad Way**

### **BACKGROUND:**

On May 16, 2007 the Town held a joint public hearing on this item. In July the Planning Commission made a recommendation. After considering the item and the Commission's recommendation the Council postponed its further consideration of this item until the Light Industrial I-1 zoning district could be amended. The land in Land Bay G of the proposed focus area is zoned I-1 and it was felt that it was important to amend the existing zoning district before any by-right development application was filed. The Light Industrial I-1 district was amended on June 26, 2008. Therefore, it is appropriate to continue the Council's consideration of the Plan Amendment in order to help control development adjacent to the Town Center.

During the last discussions the Council had on this item it was generally concluded that the land use and development issues raised regarding Land Bay G were of sufficient complexity that consideration of this Land Bay should be further postponed and blended with the future consideration of land use and development policies for the E. Broad Way corridor outside the geographic area of the focus area. Therefore, Land Bay G has been removed from this item. This does not require the Council to have another public hearing because it removes, rather than adds, land from consideration.

On April 26, 2007 the Town Council authorized a public hearing to consider changing the Town Plan planning policies for an area that includes land adjacent to the Town Center and land fronting on East Broad Way west of Light Street. The Council had requested staff and the Planning Commission develop an evaluation and report with recommendations to improve the Town Plan in order to provide better and more specific development guidance than currently exists in the Town Plan regarding the land most directly adjacent to the new Town Center commercial core. The reason is that there is a reasonable expectation that there will be applications for commercial development in the focus area. It is in the Town's long-term interest to provide for development that is compatible with the Town Center adjacent to the Town Center. Some of the land involved is on the opposite sides of the Town Square.

On September 11, 18 and October 16, 2008 the Council discussed the item. One of the major issues was the transportation element of the proposed Plan Amendment. In

January 14, 2009

particular, some residents of New Town Meadows took issue with a proposed connector road shown near their subdivision in Land Bay B. The Council concluded that they want the public to discuss the proposal as presented and scheduled a public hearing for this date.

## **ANALYSIS:**

### **Town Plan Policies**

The following are the current Town Plan policies that apply to development in the Focus Area:

On Page 36 of the Town Plan, under the Business and Development section, Goals and Objectives, Objectives, third bullet, it states:

“Encourage the development of town-scale commercial and employment uses consistent with the existing character of Lovettsville.”

On Page 36 of the Town Plan, under the Business and Development section, Goals and Objectives, Policies, second bullet, it states:

“Encourage relocation of scattered commercial uses to the new Town Center and along East Broadway [sic].”

On Page 51 of the Town Plan, under the Employment section, it states:

“In addition to employment uses expected in the Town Center, as expanded along E. Broad Way, existing industrially-zoned property lying to the east of [the] New Town Meadows [residential subdivision] project is designated for employment uses. Unlike the traditional downtown feel intended in the Town Center Core, however, development in the employment area should be sited so as to create a campus-like facility, with pedestrian oriented buildings and park-like facilities clustered in the interior and greenbelt open space around the perimeter.”

On Page 53 of the Town Plan, under the Goals and Objectives section, Goals, it states:

“Consolidate commercial and employment uses in an expanded town core [,] which includes the Town Center and which enhances Lovettsville’s small town character and human scale.”

On Page 53 of the Town Plan, under the Goals and Objectives section, Objectives, it states:

“Consolidate existing commercial and employment areas along East Broad Way and integrate these areas with the new Town



Center project to create a cohesive downtown core.”

There are other goals, objectives and implementation policies on page 53 of the Plan that pertain to Focus Area. These include pedestrian-orientation for development, landscaping and beautification; good Town design for new development; unified development; diversity of commercial uses and economic development; and consolidation of existing commercial uses into an expanded Town Center.

Table 1 shows parcels in all the land bays with their existing uses and planned land use categories.

<b>Table 1 Existing and Planned Land Use</b> (Planned land use is based on the Town Plan, adopted March 4, 2004, Map: VII-3 Land Use Policy, p. 57 )			
<b>Land Bay</b>	<b>PIN</b>	<b>Use</b>	<b>Planned Land Use</b>
A	369204345	vacant	commercial
A	369204838	vacant	commercial
A	369205331	vacant	commercial
A	369205824	residential	commercial
A	369206910	institutional	commercial
A	369206741	residential	residential
A	369206557 (pt.)	vacant	residential
B	369209138	commercial	commercial
B	369209015	commercial	commercial
B	369209002	commercial	commercial
B	333262242 (pt.)	commercial	commercial
C	333151867 (pt.)	commercial	commercial
C	333151956 (pt.)	commercial	commercial
C	333151846	residential	commercial
C	333152239	residential	commercial
C	369109044	residential	commercial
C	333150433	institutional	residential**
C	333150324	residential	residential**
D	369108659	dilapidated	commercial
D	369107249	commercial	commercial
D	369107761	Institutional	commercial
D	Public Right-of-way	n/a	n/a
E	370402395	residential	residential**
E	369103508	residential	residential**
E	369104313	residential	residential**
E	369105018	residential	residential**
F	369105826	residential	residential**
F	369107110 (pt.)	residential	residential**
F	369107236	commercial	commercial
F	369107731	institutional	residential**

\* single-family detached residential  
 \*\* residential density at one (1) DU/AC

## **Land Bay Analysis**

The Focus Area is divided into Land Bays in order to provide more specific land use and development analysis and guidance. The following identifies the existing conditions, situations and planning issues that pertain in each land bay and suggests.

**LAND BAY A** *The land in the northwest quadrant of the Berlin Pike-West Broad Way intersection.*

About one half the area of Land Bay A is vacant. There are seven parcels all zoned R-1. There is a small religious structure and associated cemetery at the Berlin Pike-West Broad Way intersection on PIN 369206910. There are three parcels with residential dwellings dating from the 1960s and 1970s. The location of Land Bay A is a primary reason to consider it appropriate for development and redevelopment with commercial use, which includes office and personal services use. Land Bay A is opposite the new Town Center commercial core. Automotive related uses are not compatible with the type of commercial use in the new Town Center and these are not appropriate in Land Bay A.

In order to help create a high quality business environment the Main Street design concept should be implemented with businesses oriented to the major streets and parking to the rear of structures. Streetscape treatment should be provided as part of an attractive business and community environment in which pedestrian circulation is encouraged. This planning objective applies to the entire Focus Area.

Land consolidation should be strongly encouraged for Land Bay B because it is located at one of the Town's most heavily used intersections and it is adjacent to the Town Center commercial core. Land consolidation will allow access points as far as possible from the intersection itself. Development under the Town Center zoning district should be encouraged. In order to accomplish this development needs to be under the aegis of the owner/developer of the Town Center.

It is not beneficial for traffic movement and safety to have multiple access points along either Berlin Pike or Broad Way at this location. It is essential to keep access points into development in this Land Bay as far away from the intersection as possible. It is also most beneficial to locate these access points opposite other access points to adjacent Land Bays, such as Land Bay B (Berlin Pike) and the Town Center commercial area (W. Broad Way). It will also help de-congest the intersection to plan a road alignment through the northern part of the Land Bay connecting Berlin Pike to W. Broad Way. See Figure 2, Focus Area Generalized Access and Circulation map.

**LAND BAY B** *The land in the northeast quadrant of the Berlin Pike-West Broad Way intersection.*

Land Bay B has commercial development on all parcels fronting on Berlin Pike, including a restaurant, a convenience store and an automotive-related business. The 7-11 convenience facility is located on a portion of a 38 acre tract that fronts on Berlin Pike and E. Broad Way. The approximate size of the 7-11 portion of the property is two acres

and is zoned C-2. All the land in Land Bay B is currently planned and zoned for commercial development. The US Postal Service owns a 1.25 acre parcel adjacent to the 7-11 parcel and will construct a facility as well as an extension of Church Street to serve the facility.

The definition of commercial use should include office and personal services uses but not automotive related uses. This will be compatible with the type of commercial use in the new Town Center. Development should be unified along Berlin Pike unlike current development, which is stripped along Berlin Pike with individual access points. Development under the Town Center zoning district should be encouraged. In order to accomplish this development needs to be under the aegis of the owner/developer of the Town Center.

At this point access is limited to Church Street and the private access easement for Keister Lane for the entire parcel. Land and access consolidation are important for development in this Land Bay to provide unified, not fragmented, development and prevent congestion at the intersection of Berlin Pike and Broad Way. Access points should be planned as far from the Berlin Pike-Broad Way intersection as possible. An internal vehicular circulation road should be created to relieve traffic pressure on the intersection. It is important to integrate development in this Land Bay with development in Land Bay C and G, which are directly adjacent. Pedestrian circulation between Land Bays should be encouraged.

LAND BAY C *The land on the north and south side of East Broad Way as it intersects near Berlin Pike.*

Land Bay C has a mixture of existing commercial and residential development. This mixture should also be considered within a single structure so there would be residential use above retail and office use on the ground level. Either an existing zoning district would have to be modified or a new zoning district created in order to implement this planning policy allowing retail, office and residential uses in the same structure.

There is a mixture of zoning: R-1, R-2, R-3 and C-1. All the land on the south side of Broad Way is zoned for residential use. There is institutional use, a church, on the southwest corner of Light Street and Broad Way. There are three dwellings dating from 1790, 1800 and 1909. There is a bank with drive-through on the north side of E. Broad Way. Existing residential structures with historic value should be incorporated into development and redevelopment. Land consolidation is encouraged for purposes of access and parking consolidation.

Development and redevelopment should be undertaken in terms of the Main Street concept with buildings oriented to the main street and parking and access in the rear. Streetscape treatment should be provided to create a pedestrian-orientation. Pedestrian access between adjacent land bays should be provided. Vehicular access for the land on the north side of E. Broad Way should be via Land Bay B and Church Street and N. Light Street.

LAND BAY D *The land bounded by Berlin Pike, East Broad Way, Church Street and Town Center Drive extended.*

Land Bay D has the existing Post Office and a sit-down restaurant that is not active. There is a dilapidated blacksmith shop on a third parcel. Presently, Land Bay D is in single ownership. Approximately one-half an acre is public Right-of-Way that is expected to be abandoned because of the recent realignment of Berlin Pike at the Town Center. The entire land bay is zoned

C-1. Land Bay D fronts on the new town square opposite the Town Center commercial core and it is, therefore, appropriate for its land use to be commercial. Development under the Town Center zoning district should be encouraged. In order to accomplish this development needs to be under the aegis of the owner/developer of the Town Center.

Commercial development should be undertaken in terms of the Main Street design concept with buildings oriented to the main streets and parking in the rear. In this case the location and configuration of Land Bay D is such that buildings should be oriented to Berlin Pike and E. Broad Way to allow for sufficient parking. No more than two free-standing, sit-down restaurants should be located in Land Bay D in lieu of any other commercial development. These should also be designed under the Main Street concept with buildings oriented to the main streets and parking in the rear.

LAND BAY E *The land between Germanna Drive and Church Street on the east side of Berlin Pike.*

Land Bay E is opposite the southern end of the Town Center in which residential dwellings are planned and developed. The parcels are developed with residential dwellings. Dwellings on three of the four parcels date from the 1908-1925 period. The planning issue in Land Bay E is the need to eventually create a single access for all the parcels on Church Street instead of four access points now on Berlin Pike. The need for redevelopment is not expected in the near future but the option is provided if the need arises in the sometime in the future. The desirable redevelopment option is one in which the dwellings with historic value are preserved. A full land consolidation will be needed to provide the single access point on Church Street. The redevelopment option is to increase the overall residential density to about 3-4 dwelling units per acre with 4,000—5,000 square foot lots. The Town Plan map would remain with a baseline density of low density residential, one dwelling per acre. The higher density would have to be earned by complying with the redevelopment policies. Either an existing zoning district would have to be modified or a new zoning district created in order to allow the density of residential development planned as an option in Land Bay E.

LAND BAY F *The land along Church Street at its intersection with Berlin Pike (east side).*

One parcel is zoned C-1 and the other three are zoned R-1. The two parcels with residential zoning have residential development. The parcel zoned for commercial use is an old (1880) dwelling that is used as a commercial property. The fourth parcel, zoned R-1, is the Town Office and museum.

When redevelopment occurs Land Bay F should be planned as a transition block between the Town Center commercial core, commercial development in Land Bay D and the adjacent residential area to the east. The house with historic value that is used for commercial use should remain an adaptive reuse of an old structure. If the Town office moves to another location then an opportunity for commercial development will exist. It should have a low profile, single story, as a transition to the adjacent residential area. Its architecture should be compatible with that of the existing older residential development in the immediate vicinity. Development on this property should provide interparcel access to the remainder of the land in Land Bay F so that eventually access can be consolidated at a point on Pennsylvania Avenue and eliminate any access to Church Street from the land bay.

### **Design**

Consolidated development should be encouraged in the Focus Area, particularly in those areas closest to the major roads because these tend to have a pattern of small parcels with fragmented, highway-oriented development. Consolidated development will create more walkable development, which tends to help all the businesses involved. Consolidated development also tends to allow consolidated access, potentially relieving the major intersections from congestion and multiple turning movements.

The Main Street Concept that is encouraged in the Town Plan is ideal for Lovettsville. Buildings oriented to sidewalks along streets gives a sense of community. Major parking is located in the rear of buildings to make the streets more pedestrian oriented.

Streetscape treatment, whether provided by public or private improvement, adds to the appeal of the community and in particular to business enterprises. This involves street trees for visual amenity and shade for pedestrians. Special paving treatment can be more inviting for pedestrians. More pedestrian traffic that is encouraged helps create better social interaction and community.

### **Transportation**

Planning the Town Center at the intersection of Broad Way and Berlin Pike creates a focal point for traffic. The design of the Town Square keeps traffic at a slow pace. In order to help relieve the intersection of some traffic impact it makes sense to plan some collector streets, where feasible, so certain traffic movements can circumvent the intersection. New collector streets could be beneficial through Land Bay A and B. This will depend on a redevelopment and land consolidation process if land owners want to participate in this type of development.

The Plan text and map amendment proposal discusses collector roads in conceptual terms. Generalized alignments are discussed and shown because specific alignments are only appropriate in the development and redevelopment process. The same is true of the access points that are shown on the Generalized Access and Circulation map, Figure 2.

## **Plan Implementation**

The land in Land Bays D and some land in Land Bay C is zoned C-1 or C-2, which allows commercial development. Land Bay B is zoned C-2 and Light Industrial I-1. One parcel in Land Bay F is zoned C-2. Existing parcels already zoned for commercial or light industrial use can each develop by right. Land consolidation will depend on the decisions of individual land owners, who wish to join forces in the future to consolidate land and create consolidated access and circulation. In the case of the land in Land Bay B that is zoned I-1, it is land-locked and would have to join forces with a parcel fronting on Berlin Pike in order to develop. There are many land uses that will be marketable in the future under commercial zoning that require conditional use permits. In the process of evaluating and approving these uses, the Plan policy of land and access consolidation can be implemented as they have to be approved by the Town in a public hearing process.

In Land Bay A the land is zoned R-1. Plan policies for commercial use in this Land Bay would have to be implemented through the rezoning or conditional use permit process. In these processed land, circulation and access Plan policies can be implemented.

## **CONCLUSION:**

Now that there is a specific development plan approved for the Town Center, the Town can expect future development pressure on the surrounding land, whether or not there is development on those parcels or not. The Town has the authority and responsibility to develop a long range plan for land use and development. This will allow future developers to understand the Town's development vision. It appears beneficial for the Town to amend the Town Plan to provide more specific land use and development guidance for the Focus Area than is currently contained in the Plan.

## **RECOMMENDATION:**

The Council is advised to authorize a Town Council public hearing in January 2009 with the following Town Plan text and Land Use Policy Map as the basis for the public hearing notice:

**ADD:** To the Town of Lovettsville Town Plan, March 4, 2004, Chapter VII Land Use, a new section in the text following the Town Center section, to read:

### **"TOWN CENTER FOCUS AREA**

#### General Policies

1. Access points to and from major roads should be minimized to help reduce turning movements and promote pedestrian safety.
2. New access points for land bays should generally be at least 250 feet from existing major intersections. Otherwise, new access points should be opposite existing streets, if possible.

3. Advance planning with VDOT should be undertaken to get a technical understanding of the transportation requirements for development in anticipation of development applications.
4. If development requires rezoning a traffic impact analysis should be provided by development applicants to document the fact that traffic volume and circulation do not overwhelm the planned street and road network. Development should provide the necessary street improvements to handle traffic impact from specific development projects. In some cases this may mean off-site improvements, depending on the character of the development.
5. Public sewer and water should be planned and available in anticipation of development applications that implement planning and development policies.
6. All structures and sites with documented historic value should be preserved and protected even if the original use is changed to another use.
7. Institutional and community uses, including churches, hospital or health care facilities; public or private schools and government facilities may be appropriate on any site if development does not have an adverse impact on the existing immediate community in terms of building mass, scale, architectural treatment or traffic impact. Each use should be considered on an individual basis.

### Land Bays

#### **Land Bay A**

#### Objective

The general planning objective for Land Bay A (except for the African Methodist Episcopal Church property with its cemetery), which is directly opposite the Town Center commercial core on the north side of W. Broad Way, is to mirror the new downtown that has been created by the Town Center commercial core and to provide a satisfactory transition between the Town Center core and existing and planned development beyond Land Bay A.

#### Policies

The following planning and development policies provide guidance for assessing development applications of all kinds:

#### Land Use

1. Retail, professional office, medical care, personal services, and sit-down restaurant uses.
2. Any automobile related uses, convenience stores, feed store, manufacturing and assembly uses are not appropriate.
3. The only development on the African Methodist Episcopal Church property, PIN 369206910, should be the existing development, which includes a cemetery. The property has historic value to the Town.

#### Design

1. Land consolidation is strongly encouraged to prevent fragmented development and the proliferation of access points on major thoroughfares.
2. Development should be unified or continuous, not fragmented. A single structure should generally contain multiple businesses.

3. The scale height of development fronting on Berlin Pike and W. Broad Way should be similar to that of the Town Center commercial core, generally two stories. Otherwise, it should not exceed 25 feet. The design of buildings should have varied facades reflecting the individual businesses. Buildings should have four-sided architectural treatment so that they are attractive from any view.
4. Freestanding commercial buildings should be minimized to prevent fragmented development and the proliferation of access points on major thoroughfares. Drive-through features are not appropriate.
5. Architecture and site design should reflect the Main Street design concept in which buildings are oriented to the major streets with wide streetscaping treatment. Parking should all be located behind structures. Buildings should have entrances to sidewalks along the streets and to parking lots in the rear.
6. The major orientation of commercial buildings should be facing Berlin Pike and W. Broad Way.
7. Buildings should be made of soft materials, such as brick and wood, instead of hard materials, such as metal and concrete.
8. Landscaping and buffering should be provided in excess of Zoning Ordinance requirements along the north boundary of Land Bay A in order to protect the existing residential area along North Berlin Pike. This may include taller evergreen trees and fencing. The exact design of the enhanced buffering should be determined on a case-by-case basis in the rezoning process.
9. The gateway or approach areas for this Land Bay from Berlin Pike and W. Broad Way should be given design treatment that helps establish the identity of the new downtown and it should be in character with the scale of the Town.

#### Streetscape and Pedestrian Circulation

1. Sidewalks should be provided along W. Broad Way and Berlin Pike that are wider than standard five-foot width in order to encourage pedestrian circulation throughout the new downtown, including the Town Center area. Sidewalks should be made of brick or pavers to attract pedestrians.
2. Shade trees should be planted in green strips along street curbs every thirty feet on center. Tree species should be those allowed in Section 6 of the Zoning Ordinance.
3. Street lamps should be placed along the curbs of streets at an interval of no more than twenty-five feet. Lamps should not allow upward light spillage.
4. Street furniture, such as benches, should be located within the streetscape treatment to encourage pedestrian use of commercial facilities in the new downtown.
5. Internal public streets in the Land Bay may have only one sidewalk but that sidewalk should have full streetscape treatment.
6. A clearly defined pedestrian circulation system should be provided that connects development within the Land Bay and from the Land Bay to adjacent properties.

#### Transportation

1. A connecting public street should be provided through the land bay to bypass the Berlin Pike-W. Broad Way intersection and to help facilitate unified development (See Figure 2, Generalized Access and Circulation. NOTE: All collector streets shown on this figure are meant as conceptual guides. Specific alignments will be determined in the development process and will depend on the circumstances that exist at that time).



2. Systematic pedestrian circulation should be provided within the Land Bay and to provide sidewalk access to properties adjacent to the Land Bay along Berlin Pike and W. Broad Way.

#### Implementation

1. Rezoning should provide land use and development features, including streets that are detailed in the above land use, design and transportation policy sections.
2. Land consolidation is strongly encouraged in order to provide unified development and limited access points from major thoroughfares.

### **Land Bay B**

#### Objective

The general planning objective for Land Bay B is to mirror the new downtown that has been created by the Town Center and to provide a satisfactory transition between the Town Center core and existing and planned development beyond Land Bay B.

#### Policies

The following planning and development policies provide guidance for assessing development applications of all kinds:

#### Land Use

1. Retail, professional office, medical care, personal services, and sit-down restaurant uses.
2. Any automobile related uses, convenience stores, feed store, manufacturing and assembly uses are not appropriate.

#### Design

1. Land consolidation is strongly encouraged to prevent fragmented development and the proliferation of access points on major thoroughfares.
2. Development should be unified or continuous, not fragmented. A single structure should generally contain multiple businesses.
3. The scale height of development fronting on Berlin Pike and E. Broad Way should be similar to that of the Town Center commercial core, generally two stories. For areas adjacent to New Town Meadows building height should not exceed 25 feet.
4. The design of buildings should have varied facades reflecting the individual businesses. Buildings should have four-sided architectural treatment so that they are attractive from any view.
5. Freestanding commercial buildings should be minimized to prevent fragmented development and the proliferation of access points on major thoroughfares. Drive-through features are not appropriate.
6. Architecture and site design should reflect the Main Street design concept in which buildings are oriented to the major streets with wide streetscaping treatment. Parking should all be located behind structures. Buildings should have entrances to sidewalks along the streets and to parking lots in the rear.
7. The major orientation of commercial buildings should be facing Berlin Pike, E. Broad Way and in some cases, to public streets internal to the Land Bay.

8. Buildings should be made of soft materials, such as brick and wood, instead of hard materials, such as metal and concrete.
9. Landscaping and buffering should be provided in excess of Zoning Ordinance requirements along the boundary of New Town Meadows. This may include taller evergreen trees, fencing and a berm. The exact design should be determined on a case-by-case basis in the rezoning process.
10. The gateway or approach areas for this Land Bay from North Berlin Pike should be given design treatment that helps establish the identity of the new downtown and it should be in character with the scale of the Town.
11. Development on the outer edges of Land Bay B adjacent to undeveloped land should provide interparcel access points and pedestrian links to future development.

#### Streetscape and Pedestrian Circulation

1. Sidewalks should be provided along W. Broad Way and Berlin Pike that are wider than standard five-foot width in order to encourage pedestrian circulation throughout the new downtown, including the Town Center area. Sidewalks should be made of brick or pavers to attract pedestrians.
2. Shade trees should be planted in green strips along street curbs every thirty feet on center. Tree species should be those allowed in Section 6 of the Zoning Ordinance.
3. Street lamps should be placed along the curbs of streets at an interval of no more than twenty-five feet. Lamps should not allow upward light spillage.
4. Street furniture, such as benches, should be located within the streetscape treatment to encourage pedestrian use of commercial facilities in the new downtown.
5. Internal public streets in the Land Bay may have only one sidewalk but that sidewalk should have full streetscape treatment.
6. A clearly defined pedestrian circulation system should be provided that connects development within the Land Bay and from the Land Bay to adjacent properties.

#### Transportation

1. A public street system should be provided within the Land Bay that connects to Berlin Pike north of the Berlin Pike-Broad Way intersection and to North Church Street and North Light Street. (See Figure 2, Generalized Access and Circulation. NOTE: All collector streets shown on this figure are meant as conceptual guides. Specific alignments will be determined in the development process and will depend on the circumstances that exist at that time).)
2. Systematic pedestrian circulation should be provided within the Land Bay and to provide sidewalk access to properties within the Land Bay and adjacent to the Land Bay, particularly along Berlin Pike and E. Broad Way.

#### Implementation

1. Rezoning should provide land use and development features, including streets, that are detailed in the above land use, design and transportation policy sections
2. Land consolidation is strongly encouraged in order to provide unified development and limited access points from major thoroughfares

## **Land Bay C**

### Objective

The general planning objective for Land Bay C is to create a mixture of commercial and residential land uses with a lower intensity than that of the commercial core of the new downtown. The objective is to create a soft transition between the old downtown and the new downtown (the Town Center commercial core).

### Policies

The following planning and development policies provide guidance for assessing development applications of all kinds:

#### Land Use

1. Retail, professional office, medical care, personal services, and sit-down restaurant uses.
2. Any automobile related uses, convenience stores, feed store, manufacturing and assembly uses are not appropriate.
3. Residential development.
4. New office development can be considered if it is designed in a compatible manner with the scale and architecture of existing structures in the East Broad Way corridor and the old downtown.

#### Design

1. Land consolidation is strongly encouraged to prevent fragmented development and the proliferation of access points on major thoroughfares.
2. Development should be unified or continuous, not fragmented. A single structure should generally contain multiple businesses.
3. The scale height of development fronting on E. Broad Way should be compatible with that of the existing development. Building height should not exceed two stories.
4. The design of buildings should have varied facades reflecting the individual businesses. Buildings should have four-sided architectural treatment so that they are attractive from any view.
5. Freestanding commercial buildings should be minimized to prevent fragmented development and the proliferation of access points on major thoroughfares. Drive-through features are not appropriate.
6. Architecture and site design should reflect the Main Street design concept in which buildings are oriented to the major streets with wide streetscaping treatment. Parking should all be located behind structures. Buildings should have entrances to sidewalks along the streets and to parking lots in the rear.
7. The major orientation of commercial buildings should be toward E. Broad Way.
8. Buildings should be made of soft materials, such as brick and wood, instead of hard materials, such as metal and concrete.
9. A mixture of non-residential and residential use contained in the same structure should be encouraged. Residential use on the second level above the ground level retail or office use.

### Streetscape and Pedestrian Circulation

1. Sidewalks should be provided along E. Broad Way that are wider than standard five-foot width in order to encourage pedestrian circulation throughout the new downtown, including the Town Center area. Sidewalk should be provided along Pennsylvania Avenue. Sidewalks should be made of brick or pavers to attract pedestrians.
2. Shade trees should be planted in green strips along street curbs every thirty feet on center. Tree species should be those allowed in Section 6 of the Zoning Ordinance.
3. Street lamps should be placed along the curbs of streets at an interval of no more than twenty-five feet. Lamps should not allow upward light spillage.
4. Street furniture, such as benches, should be located within the streetscape treatment to encourage pedestrian use of commercial facilities in the new downtown.

### Transportation

1. Access to the parking area behind the buildings fronting on the north side of Broad Way should not be from E. Broad Way. It should be from Land Bay B and North Light Street and from Pennsylvania Avenue. (See Figure 2, Generalized Access and Circulation. NOTE: All collector streets shown on this figure are meant as conceptual guides. Specific alignments will be determined in the development process and will depend on the circumstances that exist at that time).
2. A connecting public street should be provided through the land bay from Land Bay B to N. Light Street.

### Implementation

1. Rezoning should provide land use and development features, including streets, that are detailed in the above land use, design and transportation policy sections
2. Land consolidation is strongly encouraged in order to provide unified development and limited access points from major thoroughfares

### **Land Bay D**

#### Objective

The general planning objective for Land Bay D is to mirror the new downtown that has been created by the Town Center and to provide a satisfactory transition between the Town Center core and existing and planned development beyond Land Bay D.

#### Policies

The following planning and development policies provide guidance for assessing development applications of all kinds:

#### Land Use

1. Retail, professional office, medical care, personal services, and sit-down restaurant uses.
2. Any automobile related uses, convenience stores, outdoor storage and/or display, feed store, manufacturing and assembly uses are not appropriate.

## Design

1. Land consolidation is strongly encouraged to prevent fragmented development and the proliferation of access points on major thoroughfares.
2. Development should be unified or continuous, not fragmented. A single structure should generally contain multiple businesses.
3. The scale height of development fronting on Berlin Pike and E. Broad Way should be similar to that of the Town Center commercial core, which is generally two stories.
4. The design of buildings should have varied facades reflecting the individual businesses. Buildings should have four-sided architectural treatment so that they are attractive from any view.
5. Freestanding commercial buildings should be minimized to prevent fragmented development and the proliferation of access points on major thoroughfares. Drive-through features are not appropriate.
6. Architecture and site design should reflect the Main Street design concept in which buildings are oriented to the major streets with wide streetscaping treatment. Parking should all be located behind structures. Buildings should have entrances to sidewalks along the streets and to parking lots in the rear.
7. The major orientation of commercial buildings should be facing Berlin Pike, E. Broad Way.
8. Buildings should be made of soft materials, such as brick and wood, instead of hard materials, such as metal and concrete.
9. The gateway or approach areas for this Land Bay from Berlin Pike should be given design treatment that helps establish the identity of the new downtown and it should be in character with the scale of the Town.

## Streetscape and Pedestrian Circulation

1. Sidewalks should be provided along W. Broad Way and Berlin Pike that are wider than standard five-foot width in order to encourage pedestrian circulation throughout the new downtown, including the Town Center area. Sidewalks should be made of brick or pavers to attract pedestrians.
2. Shade trees should be planted in green strips along street curbs every thirty feet on center. Tree species should be those allowed in Section 6 of the Zoning Ordinance.
3. Street lamps should be placed along the curbs of streets at an interval of no more than twenty-five feet. Lamps should not allow upward light spillage.
4. Street furniture, such as benches, should be located within the streetscape treatment to encourage pedestrian use of commercial facilities in the new downtown.

## Transportation

1. Access should only be provided via Church Street to prevent turning movements along the Town Square frontage. (See Figure 2, Generalized Access and Circulation. NOTE: All collector streets shown on this figure are meant as conceptual guides. Specific alignments will be determined in the development process and will depend on the circumstances that exist at that time).

### Implementation

1. Rezoning should provide land use and development features, including streets, that are detailed in the above land use, design and transportation policy sections
2. Land consolidation is strongly encouraged in order to provide unified development and limited access points from major thoroughfares

### **Land Bay E**

#### Objective

The general planning objective for Land Bay E is to create an optional, alternative use to the existing residential use in case of redevelopment. Development should provide a transition from the Town Center commercial core to residential development beyond the Land Bay.

#### Policies

The following planning and development policies provide guidance for assessing development applications of all kinds:

#### Land Use

1. The existing residential use with older single-family detached dwellings helps preserve the small town character of the Town and should be maintained to the greatest extent possible.
2. As an option, if landowners choose to redevelop, residential use can be considered with a density up to four (4) dwelling units per acre (4,500-5,500 sq. ft. lots). This can only be considered if complete land consolidation is provided and a single access point is provided on Church Street. The higher density under this option would provide an incentive to consolidate the land and provide a single entrance point that removes access directly to Berlin Pike. Residential use at a slightly higher density than that of existing development would also provide a transition from the adjacent residential area to the Town Center on the opposite side of Berlin Pike. Redevelopment should make every effort to incorporate some of the existing dwellings with historic value rather than destroy them.

#### Design

1. Duplex dwellings can help provide the design flexibility that allows the implementation of consolidated access.
2. Building fronts should be oriented to Berlin Pike.
3. Architectural treatment should be compatible with existing dwellings having historic value that are incorporated into the land consolidations.
4. Architectural treatment should be provided for all sides of buildings so that they are attractive from all views.
5. Landscaping and buffering should be provided in excess of Zoning Ordinance requirements in order to protect the existing single-family detached residential community on Germanna Drive. This may mean taller evergreen trees and fencing and a yard less wide than required in the Ordinance. The exact design should be determined in the rezoning process.

#### Streetscape and Pedestrian Circulation

1. Sidewalks should be located along the frontage of Berlin Pike to allow pedestrian access to and from the residential area on Germanna Drive. Shade trees should be located along the curb in a green strip every thirty feet on center.

#### Transportation

1. Under a redevelopment option access should only be to Church Street. (See Figure 2, Generalized Access and Circulation. NOTE: All collector streets shown on this figure are meant as conceptual guides. Specific alignments will be determined in the development process and will depend on the circumstances that exist at that time).

#### Implementation

1. The entire land bay has to be consolidated in order to consider a redevelopment option for higher residential development.
2. A new residential zoning district needs to be created to allow duplex single-family dwelling units.

### **Land Bay F**

#### Objective

The general planning objective for Land Bay F is to create a commercial and public use transition between the Town Center commercial core and the adjacent residential area in the old downtown.

#### Policies

The following planning and development policies provide guidance for assessing development applications of all kinds:

#### Land Use

1. Residential structures with historic value should be used for commercial enterprises to the greatest extent possible.
2. Professional office, commercial retail, personal services, medical and sit-down restaurants.
3. Institutional uses may be considered singly or in combination with commercial uses.
4. Any automobile related uses, convenience stores, outdoor storage and/or display, feed store, manufacturing and assembly uses are not appropriate.

#### Design

1. The design of buildings with multiple businesses should have varied facades reflecting the individual businesses. Buildings should have four-sided architectural treatment so that they are attractive from any view.
2. Architecture and site design should reflect the Main Street design concept in which buildings are oriented to the major streets and parking should all be located behind

structures. Buildings should have entrances to sidewalks along the streets and to parking lots in the rear.

3. Building height should not exceed two stories.
4. Buildings should be made of soft materials, such as brick and wood, to create a human scale and an inviting feeling.

#### Streetscape and Pedestrian Circulation

1. Sidewalks should be provided along Church Street and Pennsylvania Avenue and should be made of brick or pavers to attract pedestrians.
2. Shade trees should be planted in green strips along street curbs every thirty feet on center. Tree species should be those allowed in Section 6 of the Zoning Ordinance.
3. Street lamps should be placed along the curbs of streets at an interval of no more than twenty-five feet. Lamps should not allow upward light spillage.

#### Transportation

1. Access should be consolidated and oriented to Pennsylvania Avenue. (See Figure 2, Generalized Access and Circulation. NOTE: All collector streets shown on this figure are meant as conceptual guides. Specific alignments will be determined in the development process and will depend on the circumstances that exist at that time).

#### Implementation

1. Rezoning should provide land use and development features, including streets, that are detailed in the above land use, design and transportation policy sections
2. Land consolidation is strongly encouraged in order to provide unified development and limited access points from major thoroughfares.
3. Land should be consolidated and development designed in a manner so that existing structures with historic value are not destroyed.

**ADD:** The Town of Lovettsville Town Plan, March 4, 2004, Map VII-3 Land Use Policy, page 57, a note that reads:

“When there is specific text referring to specific land uses in the Town Center Focus Area section of Chapter VII Land Use of the Town Plan, this text shall be considered the planned land use, not the land use designated on the Land Use Policy Map.”

**NOTE:** Figure 1, Focus Area Land Bay Map, and Figure 2, Focus Area Generalized Access and Circulation Map, should be incorporated into the proposed Plan text for the Town Center Focus Area in Chapter VII Land Use in the Town Plan.

**ATTACHMENTS:**

- 1) Figure 1. Focus Area Land Bays
- 2) Figure 2. Focus Area Generalized Access and Circulation



**Figure 1**  
**Land Bays**

**Town Center**  
**Focus Area**

**Legend**  
Buildings  
Parcels

ITEM: LVPA 2007-0001  
September 3, 2008

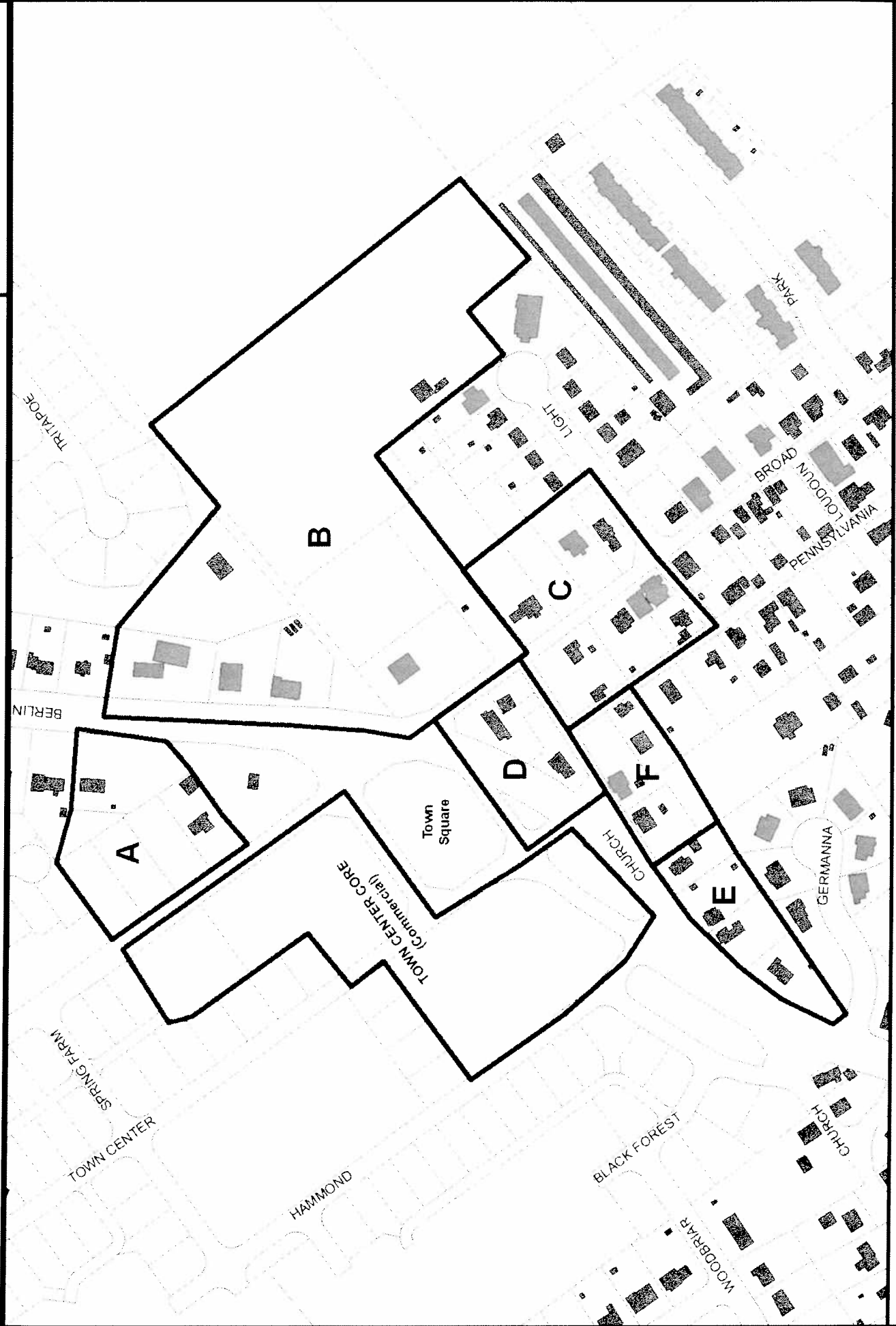


Figure 2

Generalized Access and Circulation

Town Center Focus Area

Legend  
Buildings  
Parcels

Access Point  
Circulation

ITEM: LVPA 2007-0001  
November 4, 2008

NOTE: Access points and street alignments are meant to provide conceptual guidance only. Specific street and access alignments will be determined in the development process and will depend on the circumstances that exist at that time.

→ Approximate access point  
-- General street alignment

