

## PLANNING COMMISSION MINUTES

The Winchester Planning Commission held its regular meeting on Tuesday, November 17, 2015, at 3:00 p.m. in Council Chambers, 15 N. Cameron Street, Winchester, Virginia.

### CALL TO ORDER:

#### PRESENT:

Chairman Slaughter, Vice Chairman Loring, Commissioner Smith, Commissioner Wolfe, Commissioner Fieo, Commissioner Shickle, Commissioner Tagnesi

#### ABSENT:

None

#### EX OFFICIO:

City Manager Freeman

#### FREDERICK CO. LIAISON:

Commissioner Kenney

#### STAFF:

Tim Youmans, Aaron Grisdale, Josh Crump, Carolyn Barrett

#### VISITORS:

Tracy Themak, Noah White

### APPROVAL OF MINUTES:

Chairman Slaughter called for corrections or additions to the minutes of September 15, 2015. Hearing none, he called for a motion. Commissioner Smith moved to approve the minutes as submitted. Commissioner Tagnesi seconded the motion. Voice vote was taken and the motion 6-0 passed.

### CORRESPONDENCE:

Mr. Youmans said there was a revised draft agenda which added Item 6A, an administrative approval for **SP-15-675**. There is also an updated staff report for **CU-15-558** including information about recommended conditions.

### CITIZEN COMMENTS:

None.

(Commissioner Schickle arrived at 3:02pm.)

### REPORT OF THE FREDERICK COUNTY PLANNING COMMISSION LIAISON:

Commissioner Kenney stated that at the October 21, 2015 meeting there were several public hearings including a conditional use for a cottage occupation on Route 277 and a rezoning of 20 acres to M-2 from R-A. The McCann Office Park was rezoned for multiple uses. There were three ordinance amendments and a rezoning for Opequon Crossing.

Chairman Slaughter noted that Commissioner Shickle will be leaving for a new opportunity in Richmond.

### PUBLIC HEARINGS:

**CUP 15-558** Request of Diane M. De Laet on behalf of Verizon Wireless for a conditional use permit for a telecommunication tower at 385 Battaile Drive (Map Number 351-02- -5) zoned Limited Industrial (M-1).

Mr. Crump presented the staff report for the request of a new facility by Verizon. The proposal is due to an increase in demand on telecommunications. The signal usage is for the City and the Route 522 corridor.

*Chairman Slaughter called for questions from the Commission.*

Vice Chairman Loring asked about the height of the monopole. Mr. Crump said two-hundred feet is the height restriction in the M-1 District. The requested height is well under the limit.

#### **Chairman Slaughter opened the public hearing**

Tracy Themak, representative for Verizon, said that the staff gave a fairly comprehensive report and she has nothing to add but that she is available for questions.

#### **Chairman Slaughter closed the public hearing**

Chairman Slaughter asked if there were any neighbor requests or comments. Mr. Youmans said one person on the east side of Shawnee Drive had asked about the health effects and requirements.

Vice Chairman Loring asked if all the adjacent property owners had been notified and Mr. Youmans said yes.

*Commissioner Fieo moved to forward **CU-15-558** 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 recommended approval is subject to the following conditions:*

- 1. Submit an as-built emissions certification after the facility is in operation;*
- 2. The applicant, tower owner, or property owner shall remove equipment within ninety (90) days once the equipment is no longer in active use; and,*
- 3. Submit a bond guaranteeing removal of the facilities should the use cease.*
- 4. Staff review and approval of the required site plan in addition granting a waiver from the paved access drive requirement (§18-6-3.5) to allow for a gravel access drive to serve only the telecommunications facility.*
- 5. The waiver for the gravel access drive will expire should the telecommunication facility use cease.*

*Commissioner Tagnesi seconded the motion. Voice vote was taken and the motion passed 7-0.*

#### **TA-15-589 AN ORDINANCE TO AMEND AND REENACT ARTICLE 18 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO FENCE HEIGHTS IN INDUSTRIAL DISTRICTS**

Mr. Grisdale presented the staff report pertaining to fence height and materials in industrial districts.

*Chairman Slaughter called for questions from the Commission.*

Vice Chairman Loring asked if the requirements would impact the driver's ability to see around corners. Mr. Grisdale said it would not. There are existing visual clearance requirements at intersections that are not modified by this ordinance.

### **Chairman Slaughter opened the public hearing**

Noah White spoke about his reason for the amendment. His property was an old manufacturing warehouse which had been converted into a storage facility. The four foot fence is not adequate for property security.

Vice Chairman Loring asked if there had been security issues to date. Mr. White said they had not and that they had video surveillance around the area. This is to prevent anything from happening.

### **Chairman Slaughter closed the public hearing**

*Commissioner Smith moved to forward **TA-15-589** to City Council with a favorable recommendation because the amendment, as proposed, presents good planning practice by allowing for increased flexibility for fencing options for industrial operations, while also mitigating potential effects with enhanced landscaping along public rights-of-way. Commissioner Tagnesi seconded the motion. Voice vote was taken and the motion passed 7-0.*

### **NEW BUSINESS:**

A. Resolution to initiate **RZ-15-606** An ordinance to rezone approximately 55.8 acres of land containing approximately 110 parcels, either in full or in part, to be included in the corridor enhancement district; as depicted on an exhibit entitled "Millwood Ave. proposed CE district" prepared by Winchester planning department on October 13, 2015 (Mr. Youmans)

Mr. Youmans said there were no changes to the proposal since the previous work session. About one dozen people came to the public information meeting but there were few comments about the zoning overlay. Vice Chairman Loring asked if the criteria and guidance for the overlay was identical to the other overlay districts. Mr. Youmans said there were different standards for each of the overlay districts; some were stricter than others. Millwood is closer to Valley and Berryville requirements. Commissioner Wolfe asked if the Larry Byrd business school was going to be left under the Pleasant Valley Corridor. Mr. Youmans said that unless Shenandoah University wanted to change over, and they had not indicated any desire to do so, then it would be left where it is. Vice Chairman Loring asked if there had been any feedback from the university. Mr. Youmans said not recently. Staff had worked with them in the past and they were aware that the overlay had been held until after their perimeter improvements plan was approved. Chairman Slaughter asked if this was just being initiated. Mr. Youmans said if they approved the resolution then it would be advertised for public hearing next month then two readings at City Council.

*Commissioner Wolfe moved the Planning Commission initiate **RZ-15-606** per the attached resolution. Vice Chairman Loring seconded the motion. Voice vote was taken and the motion passed 7-0.*

### **OLD BUSINESS:**

None

### **OTHER BUSINESS:**

#### **Admin approvals – Site plans**

1. **SP-15-675** Minor revision 1600 Amherst St. Omph Funeral Home

*Commissioner Fieo moved to approve. Vice Chairman Loring seconded the motion. Voice vote was taken and the motion passed 7-0.*

**ADJOURN**

With no further business before the Commission, the meeting adjourned at 3:27pm.

DRAFT