

PLANNING COMMISSION  
M I N U T E S

The Winchester Planning Commission held its regular meeting on Tuesday, January 19, 2010 at 3:00 p.m. in the Council Chambers, Roush City Hall, 15 North Cameron Street, Winchester, Virginia.

**PRESENT:** Adams, Shore, Sublett, Talley and Wiley (5)  
**ABSENT:** None  
**STAFF:** Youmans, Moore, Diem and Walsh  
**VISITORS:** Gary Oates, Jim O' Connor (City Manager)

**CALL TO ORDER:** Commissioner Adams called the meeting to order at 3:00pm.

**ELECTION OF OFFICERS**

*Commissioner Shore moved to nominate Commissioner Adams as Chairman of the Planning Commission. The motion was seconded by Commissioner Talley. No other nominations were presented.*

*Motion passed unanimously to elect Commissioner Adams as Chairman.*

*Commissioner Talley moved to nominate Commissioner Shore as Vice- Chairman of the Planning Commission. The motion was seconded by Commissioner Wiley.*

Commissioner Shore stated that Commissioner Talley had served longer than he on the Commission, however Mr. Talley had indicated his preference to not be nominated as Vice-Chairman due to possible work conflicts.

*No other nominations were presented.*

*Motion passed unanimously to elect Commissioner Shore as Vice-Chairman.*

**APPROVAL OF MINUTES:**

*Commissioner Sublett moved to approve the minutes of the December 15, 2009 meeting as presented. The motion was seconded by Commissioner Talley.*

*Motion passed 5-0.*

**CORRESPONDENCE**

A revised agenda packet was presented that included:

Item 4A, added TA-09-19 – consideration for a motion to initiate

Item 4B, added TA-09-21 – consideration for a motion to initiate

Mr. Youmans introduced newly appointed City Manager Jim O' Connor to the Commission. Chairman Adams welcomed Mr. O'Connor and stated that the Commission looked forward to working with him. Mr. O'Connor thanked the Commission and stated he was looking forward as well.

Mr. Youmans announced that there are not yet appointments for the two Planning Commission vacancies, however he understands that several interviews are scheduled.

**CITIZEN COMMENTS**

None

**REPORT OF FREDERICK COUNTY LIAISON**

A Frederick County Liaison was not present at the meeting.

**PUBLIC HEARING – New Business**

- A. **CU-09-434** Request of Scott Rosenfeld for a conditional use permit for nonresidential parking in a front yard on a dual frontage lot at 804 Amherst Street (*Map Number 171-01-18*) zoned Residential Office (RO-1) District with Historic Winchester (HW) District overlay.

Mr. Youmans presented the request to construct an off-street parking area consisting of four spaces between the plane of the main building and Whittier Avenue. The parking would accommodate a change of use of the existing structure from a single family residential only to office and single family residential uses.

The proposal is to use an existing driveway apron along the western part of the property's Amherst Street frontage to accommodate a one-way, inbound travel aisle that will run along the west side of the structure. The aisle leads to a small bay of angled parking consisting of four spaces (inc. one HC accessible space) to the north of the structure and continues as a one-way, outbound aisle to Whittier Avenue. A separate existing driveway providing access to a garage along the Whittier Avenue frontage will remain. The aprons for these driveways are too close to the neighboring property to the west to meet the driveway spacing standards, and further, too close to even be considered by the Planning Commission under the driveway spacing exceptions. Staff supports the associated BZA request given the unique circumstances of this proposal on this unusual site.

Another unique aspect of this development is the presence of an accessory structure situated in close proximity to Whittier Avenue that will help to reduce the visual impact of the 4 off-street parking spaces situated within the Whittier Avenue front yard. The closest parking stall is no closer to Whittier Avenue than the front plane of the accessory building.

Finally, the applicant is not proposing to place any parking stalls between the main building and the Amherst Street frontage. This is consistent with all of the RO-1 development along the north side of Amherst Street that has been approved within the last 22 years.

**Chairman Adams opened the public hearing.**

Gary Oates, representing Mr. Rosenfeld, stated that he would like to correct a statement made by Mr. Rosenfeld at the work session. Mr. Oates explained that Mr. Rosenfeld had stated that a row of trees would be planted along the western property line for screening. Due to the narrow space and three (3) ft. separation requirement, this is not possible. He asked the Commission to consider lilac bushes instead. They would provide sufficient screening and are fast-growing.

**Chairman Adams closed the public hearing.**

Commissioner Wiley asked Mr. Oates how far the bushes would extend and what the spacing would be.

Mr. Oates explained that they would start at the front setback line of the property and run along the property line to the back setback line. They would be spaced at eight feet apart.

Chairman Adams stated that he was in favor of the design.

*Vice-Chairman Shore moved to forward **CU-09-434** City Council recommending approval because the use, as proposed, should not adversely affect the health, safety, or welfare of residents and workers in the neighborhood and should not be injurious to adjacent properties or improvements in the neighborhood. The recommendation is subject to the following:*

- 1. Approval by the Board of Zoning Appeals for relief of driveway spacing standards to facilitate the one-way traffic flow and close proximity of new driveways to existing ones;*
- 2. Establishing an access easement along the proposed one-way driveway to permit shared driveway use when and if the adjacent property to the west is converted to nonresidential or mixed use;*
- 3. Installation and maintenance of lilac bushes along the western property line to provide screening to the adjacent property; and,*
- 4. Staff review and approval of the related site plan.*

*The motion was seconded by Commissioner Talley.*

*Motion passed 5-0.*

## **NEW BUSINESS**

- A. **TA-10-19** AN ORDINANCE TO AMEND ARTICLE 1, SECTION 1-2 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO DEFINITIONS OF EXTENDED STAY LODGING, HOTEL, AND MOTEL

*Commissioner Wiley moved initiate **TA-10-19** pertaining to definitions of extended stay lodging, hotel and motel and to schedule a public hearing on the amendment.*

*The motion was seconded by Commissioner Talley.*

*Motion passed 5-0.*

- B. **TA-10-21** AN ORDINANCE TO AMEND ARTICLES 1, 6, 7, 8, 9, 10, 13, AND 15.1 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO DEFINITIONS, PERMITTED USES, AND USES REQUIRING A CONDITIONAL USE PERMIT FOR SHORT-TERM LOAN ESTABLISHMENTS

*Commissioner Talley moved to initiate **TA-10-21** pertaining to definitions, permitted uses, and uses requiring a conditional use permit for short-term loan establishments and to schedule a public hearing on the amendment.*

*The motion was seconded by Commissioner Sublett.*

*Motion passed 5-0.*

## **OLD BUSINESS**

- A. **CU-09-172** Request of DFC Architects, PC for a conditional use permit for a two family dwelling at 314 South Kent Street (*Map Number 193-01-T-3*) zoned Limited High Density Residential (HR-1) District with Historic Winchester (HW) District overlay.

*Item remains tabled this month. A public hearing will be scheduled for the February meeting.*

## **OTHER DISCUSSION**

Mr. Youmans explained the need for a public input session regarding the Comprehensive Plan update, specifically to present the draft goals and objectives and the alternative scenario concepts that the consultant has been preparing. He suggested the end of February, possibly the 22<sup>nd</sup> or the 24<sup>th</sup>. He suggested that an open house type of event with a formal presentation portion might be an appropriate format. The Commission concurred with the format and with Wednesday, February 24<sup>th</sup> being a good date. Mr. Youmans stated he would talk with consultant Milt Herd in regard to availability.

Mr. Youmans also asked for the Commission's thoughts on an annual retreat for this year. Chairman Adams stated that it would be needed with the appointment of new members. Discussion took place about a possible Saturday in March. Chairman Adams asked Mr. Youmans if Mr. Herd might be able to attend the retreat. Mr. Youmans stated he would check Mr. Herd's availability. The date is yet to be determined.

## **ADJOURN**

With no further business to discuss, the meeting was adjourned at 3:31pm.

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Nate Adams, III, Chairman