

**Minutes of the Planning & Development Committee**  
**January 27, 2009**  
**5:30 PM**

**PRESENT:** Councilor Michael Butler, Evan Clark, Milt McInturff, Les Veach and John Willingham; Vice-President Art Major; Mayor Elizabeth Minor; President Jeff Buettner. (8)

**ABSENT:** Councilor John Hill. (1)

**Call to Order** - Chairman Butler called the meeting to order at 5:32 p.m.

**Approval of Minutes** – Mayor Minor moved to approve the minutes of the December 31, 2008 meeting. The motion was seconded by Vice-President Major then unanimously approved by voice-vote.

**Items of Discussion:**

**Planning – Tim Youmans & Will Moore**

- Second Reading, by title: TA-08-13 AN ORDINANCE AMENDING AND RE-ENACTING ARTICLES 8 AND 19 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO PROVISIONS FOR UPPER-STORY HOUSING IN THE HIGHWAY COMMERCIAL, B-2 DISTRICT.

Mr. Youmans stated the ordinance allows more flexibility in regard to mixed use in the Highway Commercial District. No changes have been made since the first reading.

Councilor Willingham moved to send TA-08-13 forward with a recommendation for approval. The motion was seconded by Mayor Minor then unanimously approved by voice-vote.

- First Reading, by title: TA-08-15 AN ORDINANCE AMENDING AND RE-ENACTING SECTION 5.1-2 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO MUSEUMS AND ART GALLERIES IN THE LIMITED HIGH DENSITY RESIDENTIAL, HR-1 DISTRICT

Mr. Youmans stated the text amendment would change the ordinance to allow museums and art galleries in the High Density Residential District. This comes in relation to Celebrating Patsy Cline. The organization would like to convert the house on Kent Street to a museum until they can get a permanent location on the Old Town Mall. Approving the provision will allow projects to be considered on a case by case basis for the purpose of extending tourism. It does not endorse the Celebrating Patsy Cline project.

**Zoning & Inspections – Vince Diem**

- Second Reading, by title: TA-08-10 AN ORDINANCE AMENDING AND RE-ENACTING ARTICLE 18 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO CONDITIONAL USE PERMITS

Mr. Diem stated the text amendment will provide a clear process to nullify or amend a Conditional Use Permit. City Attorney Anthony Williams has reviewed the amendment and deemed it necessary.

Vice-President Major moved to send TA-08-10 forward with a recommendation for approval. The motion was seconded by Mayor Minor then unanimously approved by voice-vote.

- First Reading, by title: TA-08-12 AN ORDINANCE AMENDING AND RE-ENACTING ARTICLES 5, 7, 8, 9, 13 AND 18 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO INCENTIVES FOR LEED® CERTIFICATION

Mr. Diem stated article 18 needed to be removed from the ordinance title as it will not be amended. He continued to say the city has accepted VML's Go Green challenge but it lacks the programs for green building practices. The LEED program actively promotes green construction practices. There will be no cost to the city. Mr. Diem distributed a letter received from Reddy Investments LLC, t/a Days Inn stating their commitment to participate in the program to redevelop older buildings in the city. The Planning Commission sent it forward recommending approval.

Economic Development Director Jim Deskins stated that Reddy Investments are not only interested in the LEED program but want to come forward with a proposal of a planned unit component. A PUD (Planned Unit Development) project will increase income, home value and sales tax.

- First Reading, by title: TA-08-14 AN ORDINANCE AMENDING ARTICLE 20 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO PROCEDURES FOR FILING AN APPEAL TO THE BOARD OF ZONING APPEALS

Mr. Diem stated the text amendment will bring the appeal process for overcrowding violations up to state code. The appeal time will decrease from 30 days to 10 days. A conviction of overcrowding does not result in jail time. Mr. Williams reviewed the amendment and agreed it fits with state code. The Planning Commission sent it forward recommending approval.

### **Old Town Development Board – Karen Helm**

- Discussion for changing the composition of the Old Town Development Board.

City Manager Brannon Godfrey stated the request is to reduce the size of the OTDB from 11 members to 10. Ms. Helm was notified by the County that they no longer want to appoint anyone to the OTDB.

Councilor McInturff recommended keeping the number of board members to an odd number and suggested not filling the recent resignation.

After further discussion, it was decided the committee would review the composition of the board members and consult the OTDB before making any changes.

- Announce the resignation of Steve Northcutt as a member of the Old Town Development Board.
- Announcement: seeking nominations to fill an unexpired term ending October 31, 2010 on the Old Town Development Board.

### **Discussion of Off-Street Parking requirements.**

Mr. Diem distributed a draft text amendment for article 18 pertaining to off street parking in the city and discussed the key changes in the ordinance.

Councilor Clark asked if any provisions were included for permeable or semi-permeable surfaces. Mr. Diem stated nothing was included in this draft but it is something that could be looked at.

President Buetter asked Mr. Diem to review the highlights so the councilors will have time to digest the information.

Mr. Diem stated the amendment would create opportunities to alleviate addition parking requirements, allow for waivers given by the Zoning Administrator, decrease the required setback amounts, change the location of off street parking areas, add cooperative parking arrangement language, include indoor recreational facility in the time shared parking uses, redraft the figures for uses in the city, and reduce the number of off street parking spaces when located near a transit stop.

President Buettner stated he would like to see the amount of parking based on maximum occupancy eliminated and a cap placed on the parking based on square footage. Mr. Diem stated some of the incentives will recognize that uses can share parking to avoid the vast seas of pavement the President Buettner is concerned about.

Mr. Youmans stated the amendment does not propose a maximum amount of parking which we may want to do. It also does not propose adjustments to the parking requirements downtown.

Chairman Butler requested staff put together a 2 page document with descriptions of the high points to summarize the intent.

Councilor Willingham stated he does not want to change parking if we are going to change the Comp Plan and have to fix it again. Mr. Youmans stated the changes are needed regardless of what the Comp Plan calls for.

### **Other Items**

Mr. Diem proposed changing the structure of the meeting agenda so the items will be listed by ward to inform councilors of what is going on in their particular wards. City wide items will be listed separate.

Chairman Butler stated this would give each councilor a better idea of what is happening and suggested testing it for a while.

Mr. Youmans announced the Planning Commission Retreat will be held on February 28<sup>th</sup> in the Exhibit Hall. Mr. Godfrey stated there will be a Special Meeting of Council at the beginning of the retreat to provide Council an opportunity to discuss the new mission statement and goals with the Planning Commission.

### **Adjourn**

With no further business to discuss, the meeting was adjourned at 6:39 p.m.