

PLANNING COMMISSION MINUTES

The Winchester Planning Commission held its regular meeting on Tuesday, September 20, 2016, at 3:00 p.m. in Council Chambers, 15 N. Cameron Street, Winchester, Virginia.

CALL TO ORDER:

PRESENT:

Chairman Slaughter, Vice Chairman Loring,
Commissioner Eaton, Commissioner Smith,
Commissioner Wolfe

ABSENT:

Commissioner Fieo, Commissioner Tagnesi

EX OFFICIO:

City Manager Freeman

FREDERICK CO. LIAISON:

Absent

STAFF:

Tim Youmans, Aaron Grisdale, Josh Crump,
Jacquelyn Mathes

VISITORS:

Arthur Christjohn, David Gum, John Scully, Brian
Beazer, David Logan, John Good Jr., Charles Polen

APPROVAL OF MINUTES:

Chairman Slaughter called for corrections or additions to the minutes of August 16, 2016. Hearing none, he called for a motion. Commissioner Wolfe moved to approve the minutes as submitted. Vice Chairman Loring seconded the motion. Voice vote was taken and the motion passed 5-0.

CORRESPONDENCE:

Mr. Youmans stated that there was a revision to the Agenda under Other Business to have the Board look over an administrative authorization for the Winchester Day Nursery located at 133 Lincoln Street.

CITIZEN COMMENTS:

REPORT OF THE FREDERICK COUNTY PLANNING COMMISSION LIAISON:

Frederick County Liaison was absent.

PUBLIC HEARINGS: - New Business

- A. **RZ – 16-251** AN ORDINANCE TO REZONE APPROXIMATELY 57 ACRES OF LAND CONTAINING APPROXIMATELY 130 PARCELS, EITHER IN FULL OR IN PART, TO BE INCLUDED IN THE CORRIDOR ENHANCEMENT (CE) DISTRICT; AS DEPICTED ON AN EXHIBIT ENTITLED: “ Fairmont / N. Loudoun Proposed CE District Option 2” PREPARED BY WINCHESTER PLANNING DEPARTMENT ON 08/08/2016

Mr. Youmans reiterated that the Corridor Enhancement Districts are a high priority as identified in the comprehensive plan, as well as, the City's Strategic Plan. Going back to 1993 from a report by the Chamber of Commerce, recommendations state that community corridors do require special attention and that our community needs to establish standards for these corridors.

Mr. Youmans explained that he is constantly adjusting his slides showing U.S. Route 522 and U.S. Route 11 because there is an overwhelming amount of tourist attractions through those areas.

Given the amount of tourism and GPS coordinates directing tourists into the City of Winchester, the Planning Department is proposing Corridor Enhancement Option 2. Only Fairmont Avenue and North Loudoun Street will be included in this option.

Commissioner Eaton stated that after extensively reviewing the guidelines it is her understanding that they are really basic design aspects. They include fencing, paint colors and signage. However, there is a section, 14.2-8.4, that is about underground utilities, and would like to know if that section can be removed.

Mr. Youmans stated there is a very limited situation where a property would be subject to that standard. An example of that would be if someone had a residential structure that was used residentially and wanted to convert it to a business, commercial, or industrial use and the change necessitates an increase in electrical service. Mr. Youmans said that from the Corridor Enhancement standpoint he would have no objection to eliminating that provision.

Commission Slaughter opened public hearing.

Mr. Christjohn addressed the Board with concerns about the disrepair of the sidewalks on Fairmont Ave. He stated that they are not wheelchair accessible and believes this is a code violation. He also mentioned issues with Dish antennas. He stated that if the City tries to regulate where they are placed on a home they may not have access to that service.

Mr. Gum addressed the Board and voiced his concerns for the corridor enhancement. He stated that he is on the same page with the City as far as the entrance to the City. However, he doesn't believe that the burden should be put on one to serve others.

Mr. Gum explained that he has made changes to his property previously and continues to do so in order to make it safer and look better. This was all done without the push from the City. He believes that business owners and the City can work together as long as the objectives work economically.

Mr. Gum emphasized that there is a lack of trust between business owners and the City of Winchester due to not being able to be involved in these decisions and is asking the City to drop the Corridor Enhancement completely. He stated that if the City doesn't

drop the Corridor Enhancement, he asks that they at least reconsider the amount of property involved in it.

Mr. Scully, from the Winchester Cold Storage, said that he wanted to thank the Board for spending so much time on this matter. He stated that the time was well spent and the new option is a step in the right direction. However, he is still opposed to the zoning overlay. The objection is based on the idea that this area is different than the other overlay areas.

Mr. Scully stated that he understands that the City wants to improve tourism and he agrees that is important, just not at the expense of other business owners. He feels that this area is great because old businesses are still there but there are also new business coming in and starting up. This area in particular makes more economical sense to him to start up a business than a new green field area.

Mr. Scully stated that there will be unintended consequences to a change like this and the Winchester Cold Storage is asking that the City simply drop the change all together.

Mr. Beazer from the Winchester Cold Storage stated that over the years they have spent countless amounts of money and time trying to keep all of their old buildings looking good and being a productive part of the community.

Mr. Beazer mentioned that the statistics that were presented by Mr. Youmans are a little misleading. Due to the amount of acreage owned by these businesses, it makes up more of the proposed area. Mr. Beazer stated that when a change is made it affects the facility as a whole, not just one part of it.

Mr. Beazer stated that the Winchester Cold Storage as a whole recommends dropping the Corridor Enhancement for this area.

Mr. Logan, owner of Vintage Renovations, addressed the Board.

Mr. Logan stated that he is currently operates his business out of 600 North Loudoun Street. The building is an old produce warehouse built in the 1930's. Upon moving into the building they had to put roughly one hundred thousand dollars into it for renovations and asbestos removal. What worries him about the corridor enhancement is that he is running a wood working business out of a brick building. What will happen when he needs to put a dust collector in, or he has to have a machine or other equipment outside?

He emphasized that he does historic work in the City, so he understands the aesthetics aspect of it. However, wood work and other things similar to that is the type of work being done in the area. He is concerned about what these guidelines will do to the businesses in that area, or if he will have to leave.

John Good Jr. stated that this area was left for last and he believes that was for a reason. The area is on the outer edge of town and it is different in the aspect that it is mostly industrial.

Mr. Good emphasized that he doesn't think it is a good idea to add restrictions on current business owners to make way for new ones. That doesn't make sense economically.

Mr. Good stated that he wanted to go on record and note the many reasons as to why this is a bad idea. It is a mostly industrial area, there have been substantial citizen and business opposition regarding this ordinance and he believes that this area should have a chance to develop on its own.

Mr. Good strongly urged the Board not to pass the corridor enhancement for this area.

Mr. Charles Polen had a question regarding the area between Loudoun Street and Fairmont Ave and if that will be adopted into the Historical District.

Mr. Youmans went over the Historic District overlay with Mr. Polen.

Chairman Slaughter closed the public hearing.

Commissioner Eaton asked for some clarification on Mr. Christjohn's concerns and asked whose responsibility is it to maintain the City sidewalks and drainage.

Mr. Youmans stated that the City has taken on 100 % of that responsibility which is part of the sidewalk and street master plan and funds are budgeted to maintain that.

City Manager Eden Freeman stated that it is contingent upon availability of funds which they have not done for the last couple of years. They did however put some funds into it this year but it's a much broader plan and won't be an easy fix.

Commissioner Eaton stated that is a really important area and that should be prioritized.

Mr. Youmans stated that he will relay those concerns to the Public Service Director.

Commissioner Eaton asked if there were any guarantees about the machinery that Mr. Logan was referring to.

Mr. Youmans said that obviously the Planning Department would work with the business owners to identify places that machinery can be kept.

Commissioner Smith mentioned that these areas seem to be gaining some interest as far as new businesses coming in and he sees the potential for growth. He is also a small business owner so he understands that making any changes can be a burden with the ordinances.

Commissioner Wolfe stated that she got into the Planning Commission because she wanted to be a voice for people in the community. She stated that she hasn't heard one person speak in favor of this proposed Corridor Enhancement but has heard countless people speak against it. Even though it is part of the comprehensive plan she has an unfavorable view of it.

Commissioner Eaton stated that when we talk about an unequal burden on this area, what exactly makes this area different? It is another tourist corridor and it would be unequal if we didn't include this area as we have the others.

Commissioner Eaton mentioned that in this area there are million dollar homes mere blocks from limited industrial. She believes that these guidelines will assist to avoid future conflicts between industry and residential. She recommends the Board support the Corridor Enhancement.

Chairman Slaughter wanted to thank everyone who spoke either for or against the corridor enhancement, as it has led to a lot of good changes.

Chairman Slaughter stated that generally he is in favor of this. He drives this route every day and he is also a business owner so he understands both sides. After asking what specifically citizens don't like about these guidelines he hasn't received any feedback other than "we don't like it."

Chairman Slaughter emphasized that he has read this extensively and he doesn't feel there is anything in there that will negatively impact business owners. If there were, he would be against it.

Commissioner Eaton moved that the Planning Commission forward RZ-16-251 to City Council recommending approval as depicted on an exhibit entitled "Fairmont North Loudoun Proposed Corridor Enhancement District Option 2" prepared by Winchester Planning Department August 8, 2016, because the rezoning protects and promotes the aesthetic character and functionality of major tourist access corridors leading into the local and national Historic Winchester District, as called for in the comprehensive plan. With recommendation to exclude section 14.2-8.4J Underground Utilities. Vice Chairman Loring seconded the motion.

Commissioner Smith asked why Commissioner Eaton wanted the Underground Utilities section removed.

Commissioner Eaton stated that she feels that because it is listed in the Zoning Ordinance it doesn't need to be listed in the Corridor Enhancement Guidelines as well.

Chairman Slaughter called for a roll call vote.

Vice Chairman Loring –Yes

Commissioner Smith – No
Commissioner Eaton – Yes
Commissioner Wolfe – No
Chairman Slaughter - Yes

OLD BUSINESS:

None.

OTHER BUSINESS:

Admin Approvals – Site Plan

SP-16-578 Winchester Day Nursery – 133 Lincoln Street.

Mr. Youmans and Mr. Crump discussed the Site Plan with the Board members.

Vice Chairman Loring made a motion to approve SP 16-578. Commissioner Eaton Seconded the motion. A voice vote was taken and the motion passed 5-0

ADJOURN

With no further business before the Commission, the meeting adjourned at 4:25 pm.