

**MINUTES OF THE COMMON COUNCIL
WORK SESSION
August 26, 2014
Gymnasium – Virginia Avenue Charlotte Dehart Elementary School**

PRESENT: President John Willingham; Councilor Jeff Buettner, Evan Clark, John Hill, Corey Sullivan and John Tagnesi; Mayor Minor; Vice-President Milt McInturff; Vice-Mayor Les Veach (9)

ABSENT: None (0)

President Willingham called the meeting to order at 6:00 p.m.

2.0 Public Comments: (Each person will be allowed 3 minutes to address Council with a maximum of 10 minutes allowed for everyone)

Tracy Themark of 1117 Oronold Street in Alexandria, Virginia, offered to answer any questions Council may have on item CU-14-331.

President Willingham asked if anyone else wished to address Council. Seeing none, the president closed the public comments at 6:02 p.m.

3.0 Items for Discussion:

3.1 CU-14-331: Conditional Use Permit – Request of Joshua Schakola on behalf of Verizon Wireless for rooftop telecommunications facilities at 103 East Piccadilly Street (*Map Number 173-01-P-6*) zoned Central Business (B-1) District with Historic Winchester (HW) District overlay

Tim Youmans, Planning Director, presented the CUP for Verizon Wireless to have additional telecommunications facilities on top of the George Washington Hotel. He stated there have been at least 4 similar requests for this location in the past. The proposed facility will be consistent with what is already on the roof. The Planning Commission recommended four conditions with this request similar to what has been set in the past.

President Willingham asked if there was a way to stream line the process for locations that have already been approved for similar items. Mr. Youmans stated Council could amend the Zoning ordinance to do so. President Willingham gave the direction for staff to start the process.

Councilor Buettner moved to forward CU-14-331 to Council. *The motion was seconded by Vice-President McInturff then unanimously approved by voice-vote.*

3.2 O-2014-37: AN ORDINANCE TO VACATE APPROXIMATELY 4,500 SQUARE FEET OF PUBLIC RIGHT OF WAY AT THE SOUTH END OF ROBERTS STREET AND CONVEY IT TO THE OWNER OF 1818 ROBERTS STREET TO ASSEMBLE IN WITH THAT LOT SV-14-433

Mr. Youmans presented the request to vacate a portion of public right of way to the owner of 1818 Roberts Street. He stated the applicant had previously applied and received approval for this vacation. The applicant was not ready to proceed after the last approval and would like to do so now. The Planning Commission recommended approval with the same conditions previously approved. Mr. Youmans asked Council to confirm the sale price of \$2.50 per square foot before the second reading.

Vice-President McInturff moved to forward O-2014-37 to Council. *The motion was seconded by Vice-Mayor Veach then unanimously approved by voice-vote.*

3.3 CU-14-166: Conditional Use Permit – Request of Oakcrest Properties 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

Mr. Youmans presented the request for a two family dwelling at 314 South Kent Street. He stated the condition to provide an easement for the Green Circle Trail is no longer valid since the trail will end at Cecil Street. There is an issue with off street parking as the adjacent property owner will not grant access through the back of his property. Two parking spots are located on the street in front of the property and additional parking is available in a lot nearby. There is a provision in the ordinance for allowable parking as long as it is within 700 feet of the property. In 2010, Council did approve this request but it was with the parking on site. The Planning Commission recommended approval of this request.

Councilor Hill expressed his concern for the renter who has to walk from the parking lot.

Vice-President McInturff moved to forward CU-14-166 to Council. *The motion was seconded by Mayor Minor then approved 8/1 with Councilor Hill voting in the negative.*

3.4 R-2014-34: Resolution – Authorize the renaming of portions of East Jubal Early Drive and Apple Blossom Drive to Millwood Avenue

Mr. Youmans presented the proposal to rename East Jubal Early Drive and the public portion of Apple Blossom Drive to Millwood Avenue. He stated several of the businesses that front onto East Jubal Early Drive already have Millwood

Avenue addresses and have expressed a desire for the renaming. The rest of the current businesses on Apple Blossom Drive would need to be changed to a Millwood Avenue address. Allen Properties have requested an East Jubal Early Drive address with their new right in/right out driveway. The owners of Beltone understand the need for it but are not happy about it because of the change it will cause in their stationary.

Mayor Minor asked if the City has ever made compensation for the expenses the two businesses will occur. Mr. Youmans stated the City could appropriate \$500.00 to each business without having to come to Council for approval.

Vice-Mayor Veach asked if Millwood Pike could be brought up to the intersection and Millwood Avenue start at the right turn. Mr. Youmans stated pikes are usually indicative of a county road. There are also those 9 businesses that already have a Millwood Avenue address that would have to be changed to Millwood Pike.

Vice-President McInturff moved to forward R-2014-34 to Council. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*

Vice-Mayor Veach asked staff to bring back information on the Millwood Pike proposal.

3.5 CU-14-415: Conditional Use Permit – Request of Dale A. Massey dba Piccadilly's Public House and Restaurant for entertainment establishment use at 121-125 East Piccadilly Street (*Map Number 173-01-P-8*) zoned Central Business (B-1) District with Historic Winchester (HW) District overlay

Aaron Grisdale, Director of Zoning and Inspections, presented the request to renew the Conditional Use Permit for an entertainment establishment use. He stated with the amendment previously approved by Council, the portion of the building is now by-right so the renewal is for the outside portion. The outdoor entertainment will typically occur on Friday and Saturday nights but is not limited to when it takes place as long as it is within the approved hours.

President Willingham asked about the number of police calls to this establishment. Mr. Grisdale stated there were 8 calls in 2013 but the numbers have gone down since then.

Mayor Minor moved to forward CU-14-415 to Council. *The motion was seconded by Vice-Mayor Veach then unanimously approved by voice-vote.*

3.6 CU-14-432: Conditional Use Permit – Request of Lynn Miller on behalf of the City Of Winchester for a telecommunications tower at 231 East Piccadilly Street (*Map Number 173-01-Q-1*) zoned Central Business (B-1) District

Mr. Grisdale presented the request for a proposed 150 lattice tower at the Timbrook Public Safety Center on Piccadilly Street. He stated the request is a follow up to the CUP approved by Council in 2013 for the communications project. It is part of a dual site system with one tower at the Timbrook Public Safety Center and the second tower at the water tower on Jefferson Street. The Board of Zoning Appeals has granted the variance for the 150 foot height of the tower.

Councilor Buettner moved to forward CU-14-432 to Council. *The motion was seconded by Vice-Mayor Veach then unanimously approved by voice-vote.*

3.7 O-2014-38: AN ORDINANCE TO AMEND SECTION 16.1 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO ALLOWABLE BUILDING HEIGHT IN THE EDUCATION, INSTITUTION AND PUBLIC USE (EIP) DISTRICT. TA-14-354

Mr. Grisdale presented the privately sponsored text amendment to modify the building height up to 40 feet in the EIP District providing the required setbacks are met.

Vice-President McInturff moved to forward O-2014-38 to Council. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*

4.0 Boards & Commissions Liaison Update

4.1 Winchester Parking Authority

Samantha Anderson, Parking Authority Director, reviewed the number of staff members and the members of the Parking Authority.

Kim Burke, WPA Vice-Chair, provided a summary on the Comprehensive Parking Review. She stated after reviewing the research on how other localities maintain their garages and their fees, the Authority decided to increase the parking rates in the three garages. Other possible ways of increasing revenue have also been considered for implementation in the future. The committee also looked at how the garages are currently marketed in Old Town and developed a marketing plan with the assistance of Amy Simmons. The plan includes banners on the website, maps showing the garage locations, new signage, and markers indicating the direction of the walking mall. Ms. Burke explained the new hybrid fee system developed for the Braddock Street Garage that takes effect on September 1, 2014. She also provided a summary on the validation system currently used by the businesses.

Dick Helm, WPA Chair, presented a history of the fees charged since 1972. He stated even with the new garage, the garages are back up to 70% occupied. When building the new garage, the City agreed to a 30 year bond as long as it did not participate in the operations. The Authority is hanging on by a thread

and resisting fee increases even though the Bond people are pushing for it. The Authority is trying to get the fund balance back up to where they can have \$100,000 a year for maintenance and keep up with the bond payment. Mr. Helm also presented a rate comparison with other localities and a list of possible capital improvements that could be done in the future.

Ms. Anderson presented an update on the renovations currently being done at all of the garages and stated all renovations should be complete by November.

Councilor Buettner asked why the Authority does not charge for parking in the evening and on weekends. Ms. Burke stated it is something the committee looked at but they did not want to put too much on people all at once.

Councilor Clark asked if a parking app has been explored. Ms. Anderson stated the Authority has been looking at those options. Mr. Helm added that they are also looking at a 6 figure amount for the hardware needed for the apps.

Councilor Buettner stated he would like to see a priority made on where to put the user friendly meters. He would also like to see the options and costs for the next budget cycle.

5.0 Executive Session

- 5.1 MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO §2.2-3711(A)(7) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF RECEIVING LEGAL ADVICE AND STATUS UPDATE FROM THE CITY ATTORNEY AND LEGAL CONSULTATION REGARDING THE SUBJECT OF SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY THE CITY ATTORNEY AND MATTERS OF ACTUAL OR PROBABLE LITIGATION AND PURSUANT TO §2.2-3711(A) (1) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF DISCUSSION AND CONSIDERATION OF INFORMATION REGARDING THE SUBJECT OF THE EMPLOYMENT, ASSIGNMENT, APPOINTMENT, AND PERFORMANCE OF SPECIFIC PUBLIC OFFICERS APPOINTEES, AND EMPLOYEES OF THE CITY OF WINCHESTER INCLUDING THE APPOINTMENT OF OR PROSPECTIVE APPOINTMENT OF MEMBERS TO CERTAIN BOARDS AND COMMISSIONS.**

Vice-President McInturff moved to convene into executive session at 7:21 p.m. *The motion was seconded by Vice-Mayor Veach then unanimously approved by voice-vote.*

Vice-President McInturff moved to reconvene in open session at 8:19 p.m. *The motion was seconded by Vice-Mayor Veach then unanimously approved by voice vote.*

Upon returning, each member certified that only public business matters lawfully exempted from open meeting requirements of the Virginia Freedom of

Information Act were discussed during the closed meeting, and that only those public business matters identified in the motion which convened the closed meeting were heard, discussed, or considered during the closed meeting.

A roll call vote was taken, the ayes and nays being recorded as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Councilor Buettner	Aye
Councilor Clark	Aye
Councilor Hill	Aye
Vice-President McInturff	Aye
Mayor Minor	Aye
Councilor Sullivan	Aye
John Tagnesi	Aye
Vice-Mayor Veach	Aye
President Willingham	Aye

6.0 Monthly Reports

5.1 Police Department

5.2 Fire& Rescue Department

6.0 Adjournment

Councilor Buettner moved to adjourn the meeting at 8:21 p.m. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*