

**PLANNING COMMISSION  
MINUTES**

The Winchester Planning Commission held its regular meeting on Tuesday, September 16, 2008 at 3:00 p.m. in the Council Chambers, Rouss City Hall, 15 North Cameron Street, Winchester, Virginia.

**PRESENT:**            Planning Commissioners: Chairman Masters and Commissioners Adams, Weber, Shore, Talley and Sublett.

Ex Officio & Staff: Griffin, Lewis, Youmans, Diem, Moore, & Walsh

Frederick County Liaison: Rick Ours

**ABSENT:**            Commissioner Willingham

**VISITORS:**        Claus Bader, Randy Craun, Dan McCoig, Bruce Santilli, Ron Mislowsky and Vickie Puckett

**CALL TO ORDER:** Chairman Masters called the meeting to order at 3:00pm.

**APPROVAL OF MINUTES:**

Mr. Weber, seconded by Mr. Adams, moved to approve the minutes of the August 19, 2008 meeting as presented. The motion passed 6-0.

**CORRESPONDENCE**

There was a revised agenda presented including:

1. Item 3A-3 – SP-08-37 H. Paige Manuel / 1726 Valley Ave – Whitacre Property
2. Item 3A-4 – SP-08-39 Dan McCoig / 33-35 W Piccadilly St – McCoig Property

**CITIZEN COMMENTS**

None

**REPORT OF FREDERICK COUNTY LIAISON**

Mr. Ours explained that a CUP for a Bed & Breakfast on Sister Chipmunk Lane was discussed at the last meeting. Different members of the same family are involved on different sides of the issue. The Board moved to table the item to allow the family members to work through their differences. There was also a rezoning request of 49 acres of the Unger property located on North Frederick Pike. The item was tabled to give the applicant time to address committee concerns.

The upcoming meeting will contain the following discussion items:

1. Changes to the Comp Plan
2. Additional Zoning District
3. Land Use relating to the Comp Plan
4. Buffers and Screening
5. Age restricted multi-family housing

## **PUBLIC HEARING**

**CU-08-12** Request of Fort Loudoun Properties, Inc. for a conditional use permit for conversion of ground floor nonresidential use to residential use at 26A Wolfe Street (*Section 193, Double Circle 1, Block C, Lot 8*) zoned Central Business, B-1 District with Historic Winchester, HW District overlay.

Mr. Youmans presented the request to convert approximately 990 sq.ft. ground floor commercial tenant space fronting along the north side of Wolfe Street in an existing mixed use building on a parcel addressed as 28-30 S. Braddock St (also known as 22-36 Wolfe St) from a commercial rental to a one-bedroom apartment.

According to the property manager, the existing structure already contains 4 apartments on the ground floor, 9 units on the second floor and 2 units on the third floor for a total of 15 existing apartments. The City Assessor lists 19 apartments on the property.

The current two-story structure houses 15 apartment units. At a density requirement of 1,000 sq.ft. per unit, the base density would be 13.2 units. Using density bonuses for economic impact (assuming that at least 25% of the building stays in commercial use) and location within the Secondary OTDB tax district, the base density could be multiplied by a bonus of 35% or 4.6 units. That would allow a total of 17.8 units or rounded off—18 units. The additional proposed 16<sup>th</sup> residential unit would fall within the density provisions in the B-1 district based upon the density bonuses.

The addition of another dwelling unit invokes a slight increase in green area. No green area exists on the site to staff's knowledge. Staff recommends that the applicant provide a nominal landscaping improvement in the form of some foundation planting, flower boxes, or contribution to the OTDB for landscaping within the public right of way in the general area.

It is unknown at this point what the resulting average floor area calculation would be. The applicant has provided a rough sketch of the floor plans for the ground and second floors that demonstrates the layout of the units, however this sketch is not prepared to scale and the floor area information needed to be able to determine if the minimum average floor area for all units is met has not otherwise been provided. No floor plan was provided for the third floor.

### **Chairman Masters opened the public hearing**

Property Manager Vickie Puckett. pointed out that there is a garden terrace on the second floor and some planters in the back that serve as existing as green space. She is willing to install flower boxes as suggested. She stated that she would be available for questions.

### **Chairman Masters closed the public hearing.**

Mr. Sublett stated that it is a good idea to have the building occupied. The Old Town Mall is the prime area for commercial space and there are a lot of empty buildings there. This building is in the commercial district, but it is on a side street. He stated that if there is a need for residential space, it is preferable to have it occupied as such rather than to remain vacant.

Chairman Masters stated that she felt conflicted because she feels the commercial aspect of Old Town should be preserved. She stated that she spoke with Karen Helm of the OTDB who was supportive of residential use for this space.

Mr. Adams stated that stated that this is a unique situation because a significant percentage of this property is already in residential use. He stated his only concern is that we do not have the complete floor area information provided at this point.

Mr. Youmans stated that the applicant would need to provide it well before the building permit process, but he is comfortable with letting the conditional use permit request proceed. His biggest concern previously was the number of units and that has now been determined.

*Mr. Adams, seconded by Mr. Weber, moved to forward **CU-08-12** to 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 nor be injurious to adjacent properties or improvements in the neighborhood. The approval is subject to the following:*

- 1. Adequate floodproofing of the portion of the structure proposed for conversion in accordance with the applicable flood map designation, as determined by the City Engineer;*
- 2. Landscaping in the form of some foundation planting, flower boxes, and/or contribution to the OTDB for landscaping within the public right of way in the general area;*
- 3. Conformity with the submitted floor plans showing a one-bedroom unit.*
- 4. Providing floor area information for all residential units to demonstrate that the minimum average floor area is provided per the Ordinance.*

*The motion passed 6-0.*

## **NEW BUSINESS**

### **A. Administrative Authorizations**

1. **SP-08-34** Mr. Zafar Jawaid / 601 Woodstock Lane - Islamic Society of Winchester  
At the September 9, 2008 work session, Mr. Shore, seconded by Mr. Adams, moved to grant admin authorization. The motion passed 6-0.

2. **SP-08-32** German Engineering / 220 E. Pall Mall St - Craun Property  
Mr. Moore presented the site plan for office use, which includes the provision of an easement for the Green Circle Trail to cross the property adjacent to Town Run.  
Mr. Sublett, seconded by Mr. Talley, moved to grant admin authorization. The motion passed 6-0.

3. **SP-08-37** H. Paige Manuel / 1726 Valley Ave - Whitacre Property  
Mr. Moore presented the site plan for car sales. A previously approved plan was never implemented and has since expired. The basic layout is the same, however increased buffers from adjacent residential use are now required.  
Mr. Sublett, seconded by Mr. Weber, moved to grant admin authorization. The motion passed 6-0.

4. **SP-08-39** Dan McCoig / 33-35 W Piccadilly St - McCoig Property  
Rev. McCoig explained that he is requesting to remove a large tree on the subject property. He has consulted with City Arborist Tim Stern, among others, who agreed that the tree is not healthy.  
Mr. Weber, seconded by Mr. Sublett, moved to grant admin authorization. The motion passed 5-1 (Mr. Shore in opposition).

**ADJOURN**

With no further business to discuss, the meeting was adjourned at 3:45 pm.

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Susan Masters, Chairman