

The Planning Commission of the City of Waynesboro, Virginia, held a regular meeting on the 17th day of October 2023, at 7:00 P.M., in Council Chambers, Charles T. Yancey Municipal Building, 503 West Main Street, Waynesboro, Virginia:

PRESENT: Commission Members:

Shannon Boyle, Chair
William Flory, Vice-chair
Michael Gibson
Philip Klann
Kenny Lee, Council Liaison
W. Lowrie Tucker

Director of Community Development:
City Planner & Clerk of the Commission:
Zoning Administrator

Leslie Tate
Alisande Tombarge
Laura Martin

1. Call to order. Pledge of Allegiance.

Chair Boyle called the meeting to order at 7:01 P.M. and asked Mr. Lee to lead the Pledge of Allegiance.

2. Adoption of agenda.

Chair Boyle asked for a motion to adopt the agenda. Mr. Gibson made the motion, Mr. Tucker seconded. All voted in favor.

3. Review and approval of minutes of meeting held September 19, 2023.

Chair Boyle asked for a motion to approve the minutes. Mr. Gibson made the motion, Mr. Klann seconded. All voted in favor.

4. Public comment period for items not on the agenda.

None.

5. Public hearing for a zoning map amendment request by VM Acquisition

Waynesboro, LLC to rezone properties located at 1010 E. Main Street, Waynesboro, Virginia, Tax Map Nos. 56-2-2; 57-2-1; 56-1-69, lots 1, 2, 8, & 9; 57-1-70, lots 1, 2, & 7; 57-1-71, lots 1, 2, 3B, 8, 9, 10, & 11; and 57-4-71-E from H-B (Highway Business), H-I (Heavy Industrial), and RG-5 (General Residential) to MX-B (Mixed Business).

Ms. Tombarge presented the staff report on the request by VM Acquisition Waynesboro, LLC to rezone the properties located at 1010 E. Main Street. For details, see the staff report in the agenda packet for the October 17, 2023, Planning Commission meeting.

Mr. Lee asked where the overflow parking [in excess of the 294 parking spaces proffered by the applicant] would go.

Ms. Tate responded that the concept plan included some residential uses, and would require a CUP to do so, and would likely include some sort of parking deck included with the residential. The 294

parking spaces are what is currently approved for the site and that the businesses there are operating under a shared parking agreement. The rezoning to MX-B permits for a 50% reduction in parking and

Chair Boyle asked if the 294 spaces were more than would be required by the MX-B zone.

Ms. Tate responded that yes, and that that was why the applicants agreed to proffer the 294 spaces.

Mr. Lee asked if 294 was the large parking lot on the right side of the building.

Ms. Tate said that the 294 spaces were what was marked and approved with the current site plan and includes all parking on the site.

Mr. Klann asked that since the MX-B allows for the 50% reduction, what would the normal parking requirements would be for the current zoning?

Ms. Tate responded that with its current zoning and if no shared parking were allowed, then the approximate number of spaces that would have been required was around 400 and the 294 was what was worked out through the shared parking agreement. She said that staff had worked with the developer to determine what activities would be considered day and night time uses and ensured spaces were not double counted. This is something that all of the tenants were aware of.

Chair Boyle opened the public hearing.

Mike Hendricksen, developer with VM Acquisition Waynesboro, LLC, applicant, stepped forward explained why the developers were seeking the rezoning. He touched on businesses that had expressed interest in locating in the Metalcrafters building and that all tenants are aware of and sign the shared parking agreement.

Mr. Klann asked if the parking in front of Basic City was included in the 294 number.

Mr. Hendrickson said that those spaces were not included.

Mr. Flory asked if the existing parking area next to Hunter Street was included in the 294 spaces.

Mr. Hendricksen said that it was.

Hashim Halstead, 1625 Edgehill Drive, Waynesboro, spoke in support of the rezoning mentioning that giving the applicants more flexibility is good and that many sites are overparked.

Chair Boyle closed the public hearing and asked if there was additional discussion amongst the commissioners.

Mr. Gibson commented that the rezoning was a good idea.

Ms. Boyle said that this was exactly why the MX-B zone was created; Mr. Gibson agreed.

Mr. Tucker made a motion to recommend approval of the zoning map amendment request by VM Acquisition Waynesboro, LLC to rezone properties located at 1010 E. Main Street, Waynesboro, Virginia, Tax Map Nos. 56-2-2; 57-2-1; 56-1-69, lots 1, 2, 8, & 9; 57-1-70, lots 1, 2, & 7; 57-1-71, lots 1, 2, 3B, 8, 9, 10, & 11; and 57-4-71-E from H-B (Highway Business), H-I (Heavy Industrial), and RG-5 (General Residential) to MX-B (Mixed Business).

Mr. Flory seconded.

All voted in favor, 6-0. The motion carried.

WHEREAS, upon a Zoning Map Amendment (rezoning) application by VM Acquisition Waynesboro, LLC, owner, the Waynesboro Planning Commission finds that the request to rezone certain property consisting of 9.54 acres, more or less, located at 1010 East Main Street, Tax Map Numbers 56-2-2; 57-2-1; 56-1-69, lots 1, 2, 8, & 9; 57-1-70, lots 1, 2, and 7; 57-1-71, lots 1, 2, 3B, 8, 9, 10, and 11; and 57-4-71-E, be rezoned from H-B, Highway Business, H-I, Heavy Industrial, and RG-5, General Residential, to MX-B, Mixed Business, 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 by VM Acquisition Waynesboro, LLC, be approved, in accordance with the application and staff report dated October 17, 2023.

6. Public hearing for a preliminary plat request by D.R. Horton, agent for Rose & Grey LLC, owner, for an 82-lot residential subdivision on 12.181-acres located at 0 Rosser Avenue, Waynesboro, Virginia, Tax Map No. 42-12-7.

Ms. Tombarge presented the staff report on the request by D.R. Horton for a preliminary plat request for the property located at located at 0 Rosser Avenue, Tax Map No. 42-12-7. For details, see the staff report in the agenda packet for the October 17, 2023, Planning Commission meeting.

Mr. Tucker asked if the recommended turn lanes would be constructed with the next development since they were not required with this one.

Ms. Tate said that with by-rights and their specific entitlements and off-site improvements, it is difficult, but that the applicant will be providing the left-turn lane and that the right-turn lane was being encouraged or at least the right-turn taper. If the applicant was seeking additional entitlements through a rezoning, then impact and off-site improvements would be looked at. In this case, since the analysis showed it was not required, it is more difficult for the City to require it.

Mr. Tucker asked if the Creekwood subdivision would be required to do the right-turn lane.

Ms. Tate said no, that since they had their plat approved previously, they would not be.

Mr. Gibson asked if there would be two stop lights within 100ft of each other, the one at the proposed Rosser Avenue subdivision and the existing one at Northgate Avenue.

Ms. Tate said that there no proposed traffic lights with this development.

Mr. Gibson said that with the left turn lane off of Rosser, one will be needed otherwise an accident will happen.

Ms. Tate said there was not a planned traffic light with this development. She said that the applicant did conduct a turn-lane analysis and no improvements were required, but because VDOT is encouraging it, they are planning to construct a left turn lane, but there is no proposed traffic line.

Mr. Klann asked if there was plenty of room to add this left turn lane given the proximity of the Northgate Avenue left turn lane.

Ms. Tate responded that there has been no indication that there is not room for the planned left-turn lane.

Mr. Klann said that there are five separate parking lots and 18 spots per lot, on the group of units closest to Rosser Avenue and the distance to the other lots, will there be a problem with people parking in the car in front.

Ms. Tate said that the ordinance does require two spaces per unit and does not allow for driveway to count towards that number and has been a way to provide a certain percentage of guest parking within these dense developments. So, one space will be the garage, but the spot in front of the garage has not been counted separate from those communal parking areas.

Mr. Flory said that it did not look like there was sidewalk along the Rosser frontage.

Ms. Tate responded that it was hard to see, but it was there, along with sidewalk throughout the entire development.

Chair Boyle opened the public hearing.

Jeremy Fox with Timmons Group, representing the applicant, spoke about the application including the sidewalk along the frontage, retention of existing vegetation, and the need to provide housing.

Ms. Tate read an emailed statement from Phil Lehman, 2331 Davis Road, Waynesboro, attached to these minutes.

Chair Boyle closed the public hearing.

Mr. Gibson made a motion to approve the preliminary plat request by D.R. Horton, agent for Rose & Grey LLC, owner, for an 82-lot residential subdivision on 12.181-acres located at 0 Rosser Avenue, Waynesboro, Virginia, Tax Map No. 42-12-7.

Mr. Flory seconded.

Vote was 5-1, with Mr. Lee voting nay. Motion carried.

WHEREAS, upon application for a Major Subdivision (23-028) application by D.R. Horton to subdivide a 12.181-acre parcel located at 0 Rosser Avenue, Tax Map No. 42-12-7, the Waynesboro Planning Commission finds that the subdivision requested is consistent with the City's zoning and subdivision ordinances;

NOW, THEREFORE, BE IT RESOLVED by the Waynesboro Planning Commission, by a vote of 5-1, that the request of D.R. Horton, for a major subdivision be approved, in accordance with the application and staff report dated October 17, 2023.

7. Discussion of a draft zoning text amendment for vape/tobacco shops.

Ms. Tate said that she had run the draft text past with legal counsel they had made some recommendations. Staff needed more time to discuss those suggestions with counsel and then bring their specific concerns back to the commissioners once staff had been able to do that.

Chair Boyle said that she was fine with discussing it all at once and she was ok with tabling until the newest information could be presented.

Mr. Flory stated that he had reviewed Title 15.2 of the Virginia State Code and was unsure if the Planning Commission has the statutory authority to recommend a zoning text amendment ordinance without directions to do so from the governing body, and he wanted to make sure that the Planning Commissions had the statutory authority to do that.

Ms. Tate said her understanding was that Planning Commissions could initiate text amendments but that staff would make sure of that when talking to legal counsel.

Mr. Tucker commented that he had talked to staff at the Waynesboro City Schools and that they knew which shops are selling products to minors; that the biggest problem that they cannot fix are the ones bringing it into the schools and selling it, and that he wanted to let everyone know what he had heard.

8. Review of minor subdivision and final subdivision plats approved since the September 17, 2023, meeting.

None

9. Matters from Staff.

Ms. Tate asked that there were no public hearings scheduled for the November meeting but that there were some text amendments that staff had been considering and she wanted to know who would be able to attend the November meeting since it was the week of Thanksgiving.

The majority of the Commissions said they would be in town and could attend the November meeting.

10. Commissioners' correspondence and communications

Chair Boyle read Mr. Tucker's resignation letter. He was resigning from the Planning Commission effective December 31, 2023, because of a planned move out of city limits.

Ms. Tate thanked Mr. Tucker for his service.

Hashim Halstead asked to approach the podium which was allowed by Chair Boyle. Mr. Halstead commented on agenda item 7 saying that there are low death rates associated with vaping, especially when compared to traffic fatalities including pedestrian and bicyclists, and that since the City is small with a limited budget staff and the commissioners time might be better spent on things that are statistically significant.

11. Adjournment.

Mr. Tucker motioned to adjourn the meeting. Mr. Gibson seconded. All voted in favor.

Meeting was adjourned at 7:53 P.M.

Tombarge, Alisande M.

From: Phil Lehman <pmlehman4@gmail.com>
Sent: Tuesday, October 17, 2023 9:05 AM
To: Planning
Subject: Re: Public Hearing Notice

CAUTION: This email originated from outside of the organization. Do not follow guidance, click links, or open attachments unless you know the content is safe.

Dear Planning Commission,

My name is Phil Lehman and my wife and I live on an adjoining property to the Rose and Grey LLC, preliminary plat request for Tax Map No. 42-12-7. I'm sorry I am unable to attend in person, but thanks for this opportunity to share comments in writing.

We have one primary concern and two secondary concerns:

1. Our primary concern is storm water impact on Pratts Run. We have lived here since January 2013 and have seen Pratts Run out of its banks at least 3 times. One of those times it came to within 25 yards to our house and our neighbors house. With the already approved 31 lots to the NW of us, and now the 82 – lot plat request. We would hope that the City of Waynesboro will do some study on the environmental impact and make a storm water management plan that will consider our neighborhood. We are concerned about the addition possibility of flooding.
2. A secondary concern is the route the sewage lines will take. We would hope that the Pratts Run sewer line, that runs through our yard would not be used for these units. Our houses sit at some of the lowest points on this line and if the line would ever backup, we would be first to see the effects. Besides, we question whether running sewer lines under Pratts Run is environmentally wise.
3. Our other secondary concern is the number of units that are being considered. The impact to traffic on Rosser Ave will increase considerably in our neighborhood, with impact extended to the 64 interstate and beyond. We would request the City decrease the number of units.

Thank you for considering our comments.

Phil Lehman
2331 Davis Rd
Waynesboro
(540)236-8698

Sent from [Mail](#) for Windows

October 17th, 2023

Fellow Commissioners and Staff,

My family and I will be moving outside of town limits sometime this December. I have enjoyed my time serving as a Planning Commissioner and wish you the best.

My last meeting will probably be November but there is a good chance I'll be around in December if you need a quorum for something.

After the December meeting, you have my resignation.

Regards,

A handwritten signature in blue ink, appearing to read 'W. Lowrie Tucker IV', written in a cursive style.

W. Lowrie Tucker IV