

The Planning Commission of the City of Waynesboro, Virginia, held a regular meeting on the 17th day of July, 2018, at 7:00 P.M., in Council Chambers, Charles T. Yancey Municipal Building, 503 West Main Street, Waynesboro, Virginia:

PRESENT: Commission Members
Constance Paradiso, Chair
Patrick McNicholas, Vice Chair
Stephen Arey
Andrew Kelly
Shannon Boyle
Elzena Anderson, Council Liaison
City Planner &
Clerk of the Commission: Luke Juday
Sunny (Weixuan) Yang

1. CALL TO ORDER. PLEDGE OF ALLEGIANCE: Meeting was called to order by Chair Paradiso who asked Ms. Anderson to lead the pledge of allegiance to the flag.
2. REVIEW AND APPROVAL OF MINUTES OF REGULAR MEETING HELD May 22, 2018: Minutes were approved with a 6-0 vote with corrections (moved by Mr. Arey, seconded by Ms. Anderson).
3. CITIZEN COMMENT PERIOD- LIMITED TO 4 MINUTES PER SPEAKER, FOR ISSUES NOT LISTED AS AN AGENDA ITEM: None.
4. A PUBLIC HEAIRNG ON A CONDITIONAL USE PERMIT REQUEST BY KEVIN S. MORRIS-LEWIS, REPRESENTATIVE OF IMPULSE-GSC, TO ALLOW BARS AND NIGHTCLUBS USE IN THE L-B LOCAL BUSINESS DISTRICT AT 101 EAST MAIN STREET, WAYNESBORO, VIRGINIA, CITY TAX MAP NUMBER 46-2-1-B: Mr. Juday presented the application to the Planning Commissioners. He briefly introduced the history and location of the subject property as well as the background of the applicant, Impulse-GSC club. He then went over the zoning/building requirements and analysis of the application, including ten conditions that will be applied to the application. Mr. Juday summarized that staff recommends approval of the application with the listed 10 conditions.

The Commissioners had questions and comments on the application and had discussions on the parking and landscaping issues.

Ms. Paradiso opened the public hearing.

Greg Bruno, 408 Cherry Avenue, addressed the issue of the landscaping along the river bank, stating that the existing trees along the river were planted with the bridge replacement project and a contractor may be responsible for replacing the trees that have been taken by beavers, so that may reduce the cost for the applicant to plant additional trees along the river bank.

With no more comments, Ms. Paradiso closed the public hearing.

Mr. Arey made the motion, seconded by Mr. Kelly, to recommend approval to the City Council of the conditional use permit application with conditions as recommended by staff and an additional provision that a more formalized site plan be presented to the City Council. Motion passed 6:0, as follows:

WHEREAS, upon a conditional use permit (18-296) application by Kevin S. Morris-Lewis, representative of Impulse-GSC, the Waynesboro Planning Commission finds that the bars and nightclub use is permitted as a conditional use in an L-B (Local Business) District in which the subject property is located; and that the proposed use will have no more adverse effect on the health, safety, or comfort of persons living or working in the area and will be no more injurious, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in such District; and, further, that the request is consistent with good planning and zoning practice; is justified by the public necessity, convenience, and general welfare; and is in accord with the comprehensive plan of this City;

NOW, THEREFORE, BE IT RESOLVED by the Waynesboro Planning Commission, by a vote of 6-0, that a recommendation be forwarded to City Council that the request of Kevin S. Morris-Lewis, representative of Impulse-GSC, for a conditional use permit to allow bars and nightclub use in an L-B Local Business District at 101 East Main Street (Tax Map number 46-2-1-B), be approved, in accordance with the application (#18-296), and staff report dated July 17, 2018, with a more formalized site plan for the City Council to review and the following conditions as recommended:

- 1. The applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards.*
- 2. The establishment shall close to the public at 2:00 am and may not re-open to the public until 6:00 am. In the event of a private party held at this location, the party shall end and all party-goers shall leave the premises by 2:00 am.*
- 3. No "Adult Entertainment" as defined in Zoning Ordinance Section 10.3. shall be allowed on the premises.*
- 4. Pursuant to the requirements for a Dance Hall Permit in City Code Section 10.1, the business owner shall contact the Chief of Police to ensure adequate security measures are provided during operating hours and special events. If additional security services are necessary beyond those required by businesses generally, the provision of those security services shall be the responsibility of the owner.*
- 5. To prevent noise from carrying throughout the area, and especially to nearby residential uses, the doors shall be kept closed except as patrons enter and exit. The doors shall not be propped open during operating hours.*
- 6. In accordance with the city noise ordinance, no live music or any other form of entertainment shall be permitted in the outdoor area after 10:00 pm nightly. Amplified music in the outdoor area shall not be audible at a distance of 50 feet from the building. The Building and Zoning Department may disallow amplified music outside if substantiated complaints are received.*
- 7. Alcohol served or consumed outdoors must be kept in a designated serving area. Patrons may not carry or consume alcohol in the parking lot or on nearby properties or city right of way. The*

owners shall be held responsible for ensuring that alcohol originating from the establishment is not consumed in the parking lot or on nearby properties or city right of way.

8. *The establishment owner shall be responsible for ensuring the area around the business is kept clean and free of trash, debris, and graffiti.*
9. *The applicant shall follow the city's downtown design guidelines when making modifications or aesthetic improvements to the building. The guidelines state that buildings in this corridor should not use garish, metallic, black, or high-intensity colors on the building.*
10. *This Conditional Use Permit is issued exclusively to Impulse-GSC and is non-transferable to another entity without amendment to the Conditional Use Permit.*

5. A DISCUSSION ON THE DRAFT TRANSPORTATION PLAN: Mr. Juday stated that the transportation plan is a required document and VDOT will review it mainly for any state significance. Staff received comments from the Commissioners on the draft transportation plan.

6. OTHER BUSINESS/COMMISSIONERS' CORRESPONDENCE AND COMMUNICATION: Mr. Arey appreciated the service and effort the Chair Ms. Paradiso has provided to the Planning Commission. Ms. Paradiso's term will expire by August 31, 2018.

Mr. Luke provided an update on the status of the minor and final plat applications submitted to the Planning Department for review.

Meeting adjourned at 7:58 pm.

Luke J. Juday, clerk