

PLANNING COMMISSION  
M I N U T E S

The Winchester Planning Commission held its regular meeting on Tuesday, September 18, 2007 at 3:00 p.m. in the Council Chambers, Rouss City Hall, 15 North Cameron Street, Winchester, Virginia.

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

Ex Officio & Staff: Councilor Griffin, Lewis, Ashbacher, Youmans, Moore, Diem and Van Diest

Frederick County Liaison: Gary Oates

**ABSENT:**

**VISITORS:**        Travis Strong, Jill Keenan, Dennis Kellison, Rick Leonard, Kevin McKew, Emily Potts, Stewart Butler, Frank Armstrong, Anna Hopkins, Sally DeHaven

Chairman Masters called the meeting to order at 3:00 p.m.

Mr. Weber, seconded by Mr. Willingham, moved to approve the revised minutes of the August 21, 2007 meeting. The motion passed unanimously by voice-vote.

**CORRESPONDENCE**

There was a revised agenda to include the administrative authorizations, items 3B, 3C and 3D, a revised staff report for item 2A and a revised last page for item 2B.

**CITIZEN COMMENTS**

None

**REPORT OF FREDERICK COUNTY LIAISON**

Mr. Gary Oates noted the following items considered by the County Commission:

- Looked at the MPO bike-pedestrian plan at the last couple of meetings. They have recommended moving it forward without commitment of the funding.
- A rezoning request for a warehouse on the north end of the County was denied.
- Another rezoning request in the same area is on the agenda for the upcoming meeting.

**PUBLIC HEARINGS**

**SP-07-27** Request of Valley Engineering for site plan approval for building expansion and additional parking at 121-125 Medical Circle zoned Residential Office, RO-1 District.

Planner Will Moore stated the site plan includes a 3,200 square foot addition to the southwest corner of the building and additional parking. The minimum requirements for screening and buffering between a residential zone and commercial use are provided. Instead of providing otherwise required proportional improvements to the frontage sidewalk along Medical Circle, staff is recommending the applicant instead increase the character of the screening to the residential zone to the west.

Travis Strong of Valley Engineering was present for questioning.

Chairman Masters opened the public hearing and asked if there was anyone wishing to speak in reference to the request.

Jill Keenan of 1014 Amherst Street asked if a stop light will be put at the intersection of Medical Circle and Amherst Street for the additional traffic.

Chairman Masters closed the public hearing.

Chairman Masters stated there are no plans for a stop light to be installed. Mr. Moore confirmed that this was correct. Since Ms. Keenan had left the meeting right after addressing the committee, Chairman Masters directed Mr. Moore to call Ms. Keenan with the answer to her question.

Mr. Talley asked Mr. Moore to point out the proposed green space on the site plan. Mr. Moore stated the green space includes what already exists on the site and the additional buffering.

Mr. Willingham asked if any feedback was received on the type of buffering preferred by the applicant. A representative from Lantz Construction stated that the double row of evergreen trees was going to be recommended to the owner.

Chairman Masters stated she wondered why residents were not present at the meeting. Mr. Moore stated he had only heard from one resident who was going to send an email to outline her concerns for the Commission. However, Mr. Moore did not receive the email before the meeting.

Mr. Adams asked about the lighting. Mr. Moore stated the lighting will be shielded and pointed down to prevent it from going off site.

Mr. Weber asked what would need to be done to keep the existing spaces and only add what is required. Mr. Moore stated that it would require the subject business to continue to rely on offsite parking to meet their required number of spaces and that it would prevent the owners of the offsite parking from using it as credited toward their requirements. .

Mr. Weber asked why it was necessary to do the parking lot now. He added he would like to find a solution for saving the trees. Mr. Strong stated that the parking in the complex is short as it is and that people are parking on the street and cul-de-sac.

Mr. Weber asked what would happen when there is future growth. Mr. Strong stated the parking is for now, not for future growth.

Mr. Shore asked if this is by-right. Mr. Youmans stated that the dimensions and required buffering all appear to be correct and, as such, it is a by-right use. Mr. Shore stated that it seems the best we can do is to work for the additional buffering that is now proposed.

**Mr. Willingham, seconded by Mr. Talley, moved to approve SP-07-27 subject to the following:**

- 1. Inclusion of additional screening to include evergreen plantings along the western property line in lieu of proportional sidewalk improvements along Medical Circle; and**
- 2. Staff review and approval.**

Mr. Adams stated with the understanding the buffering does not include an opaque fence as the additional screening.

Chairman Masters asked if it is in the Commission's ability to say we do not want a fence even though a fence is otherwise acceptable as screening. Mr. Moore confirmed that it was okay to stipulate this since this is being offered in lieu of proportional improvements.

**Mr. Adams moved to amend the original motion to say the additional screening is to include a double row of evergreens and exclude any opaque fence. The amendment was seconded by Mr. Weber then unanimously approved by voice-vote.**

**The motion, as amended, was then unanimously approved by voice-vote.**

**SP-07-39** Request of Patton, Harris, Rust and Associates for site plan approval for site improvements at John Handley High School located at 425 Handley Boulevard zoned Education, Institutional and Public Use, EIP District.

Mr. Youmans presented the request. He stated the proposal includes landscape improvements, a bus drop off area, and sidewalk improvements. The proposed improvements along Handley Blvd. are not in a public right of way. The land for the bus drop off area is owned by the Handley Board of Trustees. Mr. Youmans stated the other part of the proposal is on Jefferson Street side at the rear of the cafeteria. The applicant wants to extend the loading dock and widen the radius of the entranceway. There will also be 9 parking spots added. Mr. Youmans added that one citizen has contacted Staff to ask if this proposal will provide recycling accommodations.

Chairman Masters asked if there was anyone wishing to speak on behalf of the request. Superintendent Dennis Kellison and his staff were present to answer any questions. Dr. Kellison stated he believes the proposal provides good function and safety for the school without compromising on the history of the site.

Chairman Masters stated that she wanted to address the comments printed in the Winchester Star about her cutting Mr. Adams off during the work session. She stated that she apologized to Mr. Adams at the meeting and wanted to again apologize to him today.

Chairman Masters also stated the Star misquoted Mr. Moore in regards to this proposal. Mr. Youmans stated the City has consistently required all school project site plans to be approved.

Chairman Masters opened the public hearing and asked if there was anyone wishing to speak in reference to the request.

Emily Potts of 210 Handley Boulevard stated the City has a jewel in the high school and its campus. Her concern is taking a piece of the campus now may lead to more removal of the jewel and continue until it's lost.

Stewart Butler of 320 Handley Boulevard stated that those who live around the campus are sensitive to change in the green space. The trees have grown for 80 years and once they are lost they can't be given back. Two years ago, he saw the school expand the parking lot and lost green space in the process. He hoped that by the second phase of the lot, the parking issues would have been addressed. Mr. Butler asked if this is really needed. He also asked if there is need for additional bus parking space. He wondered if special event accommodations could be handled on Handley Avenue. He stated that he can't speak for the day-to-day bus traffic, but hoped the Planning Commission would challenge the School Board on if it's truly needed. He stated he respects the school's needs but other options should be looked at and thoroughly studied before doing this.

Frank Armstrong of 426 Handley Boulevard stated he hates to see anything done to trees and buildings. A lot of parking goes on during non-school hours. He stated this area will be used as a parking lot not as a bus drop off. Mr. Armstrong suggested increasing the area in the back of the school for the drop off. He stated the circle has worked so far. It does cause traffic issues at times but it is handled. There are "No Parking" signs up now that are not enforced. He stated that he could see this as an extension of the parking lot. Mr. Armstrong also commented that the changes near the kitchen could create delivery problems on Jefferson. If the trucks can't make the turn to deliver now, how are they going to turn to leave? However, his main concern is Handley Boulevard. He stated it is not policed now and asked if it would be later.

Anna Hopkins of 1306 Whittier Avenue stated she works in the cafeteria at the school. She loves her job but there are no parking spaces. The students or the residents have already filled the spots by the time she arrives. She stated that she has had back surgery and has to walk to Tennyson Ave to park. She carries the bank deposits with her which would be safer if parking was closer. Ms. Hopkins stated the ladies need the parking spaces for safety in the winter.

Chairman Masters closed the public hearing.

Chairman Masters asked Mr. Youmans if there will ever be parking all the way to Valley Avenue and where the by-right area stops. Mr. Youmans stated Jefferson Street is public right of way but Handley Boulevard is private land from Stewart Street to the west.

Chairman Masters asked if extra parking and the bus drop off could be on Handley Avenue. Mr. Youmans stated that it was not envisioned as additional parking but it is not prohibited for multiuse.

Chairman Masters asked Mr. Youmans if the only thing to trump by-right use is public safety. Mr. Youmans confirmed that she was correct.

Mr. Adams stated he is concerned about cutting a swath equal to half a football field in length into the lawn for bus parking. He is also concerned about the safety and wanted to consider other options without cutting the trees. He stated the building is a jewel. Chairman Masters stated she respects that but the pull off is by-right.

Mr. Shore stated that Handley is not a museum, it's a school and it has to be able to adapt to changing conditions. At the end of the day, safety and function of the school is paramount. He added the landscape can be fixed and can grow back. The number of buses is going to grow.

Chairman Masters asked how the school plans to police the area to keep it for buses. Assistant Superintendent Rick Leonard stated they have a couple of options that include gating it, putting up cones, and the appearance of administrators. He added that it will be another management piece to be facilitated the same as it is on the Jefferson side.

Chairman Masters asked what other options have been considered. Director of Operations Kevin McKew stated they looked at routing buses on Handley Avenue but parking is an issue. There is not an option that doesn't impact somebody. He stated there are safety issues using the parking lot. They also looked at using the back of the school but they have gone from 4 buses to 9 buses in the last 4 years and expect future growth. The buses can't be backed up on Jefferson Street to Valley Avenue. Parking the buses further down Handley to Valley Avenue takes the students further away in the winter and affects the neighbors. They also considered that cutting across the campus would be a logical area that could be gated off during the day but they had strong objections to bus staging in front of the building. He stated all options have been considered.

Mr. Willingham asked how the area will be used. Mr. McKew stated the area will be for parents to drop off the students before and after school and for visiting buses on game days. It could be used for day-to-day bus operations in the future if the number of buses continues to grow

Mr. Shore asked if it will be used concurrent with Jefferson Avenue. Mr. McKew stated it would. Mr. Shore asked if Jefferson Avenue isn't enough. Mr. McKew stated he believes they need both. The school doesn't want to require north end residents to go to Jefferson Street.

Mr. Adams stated that when this was first proposed it was only for extracurricular activities, now it's a bus drop off. He asked what the applicant wants to do. He stated he agrees with the safety issues but asked what the applicant wants to get out of this. He added there is plenty of parking for visiting schools. Mr. McKew stated that what sounds like changes in use is indicative of the many needs they have to address.

Mr. Adams stated that until this is decided, he sees no need to cut up Handley Boulevard.

Chairman Masters asked if it would be acceptable for the proposal to be tabled today so the applicant could come back with a more detailed usage for the drop off lane. Mr. Youmans stated it would be acceptable and that the different aspects of the plan can be handled separately in the minutes.

Mr. Weber moved to separate the two pieces of the site plan. The motion was seconded by Mr. Willingham then unanimously approved by voice-vote.

Mr. Sublett stated he wanted the Planning Commission to consider that the School Board has set walking zones at  $\frac{3}{4}$  of a mile for 6 year old students. He stated that this requires elementary school children to walk to John Kerr all the way from Stewart St and therefore does not see why it would be a concern for high school students to walk a little further from down Handley Blvd. He also stated that Mr. Armstrong was correct in his feelings that we are really constructing another parking lot. He added the rules are not being enforced today. Mr. Sublett stated this is likely to create another problem and he is not in favor of it.

Mr. Weber stated that tabling the Handley Boulevard portion would give an opportunity for the school administrators to rethink where they are and it would allow for further discussion of options. He added that he did not think we are out of time for making a decision.

**Mr. Weber moved to table the improvements on Handley Boulevard and asked the school administrators to come back with other options. The motion was seconded by Mr. Willingham and approved on a vote of 4-3-0, with Mr. Adams, Mr. Talley and Mr. Shore voting in the negative.**

Chairman Masters asked if there were any comments on the Jefferson Street improvements.

Mr. Adams asked where the trucks would go after they unload the deliveries. Mr. McKew stated the trucks will use the same route that is currently taken and that this configuration will let them maneuver more safely.

Mr. Weber asked what prevents the trucks from going the wrong way. Mr. McKew stated there are about two deliveries a month by tractor-trailer with the same drivers. They would also use communication from the kitchen staff to inform the drivers of changes.

Mr. Weber asked what if the regular driver is sick. Mr. McKew stated it is a fixed operation and the drivers know what to do.

Mr. Youmans stated the City Code has truck routes that prohibit the drivers from going onto adjacent residential streets. Mr. Weber asked if signs are posted. Mr. Youmans stated there are not currently, however there are not signs on a majority of the “No Truck Route” streets. It would be possible to look at posting signs on Jefferson St to keep trucks from going up Tennyson Ave.

Kitchen Manager Sally DeHaven stated the truck drivers ask the staff for the easiest way to get to the other schools or to where they are going if they are not the normal drivers.

Mr. Shore asked if the 9 additional parking places will be restricted to kitchen staff. Mr. McKew stated they would be.

Mr. Adams asked what time the kitchen staff arrives to work. Ms. DeHaven stated they arrive at staggered times from 6:45 a.m. to 10:00 a.m.

Mr. Talley asked if a crosswalk would be put in for safety. Mr. McKew stated that right now the staff is in early and parked before the students arrive. He added they will be putting in a walkway on the side of the freezer that connects to the Jefferson Street walkway.

Mr. Adams stated he did not have problems with the widening or parking or extending this the whole length, but all of this parking is going to require enforcing that takes time away from other duties.

**Mr. Shore moved to approve the Jefferson Street improvements. The motion was seconded by Mr. Weber. Mr. Adams confirmed that this motion approves the freezer addition for the site plan purposes. The motion was unanimously approved by voice-vote.**

**Mr. Sublett left the meeting at 4:43 p.m.**

## **NEW BUSINESS**

### **1. Discussion of proposed process for Comprehensive Plan update**

Mr. Youmans reviewed the plan of action for the Comp Plan and asked the Planning Commission for feedback.

Chairman Masters thanked Mr. Youmans and complimented the Staff on the good work that has been done. She reminded the commissioners that they have to be actively involved in the process.

Mr. Youmans asked if the Planning Commission wanted to utilize steering committees. Chairman Masters stated she prefers small groups so people will speak out. She asked Mr. Youmans to think of ways to do it so all of the community is involved.

Mr. Willingham asked what would go by the wayside while staff is working on the plan. Mr. Youmans stated that plan review may be slowed but they will be engaging a whole team effort of the staff on the Comprehensive Plan.

Mr. Weber asked if number 1 in Task 1 is the most important. Mr. Youmans stated there is not yet a common voice of what should be included from the Planning Commission and Council. He added that the Planning Commission did state they wanted an environmental chapter.

Mr. Weber asked if the current plan would be looked at. He added there is a lot of material and subjects in the current plan. Mr. Youmans stated the existing plan is out dated and not working for the growth of the City. He added this will not be a simple editing exercise.

It was decided the Planning Commission would schedule meetings on Tuesdays. Half of the meetings will be 7:30 a.m. and the other half will be at 7:00 p.m., but not the same night that Council meets. Chairman Masters asked Mr. Youmans to pick the dates and let the commissioners know.

## 2. Review of the Win-Fred MPO Bike & Pedestrian Mobility Plan

Mr. Youmans stated the staff advisors are comfortable with the plan. He stated that some County representatives are concerned that someone will consider this as budgeted rather than just as a vision plan. He added that the short term improvements are consistent with the City's CIP.

Mr. Willingham asked if other items will arise that they will want to add. Mr. Youmans stated he didn't think it will be much different on a City wide basis, but that revisions can be made.

Chairman Masters stated she would prefer to wait until they had a chance to look at the plan before sending it forward to Council. Mr. Youmans stated he would put it on next month's agenda.

## 3. Discussion of publicly sponsored text amendment to expand provisions for time-shared parking arrangements.

Mr. Youmans stated this text amendment for time shared parking arrangements came about from a discussion with Jim Justice of ZeroPak and Councilor Evan Clark. Right now the provision is just for the Historic District and is tightly written. They are asking if the Planning Commission would publicly sponsor the amendment.

Chairman Masters stated if it benefits a certain individual, the individual should burden the expense.

Mr. Willingham asked if it would affect other areas. Mr. Youmans stated it could because there are a lot of buildings in the City.

Chairman Masters stated maybe this should be looked at more globally and not case by case.

Mr. Youmans stated it has economic development possibilities.

Chairman Masters stated she did not like it benefiting only one person and she prefers the global benefits.

Mr. Moore stated Councilor Clark was very interested in benefits for other areas of the City and not just the Zeropak site. Staff will most likely take a leading role in drafting or editing the text amendment regardless of who sponsors it.

Chairman Masters stated they are comfortable sponsoring it with a global reach.

**4. Administrative Authorizations**

A. SP-07-42 Patton, Harris, Rust & Assoc. Bear Creek Coffee/131 Weems Lane

Mr. Talley moved to approve SP-07-42. The motion was seconded by Mr. Willingham then unanimously approved by voice-vote.

B. SP-07-43 Greenway Engineering South Valley Plaza/2725 S Pleasant Valley Rd

Mr. Youmans asked if the Planning Commission would like a public hearing on this item since it is so close to the adjacent mobile home park. Chairman Masters stated they would like it to be a public hearing item.

**ADJOURN**

With no further business to discuss, the meeting was adjourned at 5:40 p.m.

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Susan Masters, Chairman