

**PLANNING COMMISSION
WORK SESSION AGENDA
June 9, 2015 - 3:00 PM
Council Chambers - Rouss City Hall**

1. Review agenda for June 16, 2015 regular meeting **(Youmans)**
2. Committee reports
3. Status of projects pending Council approval **(Youmans)**
4. Announcements

**PLANNING COMMISSION
AGENDA
June 16, 2015 - 3:00 PM
Council Chambers - Rouss City Hall**

1. POINTS OF ORDER

- A. Roll Call
- B. Approval of Minutes
- C. Correspondence
- D. Citizen Comments
- E. Report of Frederick Co Planning Commission Liaison

2. PUBLIC HEARINGS – New Business

- A. **CUP-15-256** Request of Welby Lehman on behalf of Sacred Heart Academy for a Conditional Use Permit for a proposed structure exceeding an 8,000 square foot footprint, more than 85 feet from the public right of way, having roof pitches less than 6:12, and excessive wall spans exceeding more than otherwise permitted by right at 110 Keating Drive (Map Number 149-01--6) zoned Low Density Residential (LR) District with Corridor Enhancement (CE) District Overlay zoning. **(Mr. Crump)**
- B. **CUP-15-259** Request of Painter-Lewis, P.L.C. on behalf of Glass-Glen Burnie Foundation for a Conditional Use Permit for museums and art galleries operated in conjunction with buildings designated as Historic Landmarks to support phased expansion of the Museum of the Shenandoah Valley located at 801 Amherst Street (Map Number 171-1-21) zoned Education, Institution and Public Use (EIP) District with some Historic Winchester (HW) District Overlay and some Corridor Enhancement (CE) District Overlay zoning and at 901 Amherst Street (Map Number 191-1-8) mostly zoned Low Density Residential (LR) District and partly zoned EIP District with some CE District. **(Mr. Youmans)**

3. PUBLIC HEARINGS – Continued

4. NEW BUSINESS

- A. **TA-15-289** AN ORDINANCE AMENDING SECTION 8-2-19 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO GROUND FLOOR RESIDENTIAL CONVERSION OF EXISTING STRUCTURES. **(Mr. Grisdale)**
- B. Discussion regarding proposed Indian Alley/Cork Street safety improvements **(Mr. Eisenach)**

5. OLD BUSINESS

6. OTHER BUSINESS

- A. Administrative Approval(s) (Crump):
 - 1) Site Plan Report
 - (a) **SP-15-271** Minor Revision- 2232-2236 Papermill Rd- Whitacre Commercial Property
 - (b) **SP-15-286** Minor Revision-1690 S Pleasant Valley Rd- Starbucks

7. ADJOURN

PLANNING COMMISSION MINUTES

The Winchester Planning Commission held its regular meeting on Tuesday, May 19, 2015, at 3:00 p.m. in Council Chambers, 15 N. Cameron Street, Winchester, Virginia.

CALL TO ORDER: Chairman Slaughter called the meeting to order at 3:00pm
PRESENT: Chairman Slaughter, Vice-Chairman Loring Commissioner
Smith, Commissioner Tagnesi, Commissioner Fieo
ABSENT: Commissioner Smith, Commissioner Schickle
EX-OFICIO: City Manager Freeman
FREDERICK CO. LIAISON: Commissioner Kenney
STAFF: Timothy Youmans, Aaron Grisdale, Josh Crump, Erick
Moore, Carolyn Barrett
VISITORS: Jennifer Bell, Ron Mislowski, Josh Huff

APPROVAL OF MINUTES:

Chairman Slaughter called for corrections or additions to the minutes of April 21, 2015. Hearing none, he called for a motion. Commissioner Tagnesi moved to approve the minutes as submitted. Commissioner Loring seconded the motion. Voice vote was taken and the motion passed 5-0.

CORRESPONDENCE:

Mr. Youmans stated there was a revised agenda. There was the addition of item 4A, a text amendment pertaining to ground floor residential conversion of existing structures. Also under 6A, administrative authorizations for site plans, 1D the site plan discussed at the work session pertaining to the Meadow Branch Apartments. Staff suggests it might be appropriate for administrative approval. Attached to that are the minutes and revised staff reports for two public hearing items that are listed under 2A and 2B. Chairman Slaughter said they would wait until the next work session to discuss item 4A since Commissioners Smith and Loring weren't present at the previous work session.

CITIZEN COMMENTS:

None.

REPORT OF THE FREDERICK COUNTY PLANNING COMMISSION LIAISON:

There were two public hearings and two conditional use permits that were tied together. The first was a rezoning on Parks Mill Road corridor for Blue Ridge Soccer. Blackburn Property on Middle Road, which is part of the business friendly agenda, was a rezoning for a conditional use permit to allow for fast tracking the project.

PUBLIC HEARINGS:

TA-15-177 AN ORDINANCE TO AMEND AND REENACT ARTICLES 1, 8, 9, 10, 11 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO HOME IMPROVEMENT DONATION CENTERS DEFINITIONS AND USES.

Mr. Grisdale reviewed the amendment. The intention is to create definition and use provision for home improvement donation centers. It is for centers that accept donations of building supplies, materials and appliances then resell them to the public. Presently, there is no use provision allowing for that type of operation. Staff recommended other districts to include where this use may be appropriate. There is a slight change to the ordinance as presented. It is the removal of some language in the use definition pertaining to limiting the use to charitable organizations. It is the type of use that is going to be regulated, not whether it is for profit or non-profit.

Chairman Slaughter Opened the Public Hearing

Chairman Slaughter Closed the Public Hearing

Chairman Slaughter asked if they allow the general hardware store or home improvement store, why is there a separate definition for this use? Mr. Grisdale said the use is slightly different than a general hardware store or retail operation. It is a two-way exchange of goods. Customers donate materials to the entity conducting the operation as well as the normal retail portion where they are purchasing from the store. This will allow for limited retail operations without opening the door to anything and everything in the retail use provisions. Chairman Slaughter asked if there was a particular district other than B-1 in mind. Mr. Grisdale said there was nothing specific. It was to include possible districts where it would be appropriate and would only be permitted with a CUP.

Commissioner Fieo motioned to forward TA-15-177 to City Council with a favorable recommendation because the amendment, as proposed, presents good planning practice by providing for expanded commercial opportunities consistent with the Council's Strategic Plan and the City's Comprehensive Plan. Commissioner Tagnesi seconded the motion. Voice vote was taken and the motion passed 5-0.

CUP-15-219 REQUEST OF THE CITY OF WINCHESTER FOR A CONDITIONAL USE PERMIT FOR AMPHITHEATER USE FOR THE TAYLOR PAVILION AT 119 NORTH LOUDOUN STREET (MAP NUMBER 173-01-F-26) ZONED B-1 (HW).

Mr. Crump reviewed the request for the Taylor Pavilion. Staff supports the CUP as part of the rehabilitation of the Taylor Hotel site.

Ms. Bell stated she wanted to reinforce how important she thinks the Taylor Pavilion is for theater use. It has the potential to bring the community out for different events and programming. The hours requested are more restrictive than the current noise ordinance for any kind of performances.

The commissioners asked questions about the noise ordinance and hours requested. Chairman Wolfe asked what the current noise ordinance is. Ms. Bell explained the hours and differences between what they are requesting and what is in place. There was discussion about different types of events, how late they can go, security and clean up.

Chairman Slaughter Opened the Public Hearing

Ron Mislowski spoke in support of the proposal.

Josh Huff of the Bright Box Theater expressed reservations about standardization and continuity between public and city sponsored events. He was also concerned about licensing and audio and decibel levels and compared them to what is allowed at his venue. He is also concerned about part of the pavilion being closed during events and blocking the pedestrian walkway to the Braddock Street garage. He also mentioned a lack of restroom facilities and asked what the City

Chairman Slaughter Closed the Public Hearing

Ms. Bell spoke in response to Mr. Huff's concerns. The Taylor Pavilion does not include the entire space. The public walkway would not be blocked off. The city also maintains three licenses for music in order for people to perform in that area. Any requests for use of the space come through her office. The city does have a decibel meter and does use it to monitor events. Any noise complaints typically come through the police non-emergency number and are dealt with appropriately. The Braddock Street garage has restroom facilities that are open during city events. Private events must find appropriate portable facilities. Ms. Bell's office, as booking agent, has the authority to stop events if any major issues occur.

Commissioner Tagnesi motioned to forward CU-15-219 to City Council recommending approval per Section 9-2-25 of the Zoning Ordinance because the proposal, as submitted, will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood. The approval is subject to:

- 1. Use to begin no earlier than 9:00am and end no later than 10:00pm Sunday through Wednesday and begin no earlier than 9:00am and end no later than midnight Thursday through Saturday and on New Year's Eve.*
- 2. All events are coordinated through the Downtown Manager or other City official designated by the City Manager.*

Commissioner Loring seconded the motion. Voice vote was taken and the motion passed 3-2.

OLD BUSINESS:

None.

OTHER BUSINESS:

Administrative Approval(s):

- 1) Site Plan Report
 - a. SP-15-199 New Site Plan – 2525 S. Pleasant Valley Rd. – MPG Retail
Voice vote was taken and the motion passed 5-0.
 - b. SP-15-205 Minor Revision – 2705 S. Pleasant Valley Rd. – Dixie Beverage
Voice vote was taken and the motion passed 5-0.
 - c. SP-15-220 Major Revision – 380 Millwood Ave. – Evergreen Rehab Center
Voice vote was taken and the motion passed 4-0. Chairman Slaughter recused himself.
 - d. New Site Plan – 220 Merrimans Lane/420 Meadow Branch Ave. – Meadow Branch/Ridgewood Orchard Apartments

Mr. Youmans gave a reminder for the Shenandoah Valley Regional Commission's annual dinner is on May 21, 2015 at Lord Fairfax Community College. All members are invited. The speaker will be talking about economic development from a tourism perspective. Commissioner Tagnesi said he and his wife would be attending.

Chairman Slaughter reminded the members that starting in July, they will be meeting on the first and third Tuesdays of the month.

ADJOURNMENT:

With no further business before the Commission, the meeting adjourned at 4:02pm.

CUP-15-256 Request of Welby Lehman on behalf of Sacred Heart Academy for a Conditional Use Permit for a proposed structure exceeding an 8,000 square foot footprint, more than 85 feet from the public right of way, having roof pitches less than 6:12, and excessive wall spans exceeding more than otherwise permitted by right at 110 Keating Drive (Map Number 149-01--6) zoned Low Density Residential (LR) District with Corridor Enhancement (CE) District Overlay zoning.

REQUEST DESCRIPTION

The applicant is requesting a Conditional Use Permit (CUP) for the expansion of Sacred Heart Academy (SHA) with a gymnasium addition to the north of the existing school. The proposed gym is within the Amherst Street Corridor Enhancement Zoning Overlay District and is deviating from standards for building design set in article 14.2-6 of the Zoning Ordinance.

AREA DESCRIPTION

The subject property is zoned LR and has CE overlay zoning on the west and north portions of the overall site which are most visible from Amherst Street and Meadow Branch Avenue (both the existing and proposed portions). The CE District runs along the back (east) side of the school building and along the front (north) elevation and part of the east and west elevations of the church building.

The Sacred Heart property is connects to Amherst Street via Keating Drive (a private street). To the west of Keating Drive is the vacant parcel zoned LR. To the east of Keating is the Gateway Medical Center, which is zoned Residential Office, RO-1. Also to the east of the property is the Frederick County School Board office that is zoned LR and contains some athletic fields.



To the west and the south rear-facing portion of the property is proposed extension of Meadow Branch Avenue, as well as the Ridgewood Orchard Limited Partnership property, which contains portions of conditionally zoned Highway Commercial (B-2) District and Medium Density Residential (MR) with Planned Unit Development (PUD) overlay. The MR portion to the south is slated to be a 170-unit apartment complex while the B-2 portion is intended for a limited array of commercial uses.

STAFF COMMENTS

The CUP relates to four aspects of the SHA gym addition. The first one pertains to proposed building footprint, the second one pertains to roof pitch, the third the setback from the public right of way and fourth the building's façade and excessive wall spans. In 2007, SHA requested a similar CUP for an addition of their private school (which was completed in 2008), seeking approval for a building footprint in excess of 8,000 sq. ft. and roof pitches less than otherwise permitted by right. In the applicant's letter (see attached) to the Planning Director dated May 4, 2015, Mr. Randy Seitz of Blue Ridge Architects, architect for the owner (SHA and the Catholic Diocese of Arlington), outlined their intent to use the same architectural elements and exterior palette of materials for the gym that would be compatible with what was outlined in the 2007 CUP which was built in 2008.

Building Footprint & Setback from Right of Way

The proposed gymnasium addition, with an 11,500 sq. ft. footprint, exceeds the 8,000 "by-right" threshold by 3,500 sq. ft. and is setback farther than 85 feet from the public right of way. The size & scope of the gym addition does not dwarf the other buildings associated with school nor church on the site. Also, the proposed addition to the school is over 500 feet away from Amherst Street Corridor. Since the school building is situated a great distance away from any residences in the area it does not seem out of context and would not have as much impact as it would on the arrival experience as if it were up close to Amherst Street.

Roof Pitch

The submitted architectural elevations depict a standing seam metal pitched roof on the gym addition that will match in style and materials with the existing standing seam metal roof at the school. The proposed pitches on the longer portions of the main roof (running north-south) visible from the west are 3:12 & 2:12 which is a flatter pitch than the 6:12 roof pitch permitted without a CUP in the Amherst Street CE District. By having a lower pitched roof it allows for better views of the existing academy and church, which would otherwise be obstructed or viewed as being towered over if the roof structure had more of a 6:12 pitch.

Building Façade

In article 14.2-6.4e of the Corridor Enhancement Zoning Overlay District, excessive spans of solid walls or glass elevations is typically try to be avoided with the building's façade and the ordinance encourage a ratio 1:1 or 1:2 of transparent to opaque building treatment such as windows or breaks in the façade of the building. Since the proposed use is a gym, long monotonous façades are appropriate for this particular use and the elevations do show the use false window treatments in the form of a translucent daylighting system which closer meets the proper ratios of transparent to opaque building treatment.

Staff received an email comment (see attached) from JJ Smith, partner of the Ridgewood Orchard Limited Partnership and adjoining property owner, indicating he fully supports this CUP request for SHA. With the architectural elements matching the existing buildings on the site and the size of the addition being in proportion to the existing school buildings, City staff has no concerns for this proposed addition and supports this CUP request in support of the school's educational mission.

RECOMMENDATION

For a conditional use permit to be approved, a finding must be made that the proposal as submitted or modified will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood.

Staff recommends the following favorable motion:

MOVE, that the Commission forward **CU-15-256** to City Council recommending approval per Sections 14.2-6.10(a)(b)(e)& (f) of the Zoning Ordinance because the proposal, as submitted, will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood. The approval is subject to:

1. General conformity with submitted building elevations and floor plans; and,
2. Staff review and approval of a related site plan.



Conditional Use Application

May 4, 2015

Timothy Youmans, Planning Director, City of Winchester
Rouss City Hall
15 North Cameron Street Suite 318
Winchester, VA 22601

re: Sacred Heart Academy Renovation and Gymnasium Addition

Mr. Youmans:

Sacred Heart Academy (SHA) and the Catholic Diocese of Arlington are planning a gymnasium addition to the existing school at 110 Keating Drive in Winchester. The planned addition is located in the Amherst Street Corridor Enhancement District. The addition is 11,500 square feet.

The project will comply with the provisions of the corridor enhancement, Article 14.2, except for the areas that are included in this Conditional Use Application. The architecture and exterior palette of materials of the addition will be compatible with the previous addition to the school, which was completed in 2008.

Please see floor plan, elevations, and renderings attached to this letter. A preliminary site plan is also included.

Thank you for your consideration. Please contact Welby Lehman with any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "Randy Seitz".

Randy Seitz, AIA
Architect/ President, Blue Ridge Architects

c: Welby Lehman, Blue Ridge Architects

Timothy Youmans

From: Timothy Youmans
Sent: Monday, June 01, 2015 8:16 AM
To: 'Smith, JJ'
Subject: RE: CUP-15-256

FILE COPY

JJ

Thank you for your input on this case. We will note your support for this request.

Tim

Timothy A. Youmans
Planning Director

City of Winchester
15 N. Cameron Street
Winchester, VA 22601
Phone: (540) 667-1815 ext. 1415
Email: timothy.youmans@winchesterva.gov



www.winchesterva.gov/planning

From: Smith, JJ [<mailto:JJSmith@valleyproteins.com>]
Sent: Sunday, May 31, 2015 5:00 PM
To: zzPL-PLNGDEPT
Subject: CUP-15-256

I am responding to your letter regarding the Conditional Use Permit for the addition to Sacred Heart Academy.

I serve as manager of Eagle 1976, LLC which is the general partner of Ridgewood Orchard Limited Partnership and an adjoining property owner to the Sacred Heart Church Academy. I am also a resident at 549 Merrimans Lane which is located very close to this project.

I fully support the Academy's request for this Conditional Use Permit.

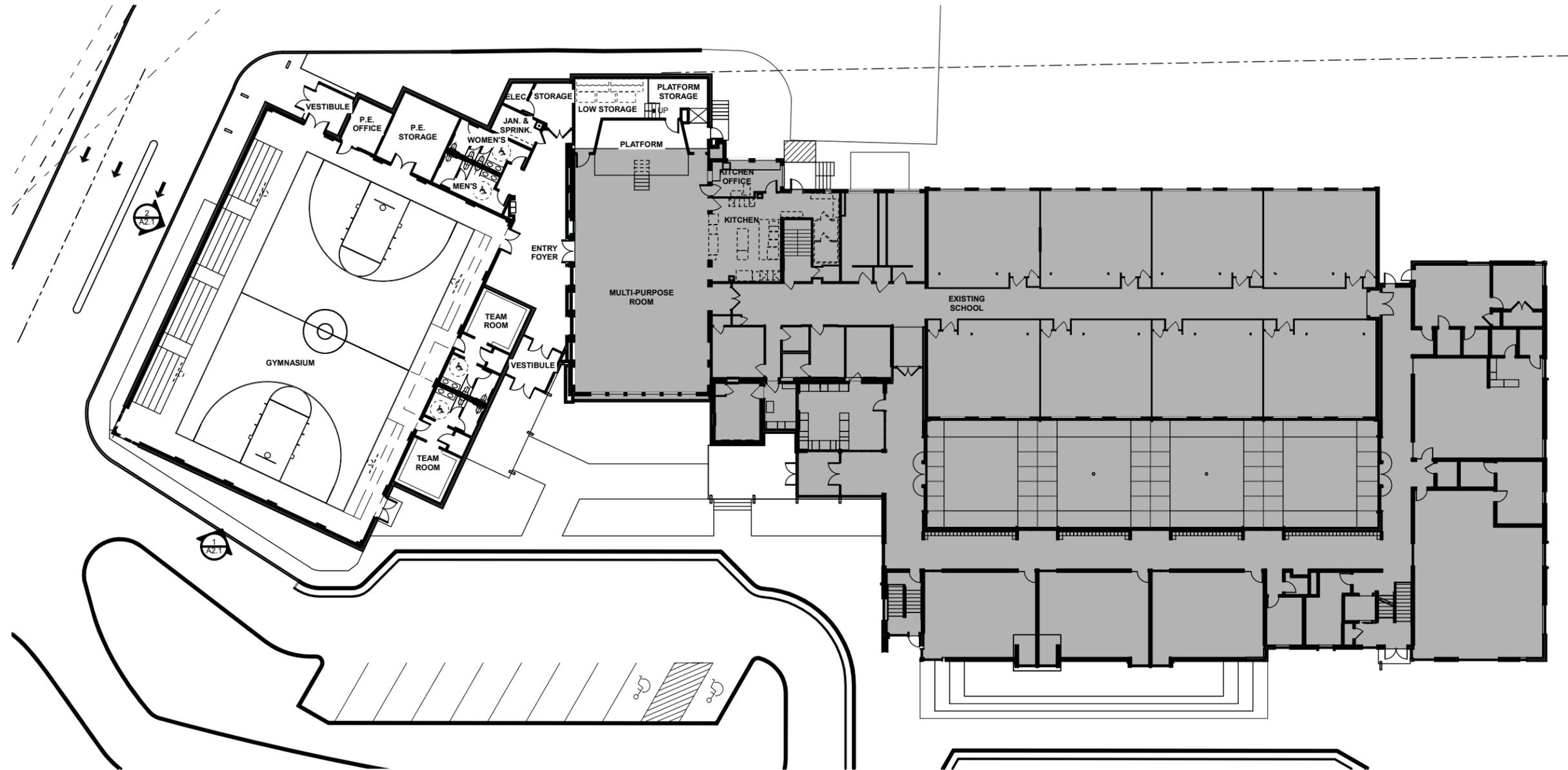
You may contact me at this e-mail address if you have any questions in this regard.

Gerald F. Smith, Jr.

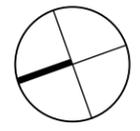
The information transmitted herewith is confidential, proprietary information for use only by the addressee to whom it was supplied. This information is not to be disclosed to any person or entity not employed by the addressee company, and requiring the information to perform their job without the express written consent of Valley Proteins, Inc.

MAIN LEVEL FLOOR PLAN

PROJECT NO.: 01-14-085



110 KEATING DRIVE
WINCHESTER VA 22601



NTS



values in architecture

05/04/2015 0 1

SACRED HEART ACADEMY - GYM ADDITION

NORTH ELEVATION

PROJECT NO.: 01-14-085



110 KEATING DRIVE
WINCHESTER VA 22601

NTS



values in architecture

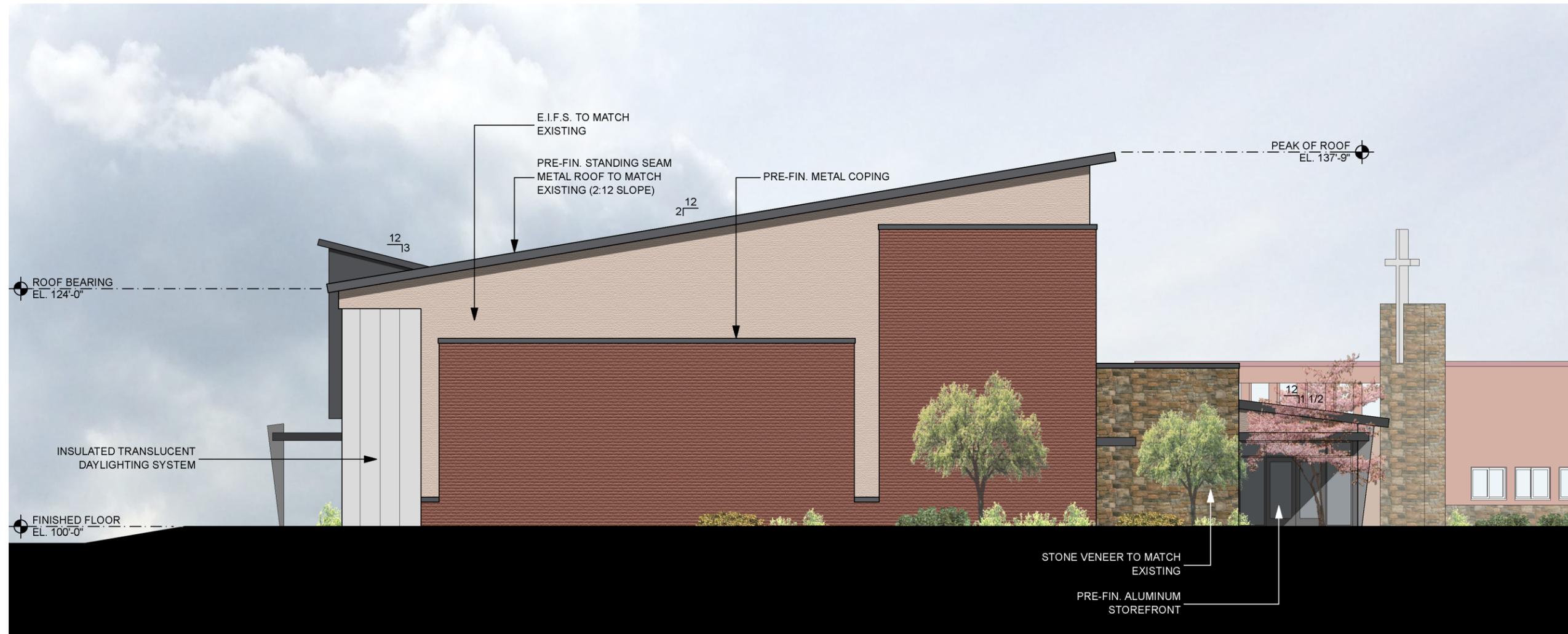
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SACRED HEART ACADEMY - GYM ADDITION

FG

WEST ELEVATION

PROJECT NO.: 01-14-085



110 KEATING DRIVE
WINCHESTER VA 22601

NTS



values in architecture

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SACRED HEART ACADEMY - GYM ADDITION



110 KEATING DRIVE
WINCHESTER VA 22601

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SACRED HEART ACADEMY - GYM ADDITION



110 KEATING DRIVE
WINCHESTER VA 22601

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values in architecture

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SACRED HEART ACADEMY - GYM ADDITION

CUP-15-259 Request of Painter-Lewis, P.L.C. on behalf of Glass-Glen Burnie Foundation for a Conditional Use Permit for museums and art galleries operated in conjunction with buildings designated as Historic Landmarks to support phased expansion of the Museum of the Shenandoah Valley located at 801 Amherst Street (Map Number 171-1-21) zoned Education, Institution and Public Use (EIP) District with some Historic Winchester (HW) District Overlay and some Corridor Enhancement (CE) District Overlay zoning and at 901 Amherst Street (Map Number 191-1-8) mostly zoned Low Density Residential (LR) District and partly zoned EIP District with some CE District Overlay zoning.

REQUEST DESCRIPTION

The request is to permit additional phased construction of the private museum facility known as the Museum of the Shenandoah Valley (MSV) on the Glass-Glen Burnie Foundation (G-GBF) property. Major elements of the proposal include a 24,369 square foot Arts and Education (A&E) building proposed as a freestanding structure just to the north of a paved courtyard on the north side of the existing MSV museum structure, a 21,171 square foot Amphitheater building including a west-facing stage with an outdoor spectator area that could hold up to 3,000 persons in between the proposed A&E building and the existing historic gardens, an adaptive reuse of the existing concrete silo into an observation tower, a garden center/maintenance compound, public walking trails throughout the property, and a new entry road on Amherst Street aligning with Wood Avenue at the western edge of the G-GBF property. The new entry area would include structures including a security building just beyond a circular entry feature near the James Wood Middle School's eastern bus access point. Additional parking spaces are proposed along with a revamped circulation plan that deemphasizes the existing Amherst Street entrance

The request is described in a letter dated May 4, 2015 from Timothy G. Painter, P.E. at Painter-Lewis, who is the applicant for G-GBF. The letter also references the related Minor Subdivision which will consolidate three of the four large tracts of land comprising the Glen Burnie estate. The fourth tract, which is the southernmost field adjoining the rear of the residential lots along the north side of Seldon Drive, is proposed to remain separate and not a part of the CUP request even though some trail improvement is depicted across the part connecting to Jefferson Street.

AREA DESCRIPTION

The site is situated along the south side of Amherst Street and, as noted above, will be comprised of two separately platted parcels owned by the Glass-Glen Burnie Foundation. The proposed 195-acre consolidated parcel will result in multiple zoning designations applying to a single parcel of land. This includes a large band of land adjoining Amherst Street ranging in depth from 1,300-1,600 deep which is



zoned Education, Institution and Public Use, EIP. This area contains all of the existing Phase 1 historic home museum and gardens as well as the MSV structure. The majority of the G-GBF property is zoned Low Density Residential, LR extending from the properties fronting on Tennyson Ave to the east to the Ridgewood and Moffett properties to the west. Most of this area is in agricultural use or is wooded.

There are two distinct areas of overlay zoning that comprise a band along Amherst Street ranging in depth from 620-820 feet in depth. The eastern 1,200+/- -foot long portion of this band of overlay zoning is the local Historic Winchester, HW district. The western 1,200+/- -foot long portion of this band is the Amherst Street Corridor Enhancement (CE) District Overlay. With the exception of the circa 2005 MSV structure, most of the existing development is situated within the portion of the site overlaid with HW zoning. The MSV building and the proposed A&E building, Amphitheater, and Silo is within the portion of the site that is zoned EIP, but not also within either the HW or CE district overlay areas. The new western entry point would be situated within the portion of the site zoned EIP with CE overlay zoning. Most of the proposed Garden Center would be in the EIP-zoned portion of the site with two of the buildings being in the LR-zoned portion of the site.

Land across Amherst Street is zoned RO-1 and contains a mix of offices and single-family residences. Land to the west along Amherst Street is zoned RO-1 and contains the James Wood Middle School. The rear portion of the County School land is zoned LR. Land to the west, behind the James Wood School include the Ridgewood Orchard property which was recently rezoned Conditional MR(PUD) to support 170 apartments as well as the vacant MR-zoned Moffett Estate property.

Land to the east is zoned MR and contains single-family residences along Roszel Rd. Land to the northeast along Amherst Street is zoned B-1 and contains commercial buildings. The B-1 zoned land and RO-1 zoned properties fronting along Amherst to a point midway along the Glen Burnie frontage are also within the Historic Winchester, HW District. Land to the south includes the separately platted vacant G-GBF property zoned LR and the LR-zoned Handley Board of Trustees property housing the current JKES. Land to the southeast includes EIP-zoned land comprising the rear of single-family lots fronting along the west side of Tennyson Avenue. A vacant Byrd Estate property to the east is zoned LR.

COMMENTS FROM THE PLANNING DEPARTMENT

The Conditional Use Permit originally approved by City Council in 1997 (CU-97-01) for the original historic home museum included conditions which pertain to further development. Among the conditions was the entry drive curbing was deferred and that the remaining Amherst Street sidewalk be deferred during Phase 1A.

A second CUP request was approved on August 14, 2001 to permit the phased construction of a 60,420 square-foot private MSV museum facility on the central portion of the Glass-Glen Burnie property. The proposal included 50,501 square feet of museum space, 6,470 square feet of office space and 3,449 square feet of reception space. A total of 180 additional parking spaces were approved with that proposal. Council approved the Conditional Use Permit request for up to a 62,000 square foot private museum without conditions. In conjunction with the site plan, the Commission also granted waivers of the following site plan standards:

- Continuous curbing along the entry drive
- Screening to less intensive adjacent zoning districts
- Asphalt or concrete surfacing of drives and parking lots

Regarding the current request, the proposed A&E Building is situated approximately 800 feet back from Amherst Street in behind the historic gardens and circa 1970 barn. The architectural plans depict some form of roofed connection from a central entry point to the A&E Building and a parking lot concept perspective drawing depicts what persons arriving at the central entry would see when walking from the enlarged parking lot.

The proposal does not clearly indicate which new features would be built in each of several future phases, but the applicant wishes to show everything that is ultimately proposed for the site. Because there is no sequence of phasing, it is difficult to evaluate the project phasing, especially with regard to how long the existing Amherst Street entry point would continue to be the sole access point. The plans depict that entry point remaining even after the new major entry point is created to the west opposite of the Wood Avenue median crossing on Amherst Street.

TRAFFIC IMPACTS

The submitted plans do not include a traffic analysis. A trip generation table included with the Phase 1 approved CUP indicated a total of 176 passenger vehicle trips per day (54,912 cars per 312-day year) and 1.87 bus trips per day (583 buses per 312-day year). An analysis of peak day (Glen Burnie Day) traffic indicated a total of 1,040 car trips and 12 bus trips during that day. These trips were concentrated primarily in a four-hour period beginning around Noon on a Sunday in July and were projected to result in 4.4 vehicles entering or exiting the site every minute. Half of the vehicles would be making a left either into or out of the site. The applicant should update this analysis to account for the new access provisions and the expanded uses, particularly the Amphitheater which could result in extensive vehicle turn movements before and after shows. No improvements to Amherst Street are proposed as part of the materials filed to date. The Wood Avenue intersection is not currently signalized and is not scheduled for signalization by the City at this time.

OTHER IMPACTS

There should be only infrequent negative impacts on adjacent residences and businesses caused by the expansion of uses at this location, although there will be some noise during outdoor concerts that will likely impact residents along Roszel Road to the east of the Amphitheater. The proposed amphitheater is situated approximately 400 feet away from the adjoining boundary of some of the MR-zoned Roszel Road lots and the stage is facing to the west away from the neighborhood. Crowd noise, however, would be directed toward the adjoining residential area and there is a chance that amplified music could bounce off of the existing museum and/or proposed A&E building back toward the residential area.

A 4-bay loading dock is depicted at the rear of the Amphitheater structure and the applicant should provide better information as to how any truck or celebrity bus impacts such as noise, odor, fumes, vibration, caused by idling are mitigated. The applicant should also ensure that there will not be back-up generators or equipment associated with the concession stands that would impact the adjoining residential area.

Hours and days of operation for the amphitheater are not addressed in the application, but should be. The 2001 traffic analysis indicated that the hours of operations would be 10AM to 4PM Tuesday through Saturday and Noon until 4PM on Sundays.

Walking trails are proposed along much of the periphery of the site as well as an extensive network of trails on the interior of the site. A trail connection is proposed to connect to the western terminus of Jefferson Street and a second trail is depicted connecting to a portion of the current JKES property up near Harper Drive and is annotated as the 'Handley Connection Trail' on the plans. During hours that MSV is open, these trails will provide a desirable enhancement to the Green Circle Trail.

SITE PLAN ISSUES

Other than a recent site plan for a part of the Garden Center/Maintenance area, no engineered site plan has been submitted. There are a number of smaller issues that pertain more to the site plan approval than to the Conditional Use Permit approval that will need to be reviewed before the additional phases of construction could commence. The plans would need to clearly indicate the type and location of lighting proposed, especially if evening venues are proposed for the amphitheater. The Zoning Ordinance requires a minimum foot-candle amount of illumination in the parking areas and drives.

Unless further waivers are granted, the development is subject to screening requirements along the entire boundary adjacent to the LR and MR Districts. This requirement seems excessive given the considerable distance that the proposed buildings are situated away from residences in these adjacent districts and the topography which buffers the development as viewed from the east. The applicant should also clarify whether waivers of curbing along the entry drive and surfacing treatment in the parking lots is still being requested. Waivers had been granted in the past based upon a finding that such improvements were inconsistent with the historical context of the rural farm setting being presented and based upon the satisfactory condition of the grass shoulders maintained during the Phase 1 operation.

RECOMMENDATION

For a conditional use permit to be approved, a finding must be made that the proposal as submitted or modified will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood. The project is well designed and should be a positive contribution to the Winchester tourism economy with only infrequent negative noise impacts on adjacent residences and traffic impacts on Amherst Street.

Staff feels that the applicant should update the traffic impact analysis from 2001 and clarify the measures proposed to mitigate noise impacts from the adjoining residential areas. The CUP request should provide clearer information with regard to the sequence of future development even if the actual timing of any particular phase remains unknown at this time. In particular, the timing of the western entry should be identified relative to the construction of the amphitheater and A&E building which are likely to add significantly to the volume of traffic entering and exiting the site along Amherst Street.

If the requested additional information is not available prior to the public hearing, then staff recommends tabling the request. A motion to table could read:
MOVE, that the Commission table **CUP-15-259** until the July 21st meeting to allow the applicant sufficient time to provide additional information addressing potential impacts.

Or

If the Commission is satisfied with the proposal as presented, or modified, then a motion to forward the request with a favorable motion could read:
MOVE, that the Commission forward **CU-15-259** to City Council recommending approval per Sections 3-2-3 and 16.1-2-2 of the Zoning Ordinance because the proposal, as submitted, will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood. The approval is subject to:

1. Use of the Amphitheater to begin no earlier than 9 AM and end no later than 10 PM Sunday through Thursday and begin no earlier than 9 AM and end no later than 11:59PM Friday and Saturday.
2. The operator of the Amphitheater to provide traffic control at the Amherst Street entrances and exits during peak arrival times and exit times for any shows expected to draw more than 500 persons.

Or

If the Commission is not satisfied with the proposal as presented, then a motion to forward the request with an unfavorable motion could read:
MOVE, that the Commission forward **CU-15-259** to City Council recommending disapproval per Sections 3-2-3 and 16.1-2-2 of the Zoning Ordinance because the proposal, as submitted, is likely to adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood due to noise and/or traffic impacts associated with the amphitheater use.

PAINTER-LEWIS, P.L.C.

CONSULTING ENGINEERS

817 Cedar Creek Grade, Suite 120
Winchester, Virginia 22601

Tel.: (540) 662-5792
Fax.: (540) 662-5793

May 4, 2015

Mr. Timothy Youmans, Planning Director
City of Winchester, Virginia
15 N. Cameron Street
Rouss City Hall
Winchester, Virginia 22601

Re: Conditional Use Permit Application
Museum of the Shenandoah Valley
901 Amherst Street
Winchester, Virginia

Dear Sir:

The Museum of the Shenandoah Valley (Museum) requests that the City of Winchester consider the extension of the current Conditional Use Permit (CUP) to encompass the entire parcel, as reflected by the consolidation plat currently under your consideration. The current CUP covers a portion of the Glass-Glen Burnie Foundation in the area where the existing buildings are located. This request shall extend the coverage for the entire parcel. This is proposed to permit the Museum to expand its operation and facilities in a phased, planned growth, as indicated with the accompanying documentation and master plan.

The Museum is proposing this phased expansion to become a true community partner and to better serve Winchester and the local area. The proposal consists of a new, main entrance across from Wood Avenue, main access and service drives to better control traffic on site, a new environmentally friendly parking area, expansions to the museum facility, enhanced gardens and grounds, renovation of the existing silo structure, public walking trails and connections to the surrounding schools, and a future amphitheater facility.

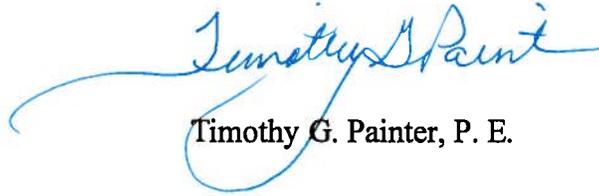
We believe that this will allow the Museum to better serve the community. Additionally, the concepts of the proposed master plan will merely enhance the services that the Museum provides; and in no way will this CUP adversely effect the adjacent neighbors or the local community. This proposal corresponds to and is in conformance with the comprehensive plan and will allow the Museum to continue its mission of service to this community.

Mr. Timothy Youmans, Planning Director
City of Winchester, Virginia

May 4, 2015
Conditional Use Permit Application

Thank you for your attention to and consideration of the matter. If you would have any questions or would require further information please do not hesitate to contact me.

Sincerely,

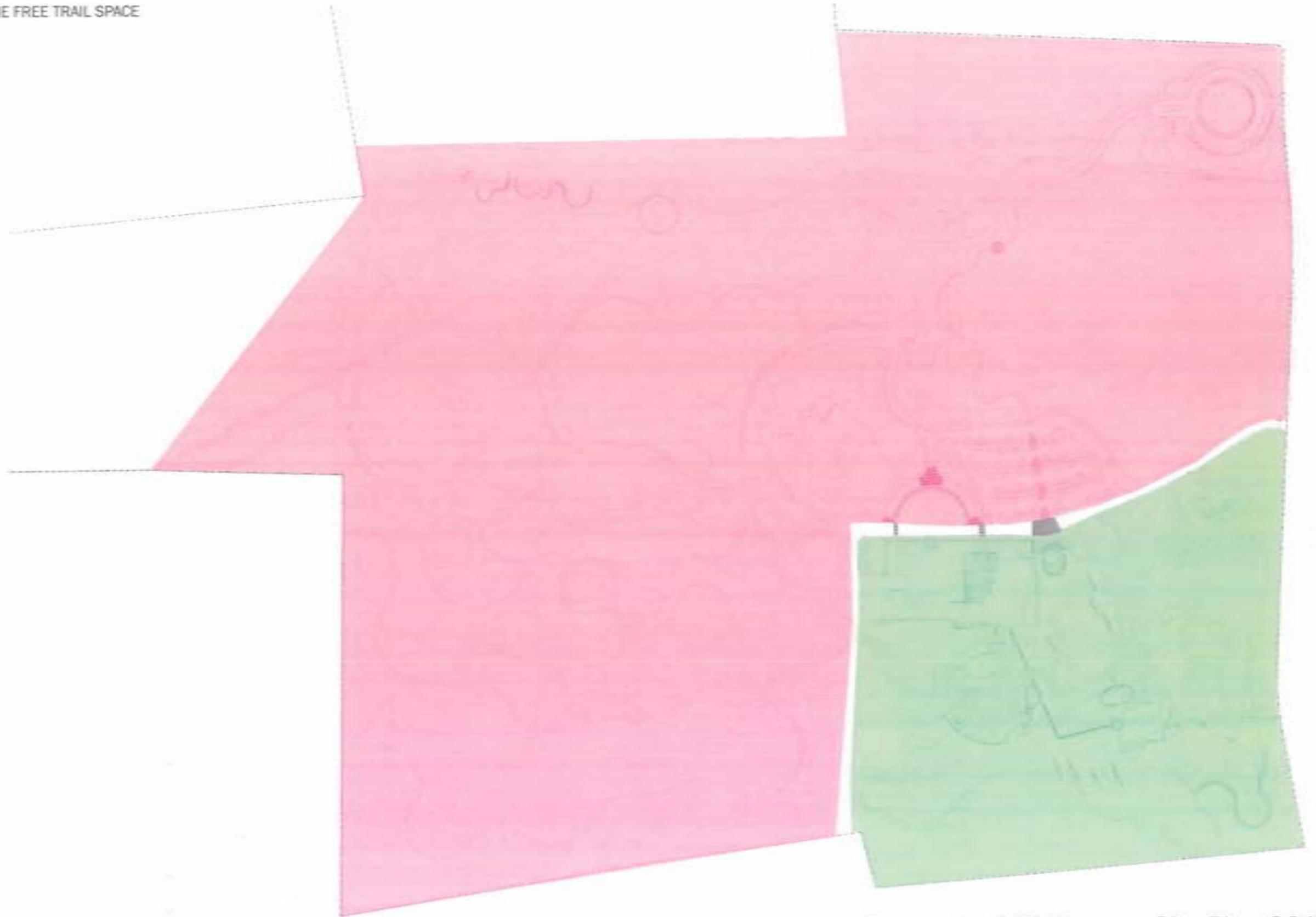


Timothy G. Painter, P. E.

Enclosures:

THE MAGENTA AREA SHOWS THE FREE TRAIL SPACE

THE GREEN SHOWS THE PAID GARDEN SPACE



Museum of the Shenandoah Valley • Site Plan 2015

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Museum of the Shenandoah Valley • Site Plan 2015

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EXISTING ENTRY GARDEN
Existing Aerial View



PROPOSED ENTRY GARDEN
Future Aerial View



PROPOSED ENTRY GARDEN
View at Amherst Street Entry



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NEW PARKING LOT CONCEPT



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TRAIL ART CONCEPTS

MSV SITE TRAIL ART

ART ●

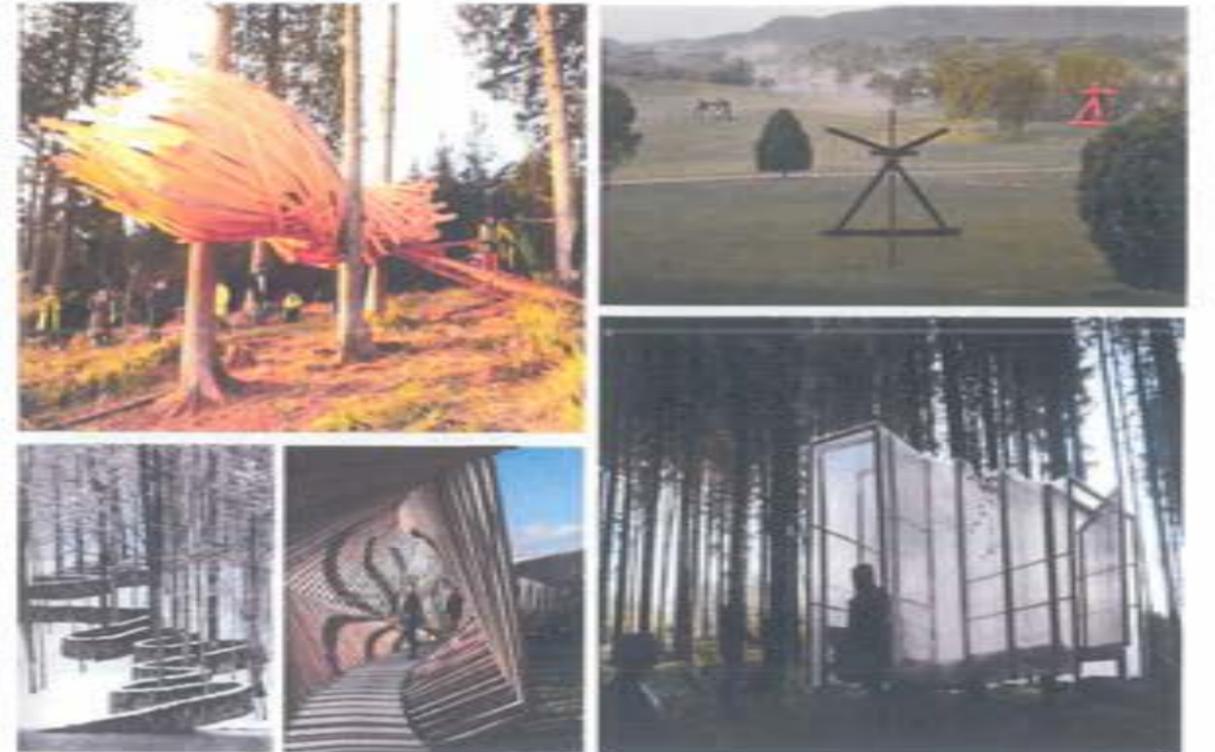
ART: AN EXTENSION
OF THE MISSION



CONCEPTUAL ART INSTALLATIONS



TRAILS AND ART



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SCHEMATIC ARTS AND EDUCATION BUILDING PLAN



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EXISTING SITE



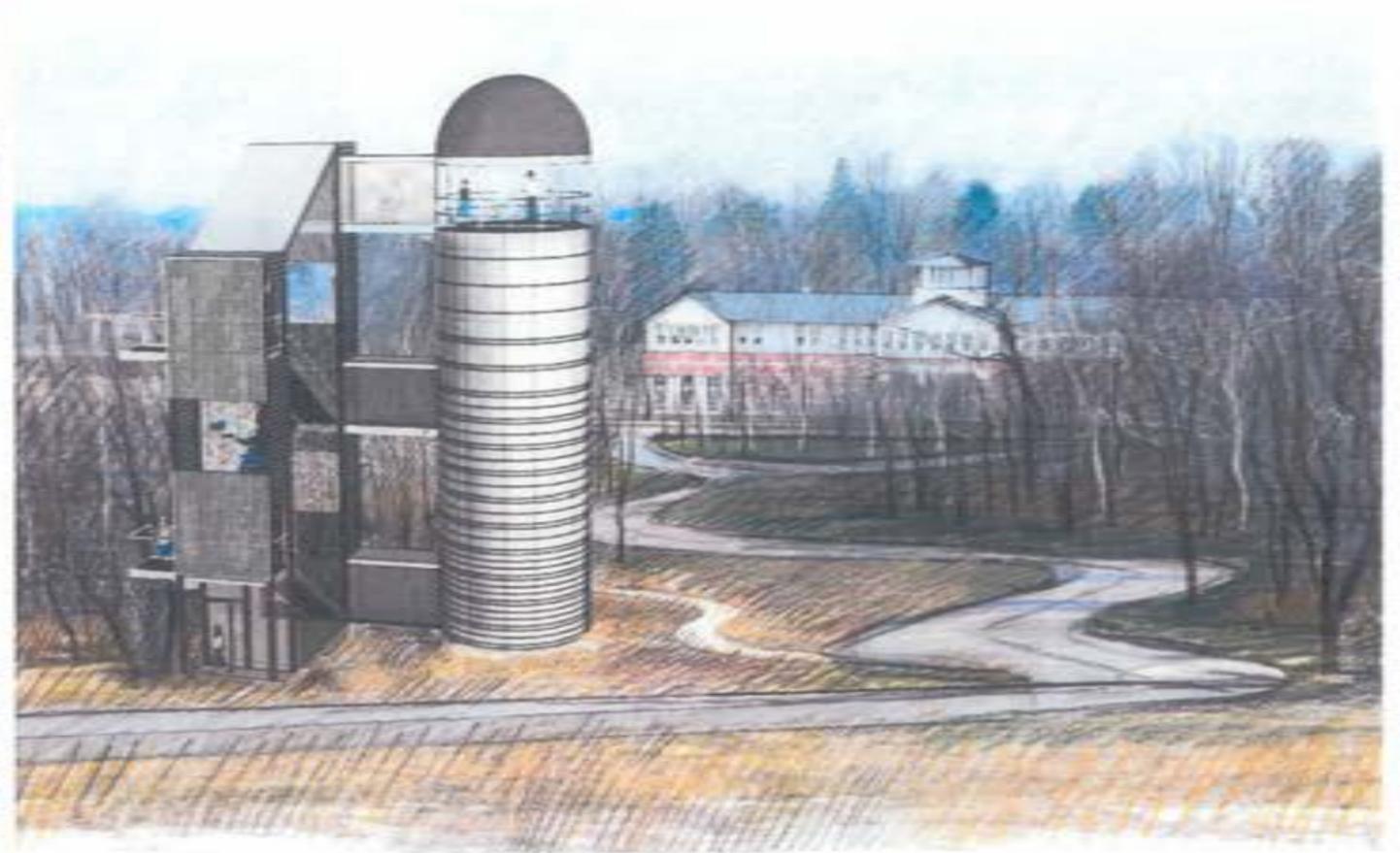
SILO AND ENTRY ROAD



EXISTING SITE



SILO AND ENTRY ROAD



ART SPACE INSIDE OF SILO

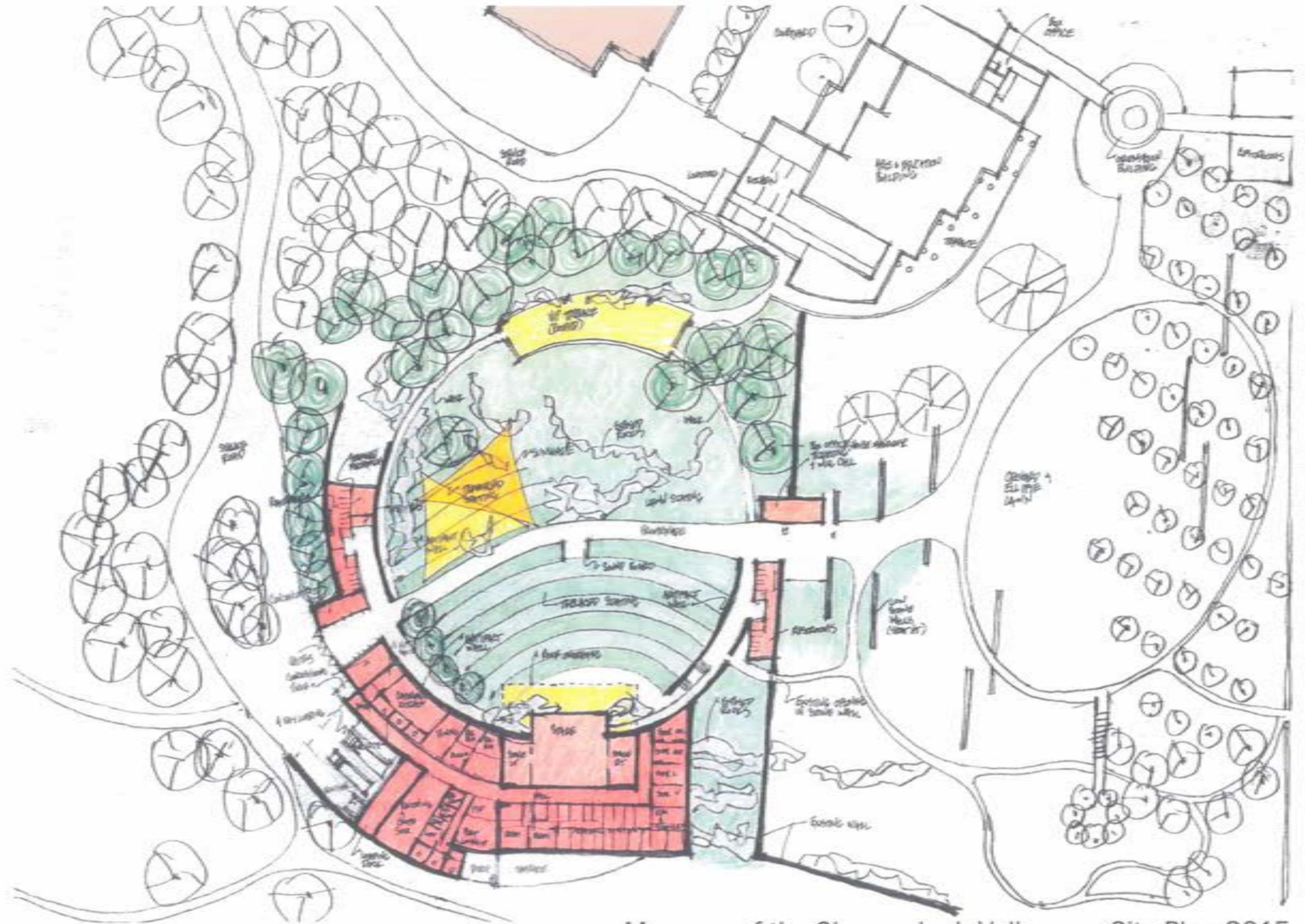


LOOKOUT AT TOP OF SILO

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AMPHITHEATER SCHEMATIC



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TA-15-289 AN ORDINANCE AMENDING SECTION 8-2-19 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO GROUND FLOOR RESIDENTIAL CONVERSION OF EXISTING STRUCTURES

REQUEST DESCRIPTION

This is a draft publicly sponsored zoning text amendment to allow for limited ground floor residential dwelling units in the B-2 district. Presently the B-2, Highway Commercial district, allows for the establishment of multifamily dwelling units with a conditional use permit, provided the development is part of a quality mixed use project, there are no more than two (2) bedrooms and the dwelling units are not on the ground floor.

Staff has received inquiries from the development community about whether there would be City interest in modifying the Zoning Ordinance to allow for limited opportunities for establishment of multifamily dwelling units on the ground floor. These units would only be allowed with approval of a conditional use permit and if the project meets the following characteristics:

- 1) A determination is made that the proposed multifamily use is as suitable as or preferable to other permitted uses on the ground floor.
- 2) No units are situated facing a major commercial street as determined by the Planning Director.
- 3) The dwelling units are proposed as part of a redevelopment of an existing structure.

As demonstrated at recent projects, such as the Coca Cola Plant rehabilitation, it is possible to establish ground floor residential by-right in the B-2 district, with a rezoning action establishing a PUD overlay. During the rezoning review there are qualitative checks on the proposal including the submittal of a development plan and building elevations. This proposal of allowing ground floor residential with a CUP in the B-2 district will still have qualitative checks on any proposal. Such applications would need to explain how any potential negative impacts are being mitigated, its conformance with the Comprehensive Plan, as well as including building elevations and floorplans of the proposal. With this additional information the Planning Commission and City Council can make more informed decisions about the quality of the proposed request and better evaluate and potential impacts.

STAFF COMMENTS

Staff believes that this proposal is consistent with good planning practice and will provide opportunities of redevelopment of existing structures when the proposal is part of a quality mixed use development.

RECOMMENDATION

Staff recommends initiation of this amendment.

RESOLUTION INITIATING AN ORDINANCE AMENDING SECTION 8-2-19 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO GROUND FLOOR RESIDENTIAL CONVERSION OF EXISTING STRUCTURES

TA-15-289

WHEREAS, the Highway Commercial district presently allows for multifamily dwelling units with a conditional use permit when the units are not located on the ground level; and,

WHEREAS, the City's Comprehensive Plan encourages quality mixed use developments, including the establishment of opportunities for new mixed-income and mixed dwelling type residential uses that incorporate the quality design principles of New Urbanism; and,

WHEREAS, it is the interest of the City to provide additional opportunities for property owners and developers to craft creative adaptive reuse scenarios of existing structures, which may include the conversion of existing ground floor spaces to residential dwelling units on a limited basis;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby initiates the following text amendment:

AN ORDINANCE AMENDING SECTION 8-2-19 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO GROUND FLOOR RESIDENTIAL CONVERSION OF EXISTING STRUCTURES

TA-15-289

Draft 1 – 5/19/2015

Ed. Note: The following text represents an excerpt of Article 8 of the Zoning Ordinance that is subject to change. Words with strikethrough are proposed for repeal. Words that are boldfaced and underlined are proposed for enactment. Existing ordinance language that is not included here is not implied to be repealed simply due to the fact that it is omitted from this excerpted text.

ARTICLE 8

HIGHWAY COMMERCIAL DISTRICT B-2

SECTION 8-2. USES REQUIRING A CONDITIONAL USE PERMIT

8-2-19 Multifamily and Condominium dwellings, subject to the following: (9/13/05, Case TA-05-02, Ord. No. 025-2005; 2/10/09, Case TA-08-13, Ord. No. 2009-05)

The intent of this provision is to encourage quality mixed use development, particularly in areas served by public transportation. In this case, permitted B-2 commercial uses shall be limited to the following: Banks and financial uses, convenience and services establishments, laundromats, dry cleaners where dry cleaning is done off premises, repair services or businesses excluding auto or truck repair, art galleries, retail stores, general and medical offices, physical fitness and martial arts establishments, bakeries, and restaurants, excluding nightclub use.

- a. A maximum of eight dwelling units per building, however, any two buildings may be connected by a common elevator;
- b. No dwellings shall have more than two (2) bedrooms ~~nor be situated on the ground level;~~
- c. Building entrances and off-street parking areas serving dwelling units should be oriented to the side or rear of the property;
- d. Density shall not exceed one (1) dwelling unit for each 3500 square feet of the Total Project Area, except where dwelling units are certified by the standards outlined in the United States Green Building Council LEED® for Homes program; and, with each dwelling unit having no more than two (2) bedrooms, the following Density Adjustment shall be applied: (3/11/09, Case No.TA-08-12, Ord. No. 2009-10)

<u>Level of Certification</u>	<u>Bonus Factor</u>
Certified	.05
Silver	.10
Gold	.15
Platinum	.20

- e. The absolute minimum floor area per dwelling unit in each building used for this purpose shall be as follows: seven hundred (700) square feet for efficiency & one (1) bedroom units; and nine hundred (900) square feet for two (2) or more bedrooms.
- f. **No dwelling units shall be located on the ground floor unless:**
 - 1) **City Council makes a determination that multifamily use is as suitable as or preferable to other permitted uses on the ground floor,**
 - 2) **No units are situated facing a major commercial street as determined by the Planning Director, and**
 - 3) **The dwelling units are proposed as part of a redevelopment of an existing structure. Ground floor dwelling units shall not be permitted in new structures.**

Rouss City Hall
15 North Cameron Street
Winchester, VA 22601

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Website: www.winchesterva.gov

MEMORANDUM

TO: Winchester Planning Commission Members

FROM: Perry Eisenach, Public Services Director

DATE: June 1, 2015

SUBJECT: Possible Modifications Near Indian Alley/Cork to Improve Safety

Due to multiple concerns received about potential safety issues near the intersection Cork Street and Indian Alley, City staff has investigated and developed alternatives that could be implemented in this area. The primary area of concern is the limited sight distance that vehicles travelling north on Indian Alley have in seeing pedestrians walking east on the sidewalk on the south side of Cork Street and in seeing opposing traffic on Cork Street. To help improve safety, a (temporary) speed bump was recently installed in the alley just south of Cork Street.

City Council has requested that the Planning Commission review this issue so that you can provide input and recommendations regarding the alternatives developed. A matrix of the alternatives that provides a description, advantages, disadvantages, and estimated cost of each is provided on the next page. Schematics are also provided for each alternative.

This issue will be discussed at the Planning Commission work session on June 9. We look forward to receiving your input and recommendations on this issue.

Options for Safety Improvements – Indian Alley/Cork Street

Option Description	Advantages	Disadvantages	Estimated Cost
<p style="text-align: center;">#1</p> <p>Close the northern section of Indian Alley just south of Cork Street. Allow two-way traffic in Indian Alley off of Clifford.</p>	<ul style="list-style-type: none"> • Option that improves safety the most for pedestrians/motorists on Cork Street. • Low Cost 	<ul style="list-style-type: none"> • Decreases safety in section of alley just north of Clifford – alley is not wide enough for two way traffic. • Decreases access/connectivity. • Not supported by some adjacent property owners 	<p>< \$1,000</p>
<p style="text-align: center;">#2A</p> <p>Convert traffic flow on Indian Alley between Clifford and Cork from one-way north to one-way south.</p>	<ul style="list-style-type: none"> • Improves safety for pedestrians/motorists on Cork Street. 	<ul style="list-style-type: none"> • Decreases safety at Clifford Street. • May create confusion for some. • Not supported by some adjacent property owners. • Need to move existing fire hydrant. 	<p>\$5,000</p>
<p style="text-align: center;">#2B</p> <p>Convert traffic flow on Indian Alley between Clifford and Piccadilly from one-way north to one way south.</p>	<ul style="list-style-type: none"> • Improve safety for pedestrians on sidewalk on south side of Cork. • Improve safety for motorists at Piccadilly Street. • Sight distance at Boscawen Street would be improved (green transformer box). 	<ul style="list-style-type: none"> • Would decrease safety for motorists at Cork Street – sight distance is not any better than what exists at Piccadilly. • Would lose existing handicap parking space on Cork. • Wilkins Shoe Center would lose one parking space. • Parking at People’s Cleaners would need to be reconfigured. Sight distance would be decreased. • Possible challenges for dumpster pickup. • Cost 	<p>\$15,000</p>
<p style="text-align: center;">#3</p> <p>Close the northern section of Indian Alley just south of Cork Street and divert traffic into the City owned parking lot</p>	<ul style="list-style-type: none"> • Increases sight distance at Cork for pedestrians/motorists. • Low Cost. 	<ul style="list-style-type: none"> • Decreases safety in the parking lot. • Possible conflict with vehicles entering the parking lot from Cork Street and vehicles from Indian Alley. 	<p>< \$1,000</p>
<p style="text-align: center;">#4</p> <p>Extend the sidewalk in front of the alley and parking lot entrance farther north.</p>	<ul style="list-style-type: none"> • Improves sight distance/safety for pedestrians on Cork Street sidewalk. • No changes to traffic pattern on Indian Alley. 	<ul style="list-style-type: none"> • Highest cost. • Maintenance issues with drainage - trench drain. 	<p>\$20,000</p>
<p style="text-align: center;">#5</p> <p>Make no additional changes – leave speed bump in place in alley just south of Cork.</p>	<ul style="list-style-type: none"> • Lowest cost. • No changes to traffic pattern on Indian Alley. 	<ul style="list-style-type: none"> • Still have limited sight distance for pedestrians and motorists at Cork Street. 	<p>None</p>

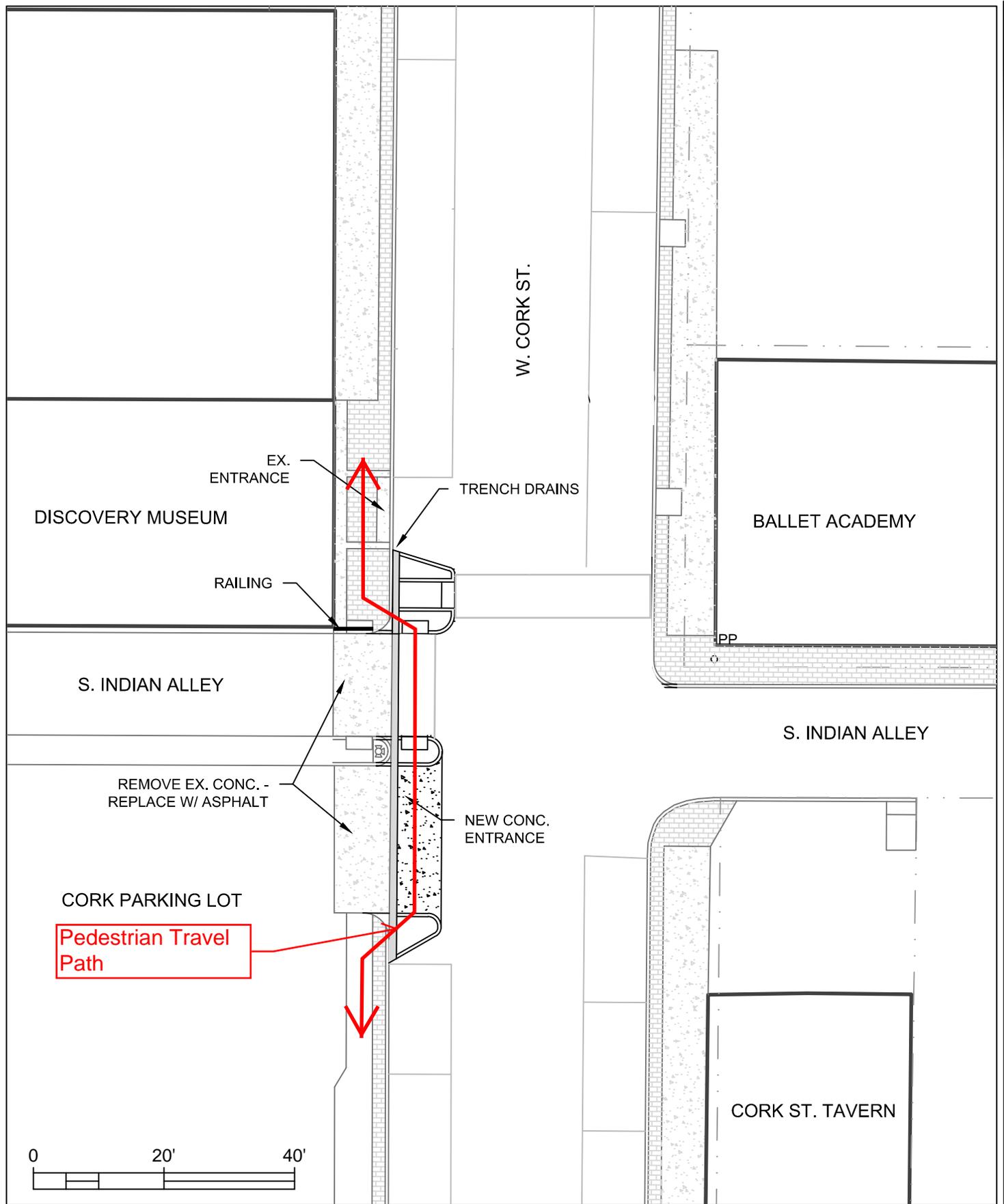






**Indian Alley Safety Improvements
Option 2B**





CITY OF WINCHESTER
VIRGINIA
 PUBLIC SERVICES DEPARTMENT
 15 N. CAMERON STREET
 WINCHESTER, VA 22601
 PHONE: 540-667-1815
 FAX: 540-662-3351

Option #4

SCALE: 1"=20'
 DATE: 2/3/15