

## LEXINGTON PLANNING COMMISSION

February 24, 2022 - 5:00 P.M  
 Lylburn Downing Middle School Cafeteria  
 302 Diamond Street, Lexington, VA 24450

### AGENDA

1. **CALL TO ORDER**
2. **APPROVAL OF THE AGENDA**
3. **APPROVAL OF MINUTES**  
Minutes from February 10, 2022\*
4. **CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA**
5. **NEW BUSINESS**
  - A. RZ 2022-01: An application by Washington & Lee to rezone multiple properties owned by the University to the I-1 Institutional Overlay District
    - 1) Staff Report\*
    - 2) Applicant Statement
    - 3) Public Comment
 Commission Discussion & Decision
  - B. MPA 2022-01: Washington & Lee Campus Master Plan Update
    - 1) Staff Report\*
    - 2) Applicant Statement
    - 3) Public Comment
    - 4) Commission Discussion & Decision
6. **OTHER BUSINESS**
  - A. Zoning and Planning Report – If applicable
  - B. Catalyst Project Updates – If applicable
    - 1) Bike/Ped Plan: Ongoing
    - 2) Increase Sidewalk Connectivity: Ongoing
    - 3) Accessory Dwelling Unit Ordinance: Starting soon
    - 4) Jordan's Point Park Plan Implementation
    - 5) Reprogram Traffic Signals Downtown: Complete
    - 6) Assess Stormwater Fees: Tabled until next year
    - 7) Green Infrastructure Group
  - C. Key Annual PC Milestones: Ongoing. Remaining items:
    - 1) Zoning Text Amendments: Ongoing. Remaining items:

- a. Small Cell
  - b. Planned Unit Development
  - c. Accessory Dwelling Unit
  - d. Cottage Housing
  - e. What else, if any?
- 2) Comp Plan Review: Ongoing

**7. CITY COUNCIL REPORT**

**8. ADJOURN**

\*indicates attachment

## MINUTES

**The Lexington Planning Commission**  
**Thursday, February 10, 2022 – 5:00 p.m.**  
**Distance Meeting held through ZOOM**  
**300 East Washington Street, Lexington, VA 24450**

### **Planning Commission:**

Presiding: Blake Shester, Vice-Chair  
 Present: Nicholas Betts  
 Pat Bradley  
 John Driscoll  
 Blake Shester, Vice-Chair  
 Leslie Straughan, Council Liaison  
 Matt Tuchler  
 Absent: Jamie Goodin, Chair

### **City Staff:**

Arne Glaeser, Planning Director  
 Kate Beard, Administrative Assistant

### **Bike/Ped Plan Consultants:**

Nick Britton, Michael Baker International.  
 Todd Gordon, EPR  
 Matthew Rehnborg, EPR

### **CALL TO ORDER**

Vice-Chair Shester called the meeting to order at 5:01 p.m.

### **AGENDA**

The agenda was unanimously approved as presented. (N. Betts / J. Driscoll)

### **MINUTES**

Minutes from the January 27, 2022 meeting were unanimously approved as amended by Commissioners Driscoll and Betts. (P. Bradley / L. Straughan)

### **CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA**

Tom Contos, 301 McLaughlin Street - addressed the process for the review of the W&L rezoning and master plan applications scheduled for the Commission's February 27, 2022 meeting. He commented that the adoption of a new master plan is a rare event and cautioned the Commission to be aware of the complexities involved in a master plan review. He has been involved in University planning for 37 years, and in his work for UVA always consults with a law firm specializing in zoning law. He encouraged the City to do the same. He stressed the importance of differentiating between ownership and underlying zoning, as the zoning is tied to the land, not to who owns it and retains its zoning even when transferred to a new owner. He stated if a property is not in the overlay, it is irrelevant whether it is owned by an individual or an institution – neither is privileged to advance a master plan. He said that when a master plan is approved for all or part of the land in an overlay, it becomes a part of the Zoning Ordinance by reference, but serves more as an interim statement of intent. The institution would continue to have the option to amend the master plan or to skip that step and seek conditional permitting, which he indicated was how the Hillel House project was accomplished. He said the City should consider whether that land is suitable for further expansion of the institution.

Shannon Spencer, 512 Taylor Street - said the broad change requested in the W&L master plan application would not help the Lexington community and urged that portions of the plan be considered separately. She expressed concerns about the impact the proposals suggested for Lee

Avenue and the McLaughlin Street/Nelson Street triangle would have on community use, traffic, and safety. She suggested the proposed transits over Woods Creek be given serious consideration for environmental reasons. She urged the Commission to table the proposal for the zoning changes until there have been opportunities for the Lexington community to have input, and to make no zoning changes until improvement plans are imminent. She also urged the City to conduct traffic studies, environmental impact studies, and to get input from the fire department on life safety access before making zoning changes.

## NEW BUSINESS

### **A. Presentation of 60% Bike/Ped Plan by Michael Baker International & EPR consultants:**

1) **Michael Baker International & EPR presentation** – Nick Britton of Michael Baker International and Todd Gordon and Matthew Rehnberg of EPR, PC provided a power point presentation covering the project background and goals, the modes of research, public participation, and themes arising from stakeholder meetings. They then presented draft recommendations, focusing on three areas in the City and explanations of the various suggested treatments.

2) **Public Comment** –

Shannon Spencer, 512 Taylor Street – asked if the consultants have identified who is using the streets for biking and pedestrian uses, who they are targeting to use the bike paths, and what the goals are for the plan. Mr. Gordon replied that it varied by segment. Mr. Britton indicated the focus of the downtown projects is on the greatest shared benefit, while the more peripheral projects tend to focus on a more specific type of individual, such as bicyclists who are not as comfortable biking in the streets for example. Ms. Spencer followed up by noting that the plan recommends that Taylor Street be a “slow street” and asked for clarification as to how that would be accomplished and whether it would require eliminating parking. Mr. Gordon explained the “slow street” treatment tends to be more focused on pedestrian use than bicycle use and its goal is to formalize low traffic areas to enable safe and efficient pedestrian, bicycle and automotive sharing of the space.

Barbara Walsh, 301 McLaughlin Street – noted a lack of connectivity along Thornhill Road on the map showing the GAP recommendations and asked if there was an existing feature that provided a connection and if so, whether there is a map of existing facilities that could be overlaid with the proposed facilities to show how everything would eventually connect. She noted a lack of trees in the slide show photographs and hoped that consideration would be given to green infrastructure as the plan is finalized. She suggested maps showing contour lines as well as the schematic would be helpful. She noted a pedestrian trail behind Wilson Hall, as yet unbuilt but proffered by W&L, is not on the map and hoped it would not be forgotten. She expressed enthusiasm about the proposed pedestrian bridge connecting Jordan’s Point to the Chessie Trail. She asked if the consultant team had reviewed the City’s design standards for sidewalks and bike lanes and whether new standards would be recommended. She observed that East Lexington is cut off from the rest of the City and requested the addition of a bike/pedestrian overpass over the bypass to connect that neighborhood to Lylburn Downing, Richardson Park and the shopping along E. Nelson Street via Lewis Street.



Lee Merrill, 2 S. Randolph Street –supported the addition of a bike/pedestrian overpass over the bypass. He said the addition of a sidewalk along Miller Street connecting Rockbridge Square Shopping Center with Brewbaker Field Complex is much needed and would help with traffic volume along Taylor Street. He noted access to Lime Kiln Theater would be improved with additional sidewalks along Lime Kiln Road west of the Fairwinds subdivision and he expressed appreciation for the proposed shared use path between E. Nelson Street and N. Lewis Street. His final comment was that he found the interactive map used for the survey difficult to use.

Chris Wise, resident of Rockbridge County – expressed support of Mr. Merrill’s comment about the accessibility of Lime Kiln Theater along Lime Kiln Road and Ms. Walsh’s suggestion of the addition of an overpass over the bypass. He also supported integrating green infrastructure into the bike/ped plan including landscaping, storm water management considerations into physical infrastructure for bike lanes, sidewalks, etc. He expressed concern about the accessibility of Woods Creek Trail due to its surface and lack of maintenance and requested clarification of the ownership and maintenance of the trail. He observed that the W&L master plan application provides for substantial development in the Woods Creek valley and expressed concern that there may be no permanent dedicated access to the trail. He suggested the City consider formalizing the trail’s permanent status.

Sam Allen, 19 Westside Court – noted that sharrows and future bike lanes shared the same coding on the recommendation maps, but that they are very different features in practice. He explained that, as a cyclist, he feels much safer in a divided lane and that in Lexington, sharrows are confusing to most drivers as well as many cyclists. He suggested thinking about sharrows and bike lanes separately. He then asked what approaches there are for streets such as Main Street which are recommended to have bike lanes but currently have parking on both sides of the street. He encouraged consideration be given to the development of specific routes which would allow children to safely ride from one school to another, as it is not currently safe for children to do so in the City. Mr. Rehnberg clarified that the short term recommendation would likely be for the adoption of sharrows, due to lack of space. He said the recommendation for future bike lanes would be contingent on many things, including the existence of additional alternate parking that would allow for the creation of additional bike lane pavement use through the removal of on-street parking.

Arthur Bartenstein, 614 Stonewall Street – suggested the inclusion of alleys and/or greenspaces not connected to streets as a creative way to connect some of the routes. Mr. Gordon indicated there had been discussion about potential connections through the cemeteries. Mr. Bartenstein suggested it might be possible to make Woods Creek Trail more bike friendly.

Morris Trimmer, 605 Ross Road – agreed that Woods Creek Trail could provide excellent walking and biking, especially if the surface was improved, and suggested the alley across from Ross Road could provide a connection between the trail and Main Street. He then asked for details about the additional sidewalk recommended along Ross Road. Mr. Gordon responded that the specifics of the sidewalk had not been determined, but its

inclusion on the map was an indication from public input of a desired connection, particularly as a link to Boxerwood, and that recommendations for that area would be further developed.

Mr. Wise – followed up on Mr. Trimmer’s comment by suggesting that the issue is the completion of the Woods Creek Trail connection on the Brushy Blue trail system. The Woods Creek trail ends on Waddell property at Ross Road and Mr. Wise reported that Kendal and RACC are looking at the possibility of extending the Brushy Blue trail through their properties to provide the missing link between the Woods Creek trail and Kendal RACC property at Sunnyside.

### 3) **Commission Discussion –**

M. Tuchler asked for clarification about collisions. Mr. Gordon said they had looked at bike and pedestrian related crashes. He indicated that nothing stood out, mostly they were reported in the downtown area which was to be expected.

P. Bradley asked about the area of S. Main from Wallace Street to its intersection with the bypass. He pointed out that there are sharrows, but the sidewalking is not contiguous. He noted this is a priority area for future development and had hoped to see the plan address the area’s walkability and connectivity to downtown. Mr. Gordon responded that they would take another look at the area’s sidewalk connectivity.

J. Driscoll said he agreed with almost all of the public comments and encouraged attendees to send in their comments. He added to Commissioner Bradley’s comments about the S. Main Street area, noting that Waddell Street also lacks a contiguous sidewalk and suggesting that connecting Waddell Street to the Brewbaker complex and then to the off-road shared use path could be another way to connect the VDOT area to town for pedestrians – perhaps by using a creative slow street option. He believed that in the next phase, linking the typologies presented as GAP recommendations to specific Lexington streets would make it less difficult to envision how they would work in practice. He encouraged the integration of green infrastructure into the final plan, as well as a phased thinking, particularly in the downtown area, and agreed a linkage from East Lexington to the rest of town should be considered important. He suggested that the recommendation map include a reference to the Brushy Blue trail similar to the one for the Chessie Trail. He then asked what criteria were being used for prioritization. Mr. Gordon indicated criteria had not yet been finalized, welcomed input and provided some examples. In response to a question from N. Betts, Mr. Gordon said he believed slow street speed limits would likely be 25 mph.

Director Glaeser and Mr. Gordon provided clarification of the process involved in finalizing the plan. This presentation was to receive input from the public and Planning Commission on the 60% plan. The final plan will be presented to City Council. The Planning Commission will not be required to adopt or approve the plan. The final plan will be a tool for the City to use as it wishes.

B. Shester asked if the City has the ability to widen sidewalks and A. Glaeser responded that it was a possibility in areas already owned by the City, but very unlikely if the property would require purchase. He suggested in some instances it may be possible to borrow from the travel lane.

P. Bradley suggested that, given their experience and research, guidance from the consultants about how to prioritize would be helpful. He also offered that, if effective, the slow street treatments would be very beneficial.

L. Straughan said it is important that this be usable plan. She found the recommendations helpful in pointing out the areas for the City to focus on. She said she agreed there are other areas that are lacking in connectivity but suggested the plan would be of better use to the City if it is practical. She encouraged the consultants to be creative in their final recommendations suggesting one way streets as an example of a way to reclaim street space.

J. Driscoll seconded the idea of creative recommendations. He also suggested E. Preston Street between Randolph and Spotswood could provide an additional connection on the recommendation map.

A deadline of February 18, 2022 was set for additional input to be forwarded to the Planning Department to be shared with the consultants.

## **B. ZOA 2021-04: Annual Zoning Ordinance Amendments. Planned Unit Development**

- 1) **Staff Report** – Vice-Chair Shester suggested this discussion be tabled due to time constraints. Director Glaeser agreed.

## **OTHER BUSINESS**

- A. Zoning and Planning Report – none
- B. Catalyst Projects Updates – none
- C. Small Cell – A. Glaeser reported the final portion of the small cell text amendment has been forwarded to the City Attorney for review. Once it has been finalized we will have a complete strike-through and underline to be advertised for a public hearing.

What else? – There was discussion about the public comments heard before the New Business portion of the meeting and the W&L master plan and rezoning applications scheduled to be reviewed at the February 24, 2022 meeting. A. Glaeser offered to request that the City Attorney attend the meeting to address any legal questions that may arise during the discussion. He also noted there are various ways to address how the applications are reviewed and recommendations made. L. Straughan requested the Commission be provided with maps of all the property owned by W&L, what is in the current Master Plan and what they are requesting be added to the Master Plan. A. Glaeser said staff would provide the last master plan and an accounting of the additions since its approval. L. Straughan suggested the Chair set a time limit for the meeting and M. Tuchler said a time limit could be formalized when the agenda is approved. J. Driscoll reminded the Commission that it had the

option to continue discussion of the applications during another meeting should the need arise. He also requested the City Attorney provide guidance on the topic of conflicts of interest. P. Bradley said a clear explanation of how the rezoning would affect what can be done on the properties would be very important for both the Commissioners and the public to understand what is at stake.

#### **CITY COUNCIL REPORT**

L. Straughan reported that at its meeting on February 3<sup>rd</sup>, City Council unanimously approved the Conditional Use Permit for the Abigail Inn. She said the three Rockbridge municipalities have decided to merge their stand-alone housing study effort with the housing study being produced by the PDC. There has been discussion of the PDC doing the items we are requesting at the beginning of the study, so we should still receive the information within the next year. Council approved allocating some of the American Rescue funds to the CIP for the West Nelson Street bridge repair. There will be at least one more worksession to discuss the Spotswood proposals before it is scheduled for a public hearing.

#### **ADJOURN**

The meeting was adjourned at 7:03 pm with unanimous approval. (J. Driscoll / P. Bradley)

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J. Goodin, Chair, Planning Commission

**Staff Report & Recommendation  
Rezoning and Master Plan Amendment  
RZ 2022-01 / MPA 2022-01 - Washington & Lee Campus Master Plan update**

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<b>Project Name</b>	Washington & Lee Campus Master Plan Update 2022
<b>Property Location</b>	W&L campus (Tax Parcel #s NM19, NM15, NM16, NM17, 17-1-4, 16-1-2, 15-1-38, 15-1-39, 15-1-40, 16-1-3, NM57, NM13, NM7, NM19, NM6, NM8, NM57, NM4, NM3, NM2, NM12, NM14, NM11, 8-1-1, 16-3-B, 16-3-A, NM58, 16-1-64, 16-1-63, 16-1-65, 16-1-62, 16-1-61, 16-1-44, 16-1-16, 16-1-17, 16-1-13, 16-1-40#, 16-1-37, 16-1-31, 16-1-30, 16-1-29, 16-1-28, 16-1-32, 16-1-36, 16-1-35, 16-1-34, 16-1-33, 15-1-36, 16-5-1, 16-1-11, 16-1-6, 16-1-5, 16-1-4, 24-1-55A, 24-1-54, 24-1-55A#, 24-1-56, 24-1-57, 24-1-59, 24-1-62, 24-1-63, 24-1-58, 16-1-43, 16-1-42, 16-1-41, 16-1-26, 16-1-25, 16-1-24, 16-1-21, 16-1-20, 16-1-19, 16-1-18, 16-1-15, 16-1-14, 16-1-12, 16-1-7, 16-1-38), <b>and</b> 14 parcels requested to be rezoned (Tax Parcel #s 16-1-26, 16-1-25, 16-1-24, 16-1-21, 16-1-20, 16-1-19, 16-1-18, 16-1-15, 15-1-36, 16-1-17, 16-1-16, 16-1-13, 16-1-41, and 16-1-34).
<b>Current Zoning</b>	R-1 (General Residential District), C-1 (Commercial Central Business), R-LC (Residential-Light Commercial), R-M (Multifamily Residential), I-1 (Institutional Overlay), and, where applicable, FP (Floodplain Overlay)
<b>Owner/Applicant</b>	Washington & Lee University / Hugh Latimer, W & L University
<b>Applicant's Intent</b>	Washington and Lee University submitted a request for the approval of an updated master plan for the W&L campus including a request to rezone 14 parcels to the I-1 zoning district because these parcels were not part of previous campus master plan approvals for W&L and must be rezoned to I-1 in order to be considered with the proposed Campus Master Plan.

**PC RECOMMENDATION: PENDING**

**STAFF RECOMMENDATION: RZ 2022-01 Approval of some, but not all of the rezoning requests;  
MPA 2022-01 Approval with conditions**

**W&L CAMPUS MASTER PLAN, GENERAL LOCATION MAP (not to scale)**



**OVERVIEW OF REQUEST**

The subject applications request to amend the City's Zoning Map to rezone fourteen (14) properties (*see table beginning of page 6*) to the I-1 (Institutional [Overlay] District), while retaining the existing underlying zoning districts as well as the FP (General Floodplain [Overlay] District) zoning as it applies to the properties. Additionally, the applicant is seeking to amend the University's Campus Master Plan, required for institutional uses within the I-1 zoning district, to incorporate the uses of the properties, both existing and proposed.

The submitted Campus Master Plan establishes a decade-long vision and provides recommendations for integrating ten capital projects in support of the Strategic Plan for W&L. These include: the Center for Academic Resources and Pedagogical Excellence (Harte Center) in the Leyburn Library; the Institutional Museum; a parking deck on Lee Avenue, the Williams School expansion; Upper Division Housing; renovation and expansion of Elrod Commons; a new Admission and Financial Center; expansion of the Science Center; expansion of Wilson Hall; and a Softball Field.

## **WASHINGTON & LEE UNIVERSITY MASTER PLAN HISTORY**

The University's first Campus Master Plan was approved by City Council on August 22, 1985 and since that time there have been a number of amendments to the Campus Master Plan as well as a number of conditional use permits and site plans approved. We believe the most current Campus Master Plan update that provided a master plan map for the entire campus was adopted in 1998. Detailed files cannot be found for the submittal in 1998, and specifically there is no application that indicates whether additional properties were rezoned to the I-1 zoning district at that time. Staff, therefore, makes the assumption that all of the parcels within the red boundary line shown on the "Campus Master Plan" map dated February 1998 and denoted Job Number 15-3859 are a) zoned to the I-1 overlay zoning district, and b) included in the 1998 Campus Master Plan approval (see map in Appendix B). From this baseline assumption we can determine what has been added to the W&L Campus Master Plan through rezoning, amendment, conditional use permit, and what has been approved through the site plan review process. After significant research, staff compiled a timeline of land use approvals beginning in 1985 for W&L and that timeline can also be found in Appendix B.

A comparison of the parcels contained in the 1998 approval and of the parcels contained in the current Master Plan submittal was conducted to determine whether all of the parcels added since 1998 have been rezoned to the I-1 overlay zoning district and included in an amendment to the Master Plan. This comparison also took into account land use approvals that occurred since the approval of Master Plan in 1998 as shown on the aforementioned timeline. This comparison was needed because the records of past approvals is poor and a number of conflicts are evident on the City's Institutional Overlay map particularly at it applies to the W&L campus.

## **INSTITUTIONAL DISTRICT I-1 - INTENT AND CONCEPT**

In 1985 Lexington amended the city's zoning ordinance by adding a new overlay zoning district. The Institutional District (I-1) (Article VII of the Zoning Ordinance) was designed to allow larger scale institutional uses such as universities and medical campuses to develop in accord with master plans approved by the City Council. By approval of a master plan, Council pre-authorizes various land uses that are described and located within the area incorporated within the master plan. Land uses not shown and described by the master plan can only be approved through the issuance of a conditional use permit by City Council, after review and recommendation by the Planning Commission.

Also outlined in Article VII, the intent behind the concept of the I-1 zoning district is that it function as an *overlay district*, meaning that the application of the overlay district on property does not result in a change of the underlying zoning district (or other overlay districts, such as the General Floodplain District) or the regulations that may be derived



from the underlying or base zoning district. For example, a property can be zoned R-1 as the underlying zoning district, and have an institutional overlay that is implemented with an approved master plan. Uses allowed on the hypothetical subject parcel are the uses permitted in the R-1 zoning district (and, if applicable, the conditional uses via the approval of a conditional use permit), and the parcel specific approval(s) contained in the approved master plan. A building permit cannot be issued by the City in this instance for any uses that are not a) permitted in the R-1 zoning district, or b) specifically approved for the parcel in an adopted master plan.

Development standards (building height, lot area, lot width, setback, parking, etc.) may be proposed as part of a submitted master plan request. If development standards are not proposed as a part of a master plan, the development standards applicable to the underlying zoning districts shall apply (Section 420-7.5 of the Zoning Ordinance). Site plans are required for new development approved within a master plan, and if the new development is within 200 feet of a public street or within 200 feet of a boundary of the area included within the master plan, City Council must approve the site plan (Section 420-7.8 of the Zoning Ordinance).

W&L has not proposed any specific development standards to the 10 proposed projects as a part of the current Campus Master Plan update request. Thus, any existing development standards applicable in the underlying zoning district(s) will apply to the new construction projects.

At your meeting on the 24th, we can review the proposed master plan and discuss whether or not any of the proposed projects should be subject to the addition of modified development standards. For example, the proposed addition to Wilson Hall will be located closer to McLaughlin Street and may not meet the 25 foot minimum front yard setback requirement for the R-LC zoning district. If desired, conditions pertaining to the proposed building's front yard setback or height can be considered as a part of this master plan submittal, and/or as part of the Commission and Council review of a subsequent site plan for these proposed improvements.

## **MASTER PLAN AMENDMENT APPLICABLE ZONING ORDINANCE SECTIONS**

### **Article VII. Institutional District I-1**

#### *Section 420-7.3., Permitted uses (in part)*

*A building and/or land shall be used for the following purposes:*

- A. Insofar as uses are generally consistent with the base district, public and private schools, colleges, universities, medical campuses and other educational or research institutions which have been approved as part of a master plan as set forth herein below, and including hospitals and other medically related facilities, dormitory or other student housing, university-administered fraternity and sorority houses, other fraternity and sorority houses with conditional use*



*permits, staff and faculty housing, classroom, library, religious, administrative, recreational, athletic, alumni, parking and service facilities, signs and other accessory uses owned by or operated under the control of such institution.*

Under the Institutional District uses are allowed as prescribed by an approved master plan, with the focus on institutional uses and associated accessory uses.

*Section 420-7.6., Master plan.*

*B. Action by Planning Commission; amendments.*

- (1) The Planning Commission shall approve the master plan when it finds, after reviewing a report from the Zoning Administrator and after holding a public hearing thereon, that the development shown on the master plan is in compliance with the requirements of the Institutional District I-1 and other applicable provisions of this chapter; that such development will not be detrimental to the public health, safety and welfare or unduly injurious to property values or improvements in the neighborhood and will not be in conflict with the policies and principles of the City's adopted Comprehensive Plan; and that adequate public services are or reasonably will be available. Otherwise, the Commission shall disapprove the plan.*
  
- (2) The action of the Commission shall be based upon a finding of fact, which shall be reduced to writing and preserved among its records. The Commission shall submit to the Council a copy of its finding and a copy of the master plan, together with its recommendations.*
  
- (3) Amendments to the master plan may be accomplished by the same procedure as for an original application.*

Staff finds that the proposed uses generally comply with the requirements of the Institutional District (see specific project recommendations) and other applicable provisions of the Zoning Ordinance, are not detrimental to the public health, safety and welfare or unduly injurious to property values or improvements in the neighborhood, are not in conflict with the policies and principles of the City's adopted Comprehensive Plan, and that adequate public services are available.

### **ZONING MAP AMENDMENT, VIRGINIA FACTORS TO CONSIDER**

**Code of Virginia, Title 15.2, Counties, Cities and Towns, Chapter 22, Planning, Subdivision of Land and Zoning, §15.2-2284, Matters to be considered in drawing and applying zoning ordinances and districts**

*Zoning ordinances and districts shall be drawn and applied with reasonable consideration for the existing use and character of property, the comprehensive plan, the suitability of property for various uses, the trends of growth or change, the current*

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*and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the protection of life and property from impounding structure failures, the preservation of agricultural and forestal land, the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the locality.*

**ZONING MAP AMENDMENT, LEXINGTON FACTORS TO CONSIDER**

To determine the appropriate use and development form for a specific parcel, property owners should refer to the Future Land Use Map and the corresponding planning objectives and design principles in the Lexington Comprehensive Plan 2040. Ultimately, the specific use and zoning of an individual parcel will be reviewed by the City using the Comprehensive Plan as a guide. The following table lists the 14 properties proposed to be rezoned to the Institutional Overlay zoning district and the table also provides the Comprehensive Plan designation for each of those 14 parcels.

<b>SUBJECT PROPERTIES PROPOSED FOR REZONING TO INSTITUTIONAL OVERLAY (I-1)</b>						
<b>Property</b>	<b>Tax Map #</b>	<b>Area</b>	<b>Existing Zoning</b>	<b>Existing Use</b>	<b>Proposed Use</b>	<b>Comp Plan</b>
103 McLaughlin St.	16-1-26	+/- 0.17 ac.	R-1	Single-Family Dwelling	Campus Housing	Civic/Campus/ Post
105 McLaughlin St.	16-1-25	+/- 0.05 ac.	R-1	Single-Family Dwelling	Campus Housing	Civic/Campus/ Post
107 McLaughlin St.	16-1-24	+/- 0.05 ac.	R-1	Single-Family Dwelling; issued a CO in 1992 grandfathering occupancy of 4 unrelated individuals, but such right may have expired if such occupancy ceased for more than 2 years.	Campus Housing	Civic/Campus/ Post
109 McLaughlin St.	16-1-21	+/- 0.08 ac.	R-1	Single-Family Dwelling	Campus Housing	Civic/Campus/ Post
111 McLaughlin St.	16-1-20	+/- 0.05 ac.	R-1	Single-Family Dwelling	Campus Housing	Civic/Campus/ Post
113 McLaughlin St.	16-1-19	+/- 0.15 ac.	R-1	Single-Family Dwelling	Campus Housing	Civic/Campus/ Post
115 McLaughlin St.	16-1-18	+/- 0.1 ac.	R-1	Vacant	Campus Housing	Civic/Campus/ Post
117 McLaughlin St.	16-1-15	+/- 0.1 ac	R-1	Apartment House (3 units in single structure)	Campus Housing	Civic/Campus/ Post

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**Staff Report & Recommendation**  
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223 McLaughlin St.	15-1-36	+/- 0.82 ac	R-LC & FP	Partially occupied	Expansion of Wilson Hall	Civic/Campus/ Post and Mixed Use Neighborhood
222-224 W. Nelson St.	16-1-17	+/- 0.16 ac.	R-1	Two, Two-Family Dwellings (4 units) on a single lot	Campus Housing	Civic/Campus/ Post
226 W. Nelson St.	16-1-16	+/- 0.09 ac.	R-1	Single-Family Dwelling; issued a CO in 1992 grandfathering occupancy of 4 unrelated individuals, but such right may have expired if such occupancy ceased for more than 2 years.	Campus Housing	Civic/Campus/ Post
228 W. Nelson St.	16-1-13	+/- 0.09 ac.	R-1	Single-Family Dwelling; issued a CO in 1992 grandfathering occupancy of 4 unrelated individuals, but such right may have expired if such occupancy ceased for more than 2 years.	Campus Housing	Civic/Campus/ Post
12 Lee Avenue	16-1-41	+/- 0.147 ac	C-1	Vacant-Commercial	Institutional History Museum and Parking Deck	Downtown
220 W. Washington Street	16-1-34	+/- 0.14 ac	R-1	Open Green Space	Continued Open Green Space	Civic/Campus/ Post

In order to assist with the evaluation of each zoning request, the following sections include the Future Land Use Map from the Comprehensive Plan as well as statements and strategies regarding W&L that are included in the Lexington Comprehensive Plan 2040.

**COMPREHENSIVE PLAN**

The Comprehensive Plan contains the following statements and strategies regarding W&L, the subject properties and the rezoning request:

- *Institutional uses also make up a major part of Lexington. The two institutions of higher learning that help define the City are found north and east of the downtown. Importantly, while Virginia Military Institute (VMI) is a branch of state government and therefore exempt from local zoning and other land use regulations, Washington and Lee (W&L) is a private institution whose land use is governed by a university master plan approved by the City. (page 79)*

- *W&L is a private institution and is therefore subject to City land use authority. All parcels that make up the University are zoned, and most university properties are covered by the City's Institutional Overlay zone. (page 82)*
- *W&L is currently undertaking a significant campus master planning effort, the adoption of which is subject to City review and approval. In considering such proposals, the City will continue to encourage W&L to look within its present holdings for future growth rather than acquiring additional land. Not only would additional expansion further erode the City's tax base, removal of viable commercial activities from an already limited downtown is harmful to the health and vigor of this vital commercial district. (page 83)*
- *The University owns most, but not all, of the houses in the block bounded by Glasgow, Nelson, and McLaughlin Streets and adjacent to the University's Lenfest Center for the Arts and Gaines hall. Any proposed redevelopment of this block should mimic the scale and architecture of adjacent historic homes. (page 83)*
- *Because of W&L's proximity to Lexington's historic downtown, it is paramount that new or expanded buildings complement the scale and architectural quality of surrounding buildings. The City should also ensure that any campus master plan proposal evaluate and mitigate current and anticipated parking, transportation, and economic impacts. (page 97)*

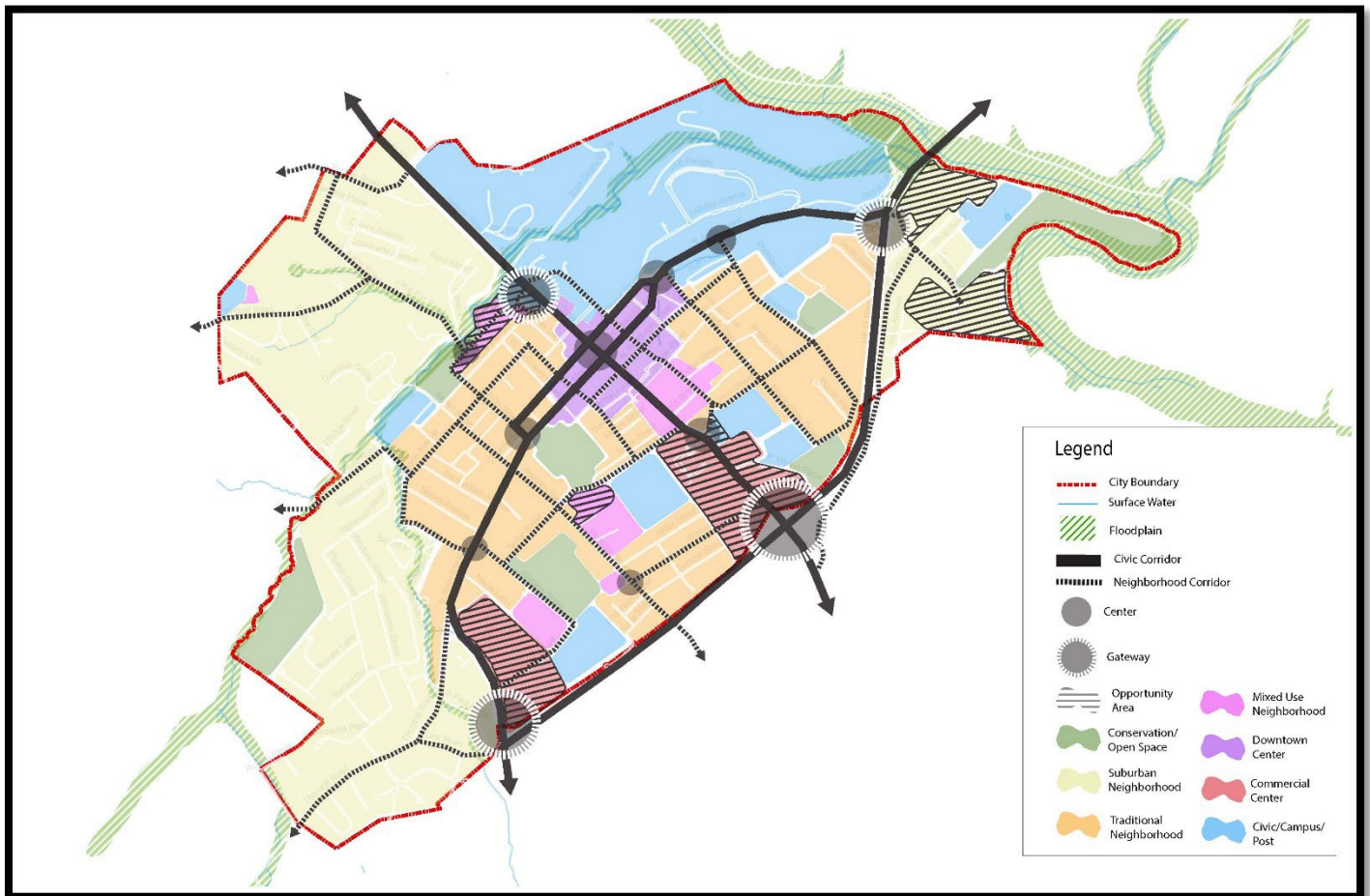
*Strategy LU 2.3*

*Strongly encourage W&L to program new construction within the present University boundaries to preclude any further loss of local business and industry, as well as the loss of limited table land.*

*Strategy LU 5.6*

*Continue regular communication and coordination with W&L and VMI leadership to maintain Lexington's engagement in physical and programmatic additions to these institutions of higher learning.*

### FUTURE LAND USE MAP FROM COMPREHENSIVE PLAN



### REVIEW OF PROPOSED MASTER PLAN PROJECTS

**1) Center for Academic Resources and Pedagogical Excellence (Harte Center)**

The Harte Center is a proposed state-of-the-art Teaching and Learning Center to support faculty development and to support student learning. The Harte Center program is fully contained within the footprint and volume of the existing Leyburn Library located in the center of the academic core along Stemmons Plaza. There are no negative community impacts expected from the proposed internal renovations to the Leyburn Library.

**2) Science Center expansion**

The Science Center, comprised of Parmly, Howe, and the Science Center addition, is planned for comprehensive renovation along with two additions to include adaptable teaching and laboratory space, and an expansion of the IQ Center. This

building is located within the academic core along Stemmons Plaza and there are no negative community impacts expected from the proposed renovations and expansion of the Science Center.

**3) Williams School renovation and expansion**

The master plan includes two major facility initiatives for the Williams School of Commerce, Economics, and Politics. Huntley Hall, the current home to the Williams School, is the focus of significant upgrades and renovation designed to provide contemporary academic and collaboration spaces. The second facility is a new faculty office and classroom building located on the Baker-Davis site, just south of W. Washington Street and this building also incorporates a new Student Health Center. The Williams School expansion building is distinctive because it will be the first academic building south of W. Washington Street, and the Campus Master Plan explores options for W. Washington Street and Lee Avenue including re-prioritization of traffic patterns and a number of additional pedestrian crossings. While Huntley Hall is located in the Academic Core district, the proposed expansion building for the Williams School is located in the W&L Entrance district and neither is expected to cause negative community impacts. The re-prioritization of W. Washington Street to northbound, one-way only traffic is a significant change and cannot be recommended by staff without a clearer understanding of the proposal and without a traffic impact analysis.

**4) Elrod Commons renovation and expansion**

The 100,000 square foot Elrod Commons, completed in 2003, serves as the center for student life and activities. Some of the existing space within the Elrod Commons building will be repurposed while two additions are proposed to the Marketplace Level to provide additional dining seating capacity. This building is located within the academic core along Stemmons Plaza and there are no negative community impacts expected from the proposed renovations and expansion of the Elrod Commons.

**5) Institutional History Museum and 6) Parking Deck**

A modern museum is included in the Campus Master Plan to present W&L's history comprehensively and accurately. The conceptual design for the museum illustrates a three-story building over a two-story parking garage that extends past the eastern boundary of the museum building and occupies a significant portion of the middle of the block bounded by Nelson, Jefferson, and Washington Streets as well as by Lee Avenue. The location of the parking garage in middle of this block requires additional, privately owned parcels be acquired in conflict with the Comprehensive Plan policy encouraging W&L to stay within its present holdings for future growth rather than acquiring additional land. The addition of the museum and the parking garage to the Campus Master Plan necessitates the submittal of a traffic impact study prior to or concurrent with the required site plan submittal.

There are four existing parcels to be utilized for the museum/parking structure in addition to the aforementioned privately owned parcels to be acquired. This entire block is located in the C-1 zoning district which coincides with the boundaries of the Downtown Historic Preservation District. This signifies the proposed demolition of the Chavis House and of the Casa Hispanica structures must be reviewed and approved by the Lexington Architectural Review Board prior to demolition. A fourth parcel that is currently vacant and already owned by W&L comprises the last parcel along Lee Avenue that is to accommodate the proposed museum/parking deck. While the other three parcels are included in the 1998 Campus Master Plan, this fourth parcel was not and needs to first be rezoned to the I-1 overlay district in order to be considered for inclusion in the current Campus Master Plan amendment. The Future Land Use Designation however for this parcel is Downtown Center; the parcel must therefore have the Future Land Use Designation amended to the Civic/Campus/Post designation to support the request for the rezoning to the I-1 overlay district. The proposed museum/parking deck is located in the W&L Entrance District and staff cannot recommend in favor of the proposed museum/parking deck unless the applicant commits to the submittal of a traffic impact analysis with any site plan submittals for these properties located east of Lee Avenue.

#### **7) Admission and Financial Center**

The existing Early-Fielding building is proposed to be replaced with a new Admission and Financial Center building encompassing approximately 28,600 square feet. The east portion of the building at Lee Avenue houses welcome, meeting and assembly functions, and the portion along Washington Street houses the Admission and Financial Aid programs. In contrast to the parcels on the south side of Lee Avenue, the Early-Fielding building is located in the R-1 zoning district (with the I-1 overlay) and does not require the Architectural Review Board's approval for demolition. The proposed Admission and Financial Center is located in the W&L Entrance District and staff cannot recommend in favor of the proposed Center unless the applicant commits to the submittal of a traffic impact analysis with any site plan submittals for the replacement of the Early-Fielding building at the corner of W. Washington Street and Lee Avenue.

#### **8) Wilson Hall expansion**

The Campus Master Plan provides a conceptual strategy for expanding Wilson Hall to accommodate additional rehearsal space needs and the proposed layout includes rehearsal space for the Department of Music Choir and Orchestral groups. The Campus Master Plan illustrates an addition to the McLaughlin Street side of Wilson Hall with the rehearsal spaces at street level and supplemental large equipment storage located on the below-grade lower level. The addition is positioned such that the vertical ballet and dance events currently held on the southwest façade of Wilson Hall can still occur and it is noted that McLaughlin Street will need to be temporarily closed during the events in order to provide space for spectators. Generally the proposed expansion of Wilson Hall is not expected to cause negative

community impacts in an area the City already considers to be an arts and culture district. The proposed closing of McLaughlin Street for vertical ballet and dance events, and the proposed building setbacks from McLaughlin Street, and proposed height of the Wilson Hall addition require further consideration for their potential impacts. McLaughlin Street provides access to a significant number of properties that are difficult but not impossible to otherwise access.

### **9) Upper Division Housing**

The Master Plan includes a conceptual strategy for redeveloping the land area defined by Nelson, Glasgow, and McLaughlin Streets to provide additional upper level housing. This site known as the “Triangle” is one of three potential housing sites examined in the Campus Master Plan with the other two located in the north campus area. The additional housing is intended to provide upper division on-campus living options for students who are not engaged with Greek organizations.

The properties in the triangle bounded by W. Nelson, McLaughlin, and Glasgow Streets are designated on the Future Land Use Map as being within a) the Civic/Campus/Post designation, b) a Gateway, and c) within an Opportunity Area. Civic/Campus/Post describes Lexington’s two institutions of higher learning and civic uses, such as public school campuses and City facilities. These areas employ specialized structures to meet specific needs and may maintain master plans of their own to guide future growth and development. Institutional structures are often larger than typical Lexington residential or commercial uses. Because of W&L’s proximity to Lexington’s historic downtown, it is paramount that new or expanded buildings complement the scale and architectural quality of surrounding buildings. The City should also ensure that any campus master plan proposal evaluate and mitigate current and anticipated parking, transportation, and economic impacts (page 97 of Comp Plan). Parcels with the I-1 Institutional Overlay district are considered consistent with the Civic/Campus/Post future land use designation.

Gateways are key places where the regional road network enters the City. These gateways serve as the community’s front door, establishing first impressions and reinforcing perceptions of the City. Landscaping, sign controls, and underground utilities should be provided to elevate community appearance and Gateways should incorporate special signage, public art, and landscaping to create a sense of arrival into the City. Gateways should also be prioritized for enhancement projects, such as undergrounding utilities, sidewalk infill, and wayfinding signage.

Opportunity Areas represent key areas of focus for revitalization, infill, redevelopment, or development. Opportunity Areas are locations for change in which Lexington has the opportunity to create organized and attractive development, add density that supports the economy and tax base, and create unique neighborhood that attract investment and tourism. Each Opportunity Area is unique and must be considered in light of the underlying pattern area and surrounding uses.



For example, the McLaughlin Street area is poised to create a unique live-work arts district as an expansion of downtown. Development proposals should incorporate high quality architectural design and provide gradual transitions to surrounding land uses using design features, such as setbacks, height step downs, and landscaping and these areas also offer the opportunity to improve sidewalk and pedestrian access and add green infrastructure.

The structures owned by W&L in the triangle are conceptually proposed for additions connecting each of the detached houses with the overall intent to maintain the scale and rhythm established by the existing housing while providing the additional space required for modern amenities and code related requirements. This concept of connecting the rear portions of existing structures for the addition of kitchens, bathrooms, mechanical rooms, and stairways is difficult to imagine and is exacerbated by the uneven terrain of this block. While the proposal to connect the structures in the triangle may generally meet some of the Comprehensive Plan criteria, staff recommends the rezoning of the triangle parcels, and their inclusion in the W&L Campus Master Plan, not be approved until further detail and study can be provided on this unconventional housing typology. Detailed design drawings are needed to allow a better community wide understanding of the proposal and to evaluate the overall impact (use, setbacks, height, lot size, etc.) for any future review and inclusion into a Campus Master Plan. The parcels in the triangle can continue to be utilized in their existing capacity as one and two family dwellings in accordance with the current R-1 zoning district designation. W&L also shows two additional locations on north campus that are optional location for the 100 beds of desired senior level housing and either one can be developed if there is a pressing need for on-campus housing for seniors while a more detailed proposal for the triangle properties is developed for City consideration. Another point to note is that previous Comprehensive Plans have directed expansion of W&L facilities to occur inwardly with no outward expansion, and the properties in the triangle were purchased/acquired relatively recently from 1989 and 2015. The purchase of these properties does not appear to be in conformance with Comprehensive Plan guidance.

#### **10) Softball Field**

The proposed softball field is in the Back Campus area in Rockbridge County and is not expected to create any negative community impacts.

### **REVIEW OF PROPOSED REZONING REQUESTS**

#### **Triangle Parcels**

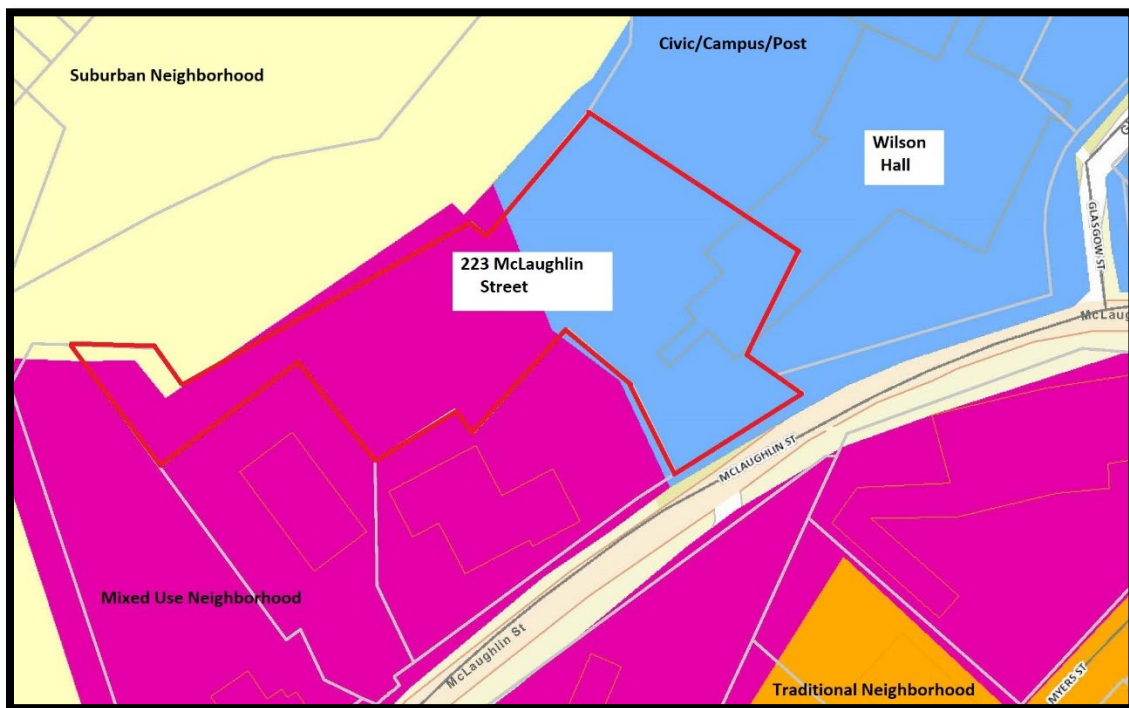
All of the parcels in the triangle block bounded by Nelson, Glasgow, and McLaughlin Streets are requested to be rezoned to the I-1 Institutional Overlay while retaining the R-1 base district. The upper division housing proposed for the triangle parcels (103, 105, 107, 109, 111, 113, 115, & 117 McLaughlin Streets, 222, 224, 226, & 228 W. Nelson

Streets) are not recommended by staff as outlined in the above review of Upper Division Housing, and staff also cannot recommend in favor of the requested rezoning for the triangle parcels.

### 223 McLaughlin Street Parcel

The parcel located at 223 McLaughlin Street is requested to be rezoned to the I-1 Institutional Overlay district (while retaining the R-LC base district), and curiously the rear portion of the existing Wilson Hall is constructed on the eastern portion of the subject parcel. This parcel has a split future land use designation with the eastern portion designated Civic/Campus/Post and the western portion designated Mixed Use Neighborhood. Staff therefore recommends only the eastern portion of the subject parcel be rezoned to the I-1 zoning overlay district in conformance with the Comprehensive Plan's split future land use designations.

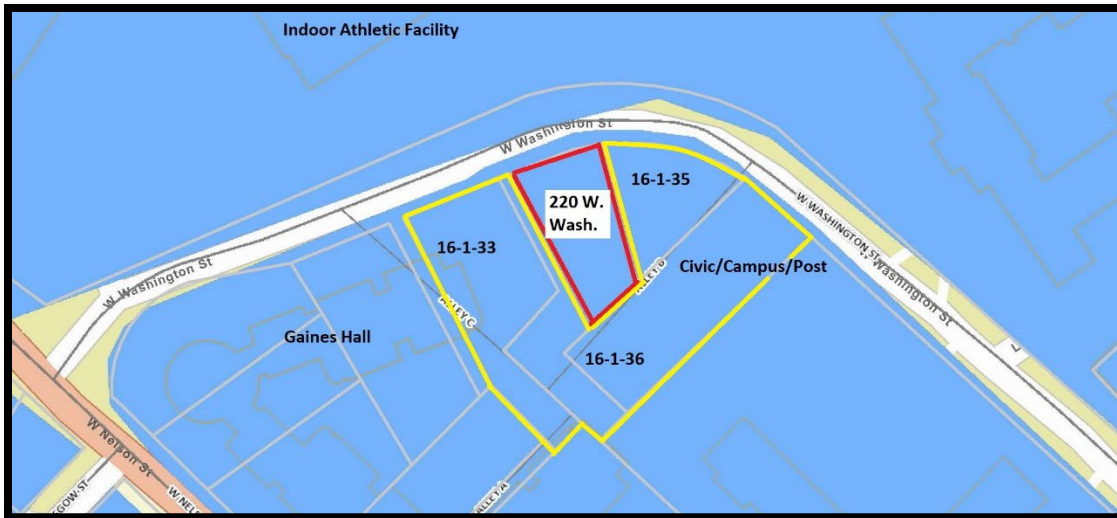
### 223 McLaughlin Street Future Land Use



### 220 W. Washington Street Parcel

The parcel located at 220 W. Washington Street is requested to be rezoned to the I-1 Institutional Overlay district while retaining the R-1 base district. Curiously, the 1998 Campus Master Plan shows this property to be within the approved Campus Master Plan while the three adjacent properties were not included in the 1998 approval. Staff recommends the parcels outlined in yellow on the following map be submitted for rezoning to the I-1 Institutional Overlay district, and this action will require the advertisement of another public hearing.

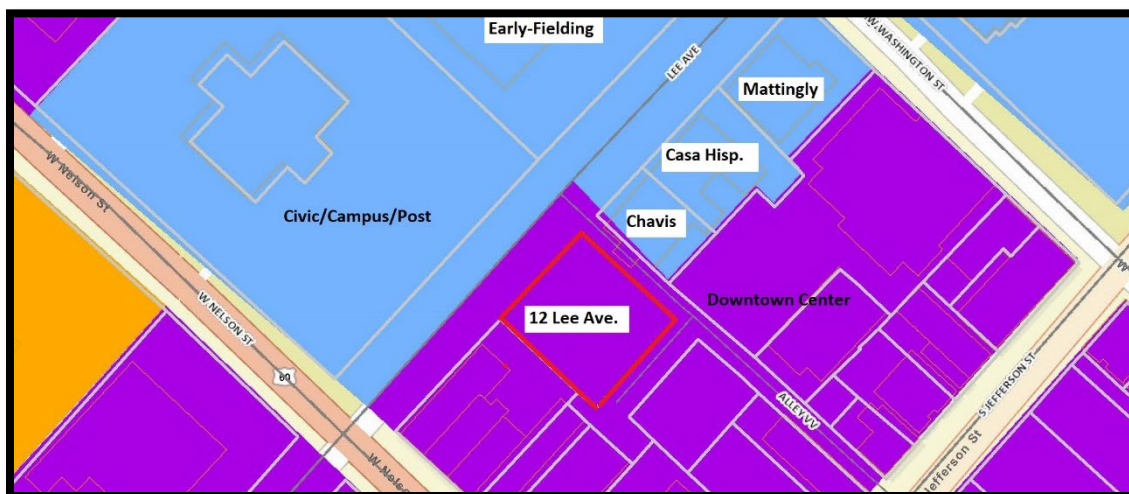
### 220 W. Washington Street Future Land Use



### 12 Lee Avenue Parcel

The parcel located at 12 Lee Avenue is requested to be rezoned to the I-1 Institutional Overlay district while retaining the C-1 base district. This parcel is currently vacant and is proposed to be integrated into the Institutional History Museum/Parking Deck proposal. Rezoning must be consistent with a parcel's future land use designation and the current Downtown Center future land use designation is not consistent with the request to rezone to the I-1 Institutional Overlay district. Staff recommends a comprehensive plan amendment application be submitted to change the future land use designation to Civic/Campus/Post for consistency with the rezoning request to the I-1 Institutional Overlay district. This action will require the advertisement of another public hearing. Other parcels may also require rezoning and comprehensive plan amendments

### 12 Lee Avenue Future Land Use



### ADDITIONAL CONSIDERATIONS

Building Official Comments:

All demo, rehab and new construction must follow the current Virginia Uniform Statewide Building Code.

Fire Marshall Comments:

Ensure adequate fire protection and fire vehicle access. Design and install traffic calming devices with minimal impact to emergency vehicles.

Public Works Director Comments:

The Master Plan shows many bike/ped improvements in the City's right-of-way, and during design of these improvements, the City and W&L must candidly decide what can be permitted and who will own and maintain these infrastructure improvements. The City should not permit any additional alterations to the water system on campus until a new Master Meter MOU is finalized.

Police Department Comments:

*No Comments*

### PLANNING COMMISSION RECOMMENDATION

Pending

### STAFF RECOMMENDATION

**RZ 2022-01:** Based on the aforementioned opinions, staff recommends that the request to amend the Zoning Map to rezone the 223 McLaughlin Street parcel to the I-1 (Institutional [Overlay] District be **APPROVED**.

Staff also recommends that the request to amend the Zoning Map to rezone the 12 parcels located in the triangle bounded by Nelson, Glasgow, and McLaughlin Streets be **DENIED**.

Staff further recommends additional applications be submitted a) for rezoning to the I-1 Institutional Overlay district for the three parcels adjacent to 220 W. Washington Street, and b) for a comprehensive plan amendment to the Civic/Campus/Post future land use designation for the parcel located at 12 Lee Avenue.

**MPA 2022-01:** Based on the aforementioned opinions, staff recommends that the request to amend the University's Institutional [Overlay] District Master Plan be **APPROVED WITH CONDITIONS\*** as follows:

1. The uses and layout of the subject properties shall be in substantial compliance with the Campus Master Plan by Sasaki date stamped December 10, 2021, and with the rezoning application submitted by the applicant.
2. This Master Plan Amendment does not authorize the exterior alteration of buildings, structures, or properties.

*\*Note: Staff is not able to recommend approval of the Williams School expansion, W. Washington Street improvements, Admission and Financial Center, Institutional History Museum, and Parking Deck without commitment by W&L to provide a traffic impact analysis prior to or concurrent with submittal of a site plan for any of these projects. Staff also cannot recommend any alterations to the water system on the W&L campus until a new Master Meter M.O.U. is finalized between W&L and the City of Lexington.*

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**Appendix A – Rezoning Application and Master Plan Amendment Applications**

*Applications*

*W&L parcel ownership map*

**Appendix B – Previous Approvals for W&L**

*W&L land use approval timeline*

*1998 Campus Master Plan Map*

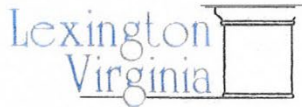
**Appendix C – Public Comment**



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**Staff Report & Recommendation  
Rezoning and Master Plan Amendment  
RZ 2022-01 / MPA 2022-01 - Washington & Lee Campus Master Plan update**

**APPENDIX A**



www.lexingtonva.gov

**Planning & Development Department**  
300 East Washington Street  
Lexington, Virginia 24450  
Phone: (540) 462-3704 Fax: (540) 463-5310

**APPLICATION FOR REZONINGS and OVERLAY DISTRICTS**

<b>Applicant<sup>1</sup></b>	
Name: <u>Hugh Latimer</u>	Phone: <u>540-458-8959</u>
Company: <u>Washington and Lee University</u>	Fax: _____
Address: <u>204 W. Washington St.</u>	Email: <u>hughlatimer@wlu.edu</u>
Applicant's Signature: <u>[Signature]</u>	Date: <u>1/25/22</u>
<b>Property Owner</b>	
Name: <u>Hugh Latimer for Washington and Lee University</u>	Phone: <u>540-458-8959</u>
Address: <u>204 W. Washington St.</u>	Email: <u>hlatimer@wlu.edu</u>
Owner's Signature: <u>[Signature]</u>	Date: <u>1/25/22</u>
<b>Proposal Information<sup>2</sup></b> (attach list of properties if request includes multiple properties)	
Address (or location description): <u>list attached</u>	
Tax Map: <u>list attached</u>	Deed Book and Page #: <u>list attached</u>
Acreage: <u>list attached</u> Current Zoning (attach any existing conditions or proffers: <u>list attached</u> )	
Proposed Zoning (or Overlay District) <sup>3</sup> : <u>Institutional Overlay District I-1</u>	
Description of Proposal: <u>Multiple properties purchased by university since last univ. Master Plan (1999) incorporated into City Comprehensive Plan. Request each property be rezoned to university's Institutional Overlay District.</u>	
<ol style="list-style-type: none"> <li>1. Prior to submitting an application, the applicant is required to meet with staff for a pre-application meeting.</li> <li>2. Any application deemed incomplete by staff will not be accepted.</li> <li>3. For conditional rezoning requests including proffered conditions, please see additional submittal requirements on page 3 of this application. If not specifically required in the zoning ordinance, submitting a sketch plan or other visual detail of your request is highly encouraged.</li> </ol>	



1.31.22

**Washington and Lee University Facilities**

Washington and Lee Properties  
 Purchased After (last) 1999 Master Plan

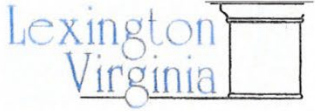
Street Address	Purchase Date	Tax Map	Average	Deed Book	Exist. Zoning
103 McLaughlin St.	6/2014	16 1 26	0.17	9	R-1
105 McLaughlin St.	11/2000	16 1 25	0.05	0	R-1
107 McLaughlin St.	10/2017	16 1 24	0.05	41	R-1
111 McLaughlin St.	5/2014	16 1 20	0.05	7	R-1
115-117 McLaughlin St.	1/2015	16 1 15	0.1	46	R-1
223 W. McLaughlin St.	1/2000	15 1 36	0.82	292	R-1
222-224 W. Nelson St.	1/2015	16 1 17	0.16	23	R-1
226 W. Nelson St.	12/2015	16 1 16	0.09	13	R-1
228 W. Nelson St.	12/2015	16 1 13	0.09	13	R-1
12 Lee Ave. (parking lot)	1/2016	16 1 41	0.147	17	C-1
220 W. Washington St.	8/2008	16 1 34	0.14	1	R-1

end

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**Staff Report & Recommendation  
Rezoning and Master Plan Amendment  
RZ 2022-01 / MPA 2022-01 - Washington & Lee Campus Master Plan update**

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**Planning & Development Department**  
300 East Washington Street  
Lexington, Virginia 24450  
Phone: (540) 462-3704 Fax: (540) 463-5310

**MASTER PLAN AMENDMENT**  
**APPLICATION FOR ZONING ORDINANCE/COMP PLAN AMENDMENT**

<b>Applicant<sup>1</sup></b>	
Name: <u>Hugh Latimer</u>	Phone: <u>540 855-8359</u>
Company: <u>Washington and Lee</u>	Fax: _____
Address: <u>204 W. WASHINGTON ST</u>	Email: <u>hlatimer@wlu.edu</u>
<u>24450</u>	
Applicant's Signature: <u>[Signature]</u>	Date: <u>12/10/21</u>
<b>Proposal Information<sup>2</sup></b>	
Code/Plan Section(s) to be Amended <sup>3</sup> : <u>420-7.6 Master plan under Article VII</u>	
<u>Institutional District I-1.</u>	
Proposed Text/Amendment (attach additional sheets if necessary): _____	
<u>Washington and Lee Master Plan Report 2021 Attached &amp;</u>	
<ol style="list-style-type: none"> <li>1. Prior to submitting an application, the applicant is required to meet with staff for a pre-application meeting.</li> <li>2. Any application deemed incomplete by staff will not be accepted.</li> <li>3. If the amendment proposes to replace existing text, please provide a full copy of the existing text for the affected section.</li> </ol>	
<b>THIS SECTION TO BE COMPLETED BY STAFF ONLY</b>	
<u>MPA 2022-01</u>	
Application Fee: \$350	Amount Paid: <u>350</u>
Case Number: ZTA/CPA-	_____
Date Received: <u>12/10/21</u>	Received By: <u>[Signature]</u>
<b>Public Hearings</b>	
<b>Planning Commission</b>	<b>City Council</b>
Legal Ad Dates: _____	Legal Ad Dates: _____
Public Hearing Date: <u>1/13/22</u>	Public Hearing Date: _____
Action: _____	Action: _____



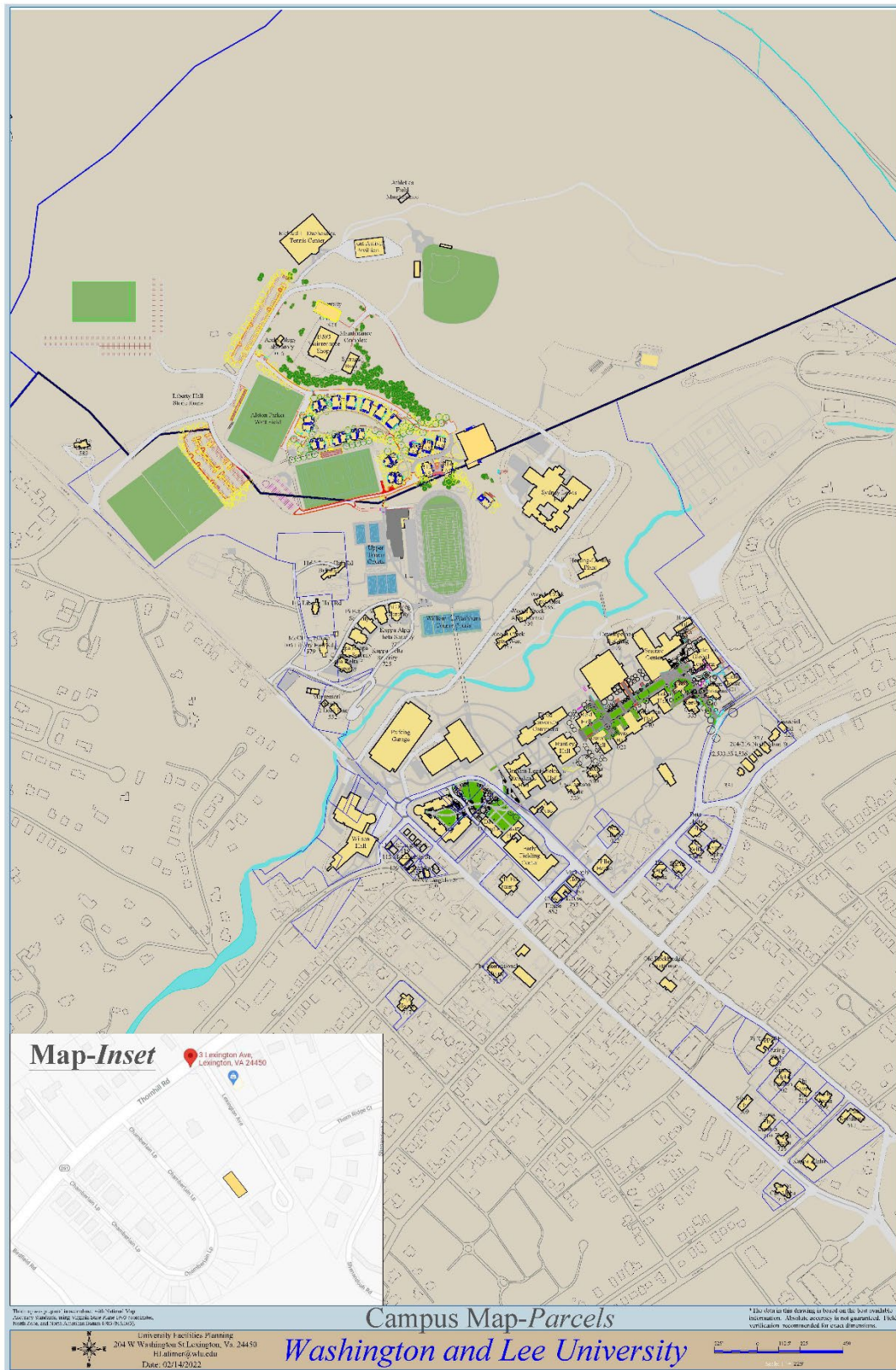
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**Staff Report & Recommendation  
Rezoning and Master Plan Amendment  
RZ 2022-01 / MPA 2022-01 - Washington & Lee Campus Master Plan update**

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	TM#	
NM 19	16-1-16	16-1-25
NM 15	16-1-17	16-1-24
NM 16	16-1-13	16-1-21
NM 17	16-1-40#	16-1-20
17-1-4	16-1-37	16-1-19
16-1-2	16-1-31	16-1-18
15-1-38	16-1-30	16-1-15
15-1-39	16-1-29	16-1-14
15-1-40	16-1-28	16-1-12
16-1-3	16-1-32	16-1-7
NM 57	16-1-36	16-1-38
NM 13	16-1-35	
NM 7	16-1-34	
NM 19	16-1-33	
NM 6	15-1-36	
NM 8	16-5-1	
NM 57	16-1-11	
NM 4	16-1-6	
NM 3	16-1-5	
NM 2	16-1-4	
NM 12	24-1-55A	
NM 14	24-1-54	
NM 11	24-1-55A#	
8-1-1	24-1-56	
16-3-B	24-1-57	
16-3-A	24-1-59	
NM 58	24-1-62	
16-1-64	24-1-63	
16-1-63	24-1-58	
16-1-65	16-1-43	
16-1-62	16-1-42	
16-1-61	16-1-41	
16-1-44	16-1-26	

Staff Report & Recommendation <sup>30</sup>  
 Rezoning and Master Plan Amendment  
 RZ 2022-01 / MPA 2022-01 - Washington & Lee Campus Master Plan update



**APPENDIX B**

**Timeline for Washington & Lee Master Plan amendments, rezonings, CUPs and approved projects**

- April 4, 1985: City adopts the Institutional Overlay District
- August 22, 1985: City Council approves W&L Master Plan with conditions
- March 15, 1990: Council holds public hearing on amendment to Master Plan to allow fraternities in the I-1 District
- March 29, 1990: Joint Council/Planning Commission public hearing on extending the I-1 District to include the Neikirke property near Liberty Hall, the property on the southeast corner of Lee Ave. intersection with Washington St, the Red Square area, and Davidson Park bounded by Nelson, Washington, Varner and Estill
- July 18, 1991: Council holds public hearing to amend the Master Plan for the following:
1. Addition to the Reeves Center
  2. Build 2 fraternities in Davidson Park area
  3. Sororities in Davidson Park “put on hold”
  4. Proposed areas for off-street parking
- August 1, 1991: Council approves the Master Plan Amendment with modifications proposed in paragraph 4 of the Planning Commission report.
- April 16, 1998: Council approves the Campus Master Plan and Supplement with the condition (?) that W&L obtain permission before demolishing any building
- February 3, 2000: Council approves a Conditional Use Permit to allow 106 Lee Avenue to be used as student housing
- October 3, 2002: Council approves a Conditional Use Permit to allow 4 modular buildings on Denny Circle
- November 20, 2003: Council approves W&L’s applications to extend the Institutional Overlay District and amend its Master Plan to rezone the Mann property to I-1 and to add Wilson Hall to the plan.
- February 19, 2004: Council approves a site plan to move the train station
- January 26, 2006: Presentation to the Planning Commission by Tom Contos, University Architect, concerning the Washington and Lee Master Plan (presentation only)
- May 4, 2006: Council approves extend a Conditional Use Permit for 4 modular buildings on Denny Circle for 18 months
- November 16, 2006: Council approves a Conditional Use Permit to allow 224 McLaughlin Street (train station) to be used as offices
- January 11, 2007: Representatives from W&L gave a power point presentation on the proposed Master Plan to the Planning Commission. Meeting minutes indicate the University had already held a series of public meetings on the topic.

**Staff Report & Recommendation<sup>32</sup>**  
**Rezoning and Master Plan Amendment**

**RZ 2022-01 / MPA 2022-01 - Washington & Lee Campus Master Plan update**

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- November 26, 2007: W&L submits an application for a Master Plan Amendment and rezoning (?)
- October 18, 2007: Council approves a site plan for Phase I of Wilson Field reconstruction
- December 13, 2007: A portion of the Staff Report in the Planning Commission meeting minutes reads “City Staff met with W&L representatives and it was decided the W&L Master Plan was not ready for Planning Commission review. It will come at a later meeting.”
- February 7, 2008: Council approves the W&L’s lighting request for Wilson Field
- July 24, 2008: Planning Commission recommends approval of a Conditional Use Permit to allow Baker Dormitory to be used as offices (Council minutes for April – December 2008 could not be found)
- September 4, 2008: Council approves a CUP to allow W&L to use Baker Dormitory as office space
- September 3, 2009: Council approves site plans for Hillel House and Washington & Lee sixth sorority house
- June 3, 2010: Council approves the W&L Master Plan amendment to authorize the construction of a center for Jewish Life at 117 W. Washington Street
- June 21, 2012: Council approves applications to amend the Master Plan to allow 106 Lee Avenue to be used as group residence with academic theme and to include a commercial kitchen and to rezone the property I-1
- September 20, 2012: Council approves Master Plan amendment to allow the Lee-Jackson house to be used for university related office or residential uses (not simultaneously)
- February 21, 2013: Council approves W&L’s applications to amend its Master Plan to allow the 116 Liberty Hall Road to be used as a university-oriented bed and breakfast inn, 112 Liberty Hall Road and 106 Liberty Hall Road to be used as university-oriented SFD, 2 Dold Place to be used as a school/preschool, and the property at the corner of Nelson Street and Liberty Hall Road to be used as university-oriented parking and to rezone those 5 parcels to I-1
- December 19, 2013: Council approves a Master Plan amendment to reconfigure and expand DuPont Hall
- November 20, 2014: Council approves a Master Plan amendment for various renovations and improvements to the W&L campus



Staff Report & Recommendation <sup>29</sup>  
Rezoning and Master Plan Amendment  
RZ 2022-01 / MPA 2022-01 - Washington & Lee Campus Master Plan update



**Staff Report & Recommendation**  
**Rezoning and Master Plan Amendment**

**RZ 2022-01 / MPA 2022-01 - Washington & Lee Campus Master Plan update**

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**APPENDIX C**

February 2, 2022

VIA PLANNING DIRECTOR GLAESER

Dear Members of the Lexington Planning Commission and City Council Member Straughan:

The purpose of this letter is to provide public input on amendments to the Washington and Lee University (W&L) master plan, scheduled for consideration at your February 24 meeting. I am providing written input in advance because I am not able to attend that meeting. These comments represent my personal thoughts only, although I suspect that what I have to say may well be representative of others' views. My main comments are three-fold and specifically relate to those aspects of the amendments dealing with the so-called "triangle" bounded by Nelson, Glasgow, and McLaughlin streets. I am aware of the proposed amendments from reading about them in the January 26, 2022, edition of *The News-Gazette* and from the W&L master plan document posted on the City's web site. The main elements of the amended master plan that draw attention include 1) expansion of Wilson Hall toward McLaughlin, 2) showing the triangle property as completely owned by W&L and used for student housing, and 3) closing McLaughlin Street and possibly other near-by thoroughfares during certain Wilson Hall events ("...the McLaughlin Street District will need to be temporarily closed during the events in order to provide space for spectators.").

First, I wish to raise awareness that McLaughlin Street is a main traffic artery for accessing surrounding neighborhoods, and that current traffic patterns and flows are under stress. Driving on McLaughlin now involves navigating two sharp curves, on a very narrow roadway, often complicated by street parking and, in inclement weather, by snow and ice. Speaking personally, but possibly reflecting the experience of others, this traffic arrangement is fraught and "not fun." The City should prioritize traffic and pedestrian safety and convenience in considering the W&L plan amendments.

Second, the notion of closing streets in the triangle area for school events does not seem reasonable or appropriate, especially as stated in the amendments to the W&L master plan. Such closures would disrupt both automobile and commercial truck traffic that use area streets daily. Further, the way W&L presents the case for street closures ("...will need to be temporarily closed...in order to provide space for spectators.") does not reflect awareness of or sensitivity to public impacts. The City should prioritize public needs in considering changes to this area.

Third, and taking the W&L drawings at face value, there may be opportunity for the City and W&L to "think big thoughts" together in order to best meet public and W&L needs. For example, if W&L is indeed the sole owner of the properties on both sides of Glasgow Street, then the City could consider deeding Glasgow to W&L in return for material support for street and traffic flow improvements along McLaughlin. For example, McLaughlin could be straightened and widened using some of the triangle land.

Thank you for considering these comments.

Sincerely,

Bruce J. Summers

320 Sunrise Ridge Circle

Lexington, VA 24450

## Arne Glaeser

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**From:** Wise, Chris <JWise@wlu.edu>  
**Sent:** Wednesday, February 2, 2022 11:35 AM  
**To:** Arne Glaeser  
**Cc:** merrill@rockbridge.net  
**Subject:** ZONING - MISSING MAP LINK, WLU ZONING & WOODS CREEK TRAIL

'Morning Arne,

The Conservation Council's Land Conservation Committee met last night and we talked about the proposed W&L Master Plan. The LCC is concerned about a number of issues but in particular is concerned about the 'plans' for development in the Woods Creek area. Building and land disturbance in this steep wooded area - some of which is fill material - will be a challenge, but our concern is that the effects of the removal of the trees / vegetation and the changes to the hydrology will impact the health of Woods Creek and the ecosystem.

The other issue not addressed at all in the narrative of the plan is the 'status' of the Wood's Creek Trail through the W&L campus. Unfortunately, there is NO policy on the status of the WCT, that I am aware of, from the three entities that the Trail runs through. I personally feel that the Trail, as part of the Brushy Blue Trail system, needs some sort of permanent protection of public access through the three properties. As with the other segments of the BB Trail system, the owners of each segment have the ability to name their segment, post rules and exercise other rights but there needs to be a permanent dedication for public through access.

I have been advocating that the Trails Committee of the RAOP (and the City, W&L & VMI reps) could work on this matter. Hopefully, the three WCT owners could work together to establish a set of common standards for the trail, as well as owner specific names and standards as well as dedicating permanent public access, so that there could be clarity about the status of Trail.

The RACC LCC will make a more formal statement for the consideration of the Planning Commission and City Council later but this a 'heads up'.

ALSO - At [Maps | Lexington, VA \(lexingtonva.gov\)](https://www.lexingtonva.gov/Maps) the link to the Zoning map is not working and on the Z map at [637692134524570000 \(lexingtonva.gov\)](https://www.lexingtonva.gov/637692134524570000) the W&L property is listed as R1 - I do not believe this is correct - PLEASE advise if it is. THANKS!

Thanks! Chris

Shannon Spencer  
512 Taylor St.  
Lexington, VA 24450

February 11, 2022

Re: W&L Master Plan Zoning Change Request

Dear Members of Lexington Planning Commission and Lexington City Council:

I've just moved back to Lexington after many years away, but I've spent my life involved with the town through my parents and friends (and very frequent and lengthy visits). My father, Edgar Spencer, was a W&L alumnus who went on to teach at the college for 44 years and continued working there as a professor emeritus until just a few months before he passed away in 2020. He cared deeply for Washington and Lee and he passed that on to his family.

I'm coming to this issue of the WLU master plan with that family history, but additionally, I studied planning at UVA's master of urban and environmental planning program. And I just resigned after my fourth year as a member of the planning commission where I've been living in Pennsylvania, where I also served for four years on our local town council (I held a parallel position to Leslie Straughn's on city council and the PC in Lexington).

Here are my comments for consideration regarding the WLU Master Plan:

First I would like to note that Washington and Lee University (WLU) is a fine institution and we are fortunate to have it located in our community. They provide jobs, cultural events, education and much more to our community. At the same time, WLU is a very wealthy institution that owns a great deal of property in our city. As stewards of the city, it is the Planning Commission's and the City Council's duty to use their collective foresight to determine what will be the best course of action for current and future citizens of the city.

As a taxpayer, I ask you to consider my concerns before you vote on the proposed zoning changes requested by WLU to accommodate their new master plan.

Because I have a lot of comments, I have separated them into sections: my requests are up front, but I ask that you read the rest of my comments as they provide the rationale for my requests.

**My requests:**

- I believe that this zoning change request is premature. As such, I strongly urge you to **entirely** deny the request for rezoning of the McLaughlin St. area properties and the properties at or near the intersection of Lee Ave and Washington St until you have specific development plans that are being considered. It is the city's duty to guide the development on properties that will impact the daily lives of Lexington residents and



visitors to the city, and this zoning change would hamstring the city's ability to do this job.

- I ask that the City require/advise WLU to hold a well advertised series of public meetings at which the public is able to make comment and have input into the changes that are being proposed would also be very appropriate.
- And even after those meetings, I ask that the City carefully consider the disadvantages and advantages associated with giving away its ability to regulate the streetscape.
- For any future development plans, including the ones proposed by WLU, I urge the City to require traffic studies and environmental impact statements before recommending zoning changes. And for these particular zoning change requests, I would strongly suggest getting input from the fire department on the impacts such changes would have on the ability of our fire engines to access these areas and any affected areas in the event of an emergency.

### **The rationale for my concerns about the WLU proposed zoning changes, by area:**

#### **Broad Zoning Changes:**

First, I think that a broad zoning change to the institutional overlay zone (IOZ) for the proposed areas would not serve the Lexington community well. The city's zoning ordinance is there to provide the city with a measure of control over its streetscape (setback, building height, etc) and the location of different uses. This proposed approach to zoning (applying for an overlay for multiple **areas** with little in common and substantially different challenges, all in advance of having very specific plans for each site attached to each location) puts the city at a great disadvantage for maintaining control over the streetscapes that represents our history and our future.

It would be as if I asked the city to rezone my property on Taylor St. to Commercial while providing only a vague idea of what I might build there or whether or not I would tear down my home, all while providing you with a 5-10 year window for any action. It would require a leap of faith on the PC's/Council's part that I would not build something that would be considered a nuisance by my neighbors, and by allowing the **zoning** change, you would give me (and any business that I sold the property to in the future) the right to change the setback on my property, the height of the building, the street lighting, etc. without coming back to the PC to ask permission because those possibilities would be allowed by virtue of the **zoning**.... And all of these changes would be granted on a permanent basis in the absence of even an initial clear proposed plan.

Concerns with WLU's requested broad zoning change to IOZ:

- These sites are NOT located internal to the WLU campus: they are on city owned streets and in city neighborhoods.
- This zoning change request would allow WLU to build a wide variety of structures on the properties without regard for the zoning requirements that are in effect for the adjacent areas.

- The zoning changes would mean that, in perpetuity, WLU would not have to ask permission to make changes that are allowed by the IOZ. And if the university sold those properties at some point in the future, it would mean that the future owner could likewise do the same. The ability to make those changes would be written into the zoning and would go with the property.

### **Lee Avenue/Washington St:**

- New Buildings: The master plan shows a proposal for replacing/adding to existing buildings to end up with much larger buildings along Lee Avenue. These buildings could have very small setbacks and could be taller than the surrounding buildings. Combined with the narrow streets and sidewalks, I believe that these changes would make this area feel uninviting to residents because the buildings would not be at the same scale as the surrounding buildings, they would not have any connection to the community, and the current design creates a physical and psychological barrier to people not affiliated with the university in some way.
- Historic Buildings: Lee Avenue also has some remaining historic buildings that are on University property and appear to be planned for demolition.
- Street: This street is busy, narrow and heavily traveled by cars and pedestrians. The intersection of Lee Ave. and Washington St is a particularly challenging spot because there are cars parked close to the intersection and there are pedestrians walking across in multiple directions.
- Traffic: the new uses for these buildings would increase car and pedestrian traffic on this challenging street
- Parking: why is a parking lot expansion of the existing parking lot accessed via Jefferson St. not being considered? This is already an area with Parking, it is below grade at least near the Washington St. intersection, and it could have a single additional level of parking that could exit onto Washington St.

### **Wilson Hall Expansion**

- Woods Creek Impacts: I strongly encourage the city to require an environmental impact statement for this and any other properties that WLU (or anyone else) proposes to “improve” that abut or impact the Woods Creek area. The Wilson Hall expansion is above Woods Creek and any runoff from construction and beyond would go directly into the creek without substantial mitigation.
- If this building site is also in the zoning change area (which I cannot tell from the WLU plan), I would have the same concerns about extending the IOZ to this site because of the permanence of zoning changes.

### **The McLaughlin St./Nelson St./Glasgow St. “triangle” of properties:**

- Affordable City Housing Option: The city needs affordable housing, as evidenced by the interest in developing some sort of affordable housing options near the hospital and cemetery, it seems that these triangle area houses might be considered by the city for this type of use before signing it over to institutional zoning that would almost ensure its inclusion in the WLU campus. I would point out here that steering affordable housing to areas that other people may find objectionable (hospital and cemetery) only further stigmatizes those communities.
- Community owned rental units: changing the zoning and having WLU buy out remaining non-university owners of these homes (which they clearly intend to do) also removes an opportunity for landlords to rent these properties to students or other people.
- Tax Burden: Since WLU is a non-profit organization, changing the zoning of this area and the subsequent buyout of property owners by WLU would lead to the removal of additional properties from the tax rolls. This would increase the financial burden of maintaining the city budget on the rest of the City taxpayers.
- Historic Value of Existing Houses: These are historic, if not necessarily well-maintained homes. They have a great deal of character and reflect the historic nature of the city. They provide a community-flavored entrance to the western entrance to the city.
- Buffering: They are at the fringe of the WLU campus and as such provide a buffer between a city neighborhood and the campus. Having larger institutional housing here might provide shiny new buildings, but it would also irrevocably reduce the neighborhood small town neighborhood feeling for the adjacent houses.
- Ambiguity of the WLU Plan: WLU's plan indicates that changing to the institutional overlay zoning would "provide additional flexibility" with regard to the number of units it could put there (as opposed to the current 47 units). This is extraordinarily vague.
- Busy Streets: The streets around the triangle are already busy and dangerous because of the almost blind intersection going from McLaughlin onto Nelson St, and also because the streets there are not the most clearly marked or laid out, are wide in places and include sharp curves. In addition, there are pedestrians crossing Nelson street from the Catholic Church as well as residents from the neighborhood (including from those houses) walking in the area. The entire area seems a dangerous place to house even more students, who have been known at times to be focused on things other than street safety.
- Future opportunities: looking forward in time, I would be surprised if the old hardware store property across McLaughlin isn't being viewed as a potential location for further expansion of the WLU campus; particularly if the triangle were zoned institutional in addition to the Wilson Hall area; it would be an obvious location for additional housing or other campus buildings.
- WLU Expansion: While I appreciate that the University would like to provide on-campus housing for students who are not part of the Greek system, I question why WLU needs to expand its property holdings and change zoning in non-campus areas in the city in order to do this. The University owns a great deal of property on which it could build additional housing without expanding into city neighborhoods. Changing the zoning of the "triangle" area to institutional would further encourage the transition of that land to WLU ownership.
- Promises to Hold the Line: It is my understanding that the university pledged to not expand further into the city at the time of the last campus master plan, that seems like a pledge worth keeping (particularly given their ownership of a great deal of land further to

the west where they intend to pursue development of the campus (including additional housing)).

Thank you for allowing me to submit my comments to the Planning Commission and City Council.

*Shannon Spencer*

512 Taylor St.  
Lexington, VA 24450