

The Planning Commission of the City of Waynesboro, Virginia, held a regular meeting on the 20th day of June 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
Hashim Halstead
Kenny Lee, Council Liaison

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

Leslie Tate
Alisande Tombarge

ABSENT: Commission Members:

Michael Gibson
W. Lowrie Tucker

1. Call to order. Pledge of Allegiance.

Chair Boyle called the meeting to order at 7:01 P.M. and led the Pledge of Allegiance.

2. Adoption of agenda.

Chair Boyle asked for a motion to adopt the agenda. Mr. Hashim made the motion, Mr. Lee seconded.

Ms. Tate commented that since there was not a quorum, the adoption of the agenda and minutes would need to wait.

Due to this, Chair Boyle moved agenda items 7 and 8 up.

3. Review of minor subdivision and final subdivision plats approved since the May 16, 2023, meeting.

Ms. Tombarge presented on the minor subdivision for Tax Map No. 17-4-O located at 1714 N. Delphine Ave.

4. Matters from Staff.

Ms. Tate informed the Commissioners that Mr. Zawhorodny was resigning his position on the Planning Commission due to moving to Augusta County.

Mr. Flory arrived and it was determined there was now a quorum.

Chair Boyle asked if there was a motion to adopt the agenda. Mr. Halsted motion to approve the agenda, Mr. Lee seconded. All voted in favor.

5. Review and approval of minutes of meeting held May 16, 2023.

Mr. Lee made the motion to approve the minutes of the meeting held May 13, 2023. Mr. Flory seconded. All voted in favor.

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

None.

7. Public hearing for a conditional use permit request by Dana Mares to allow for temporary special events in the RG-5 (General Residential) District at 1169 Sherwood Avenue, Waynesboro, Virginia, Tax Map Nos. 16-1-45D, 16-1-A1, and 16-1-B1.

Ms. Tombarge gave the presentation on the request by Dana Mares, for a conditional use permit for temporary special events. For details, see the staff report in the agenda packet for the June 20, 2023, Planning Commission meeting.

Mr. Halstead commented that there was a lot of work put into the application and it was great to see. He noted that the limit of 100 attendees may be too limiting and that 150-200 attendees may be more reasonable, especially considering the location and buffer.

Mr. Flory asked what the noise ordinance included, if it was still based on decibels. Ms. Tate responded that while she did not know, it had been amended recently. Discussion was had surrounding the noise ordinance.

Mr. Flory recommended revising the condition related to noise to remove the time cutoff. Ms. Tate said that the condition could be revised to move the time cutoff and provide the applicants that flexibility as long as they abide by the noise ordinance.

Additional discussion was had agreeing with this suggestion.

Chair Boyle commented that the applicant has the best interest of their venue and Waynesboro at heart, and that the tent was tucked nicely into the property.

Chair Boyle opened the public hearing.

Ms. Tate read a comment that had been received from Philip and Paula Klann at 1150 Sherwood Avenue, Waynesboro, VA. The comment was in favor of the applicant's request and is attached to these minutes.

No other comments were received.

Chair Boyle closed the public hearing.

Chair Boyle asked if there was a motion to recommend approval of the condition use permit with the revised conditions.

After some discussion, Mr. Flory made the motion to recommend approval of the conditional use permit request with the amendment of the proposed conditions including the removal of the time limits for noise, removal of the limit on the number of attendees, and that portable bathroom

trailers be provided for events with more than 25 attendees and that at least one ADA accessible bathroom be provided for all events.

Mr. Halstead seconded.

Vote was 4-0 in favor; motion carried.

WHEREAS, upon a conditional use permit (23-013) application by Dana Mares, the Waynesboro Planning Commission finds that a Conditional Use Permit should be granted for Temporary Special Events, in the RG-5 (General Residential) 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 4-0, that a recommendation be forwarded to City Council that the request of Dana Mares to receive a Conditional Use Permit (CUP 23-013) for Temporary Special Events at tax map numbers 16-1-45D, 16-1-A1, and 16-1-B1, be approved, in accordance with the application and staff report dated June 20, 2023. The Planning Commission recommends the following conditions:

- 1. Events shall be set up in general conformance with the concept plans submitted with this application.*
- 2. The existing vegetative buffer around the property's western and southern boundaries consisting of evergreen trees and mixed hardwoods will remain. If any part of the buffer is removed, it shall be replaced with similar vegetation.*
- 3. Events shall abide by the noise ordinance in Chapter 50, Article IV of the City Code.*
- 4. No events shall start prior to 9:00 A.M., and events shall end by 11:00 P.M.*
- 5. Portable restroom trailers shall be provided for events with more than 25 attendees, subject to the requirements of Section 98-4.4.11. At least one (1) ADA accessible restroom will be provided at all events.*
- 6. Potable water shall be provided as necessary for events that may require drinking water or have other water needs.*

8. Discussion of potential vape/tobacco shop zoning text amendment.

Ms. Tate said that this agenda item had been postponed from the May 16th's meeting and the discussion is meant to provide direction to staff regarding the drafting of a potential ordinance.

Discussion ensued among the Commissioners and included pros and cons of a potential ordinance regulating vape and tobacco shops, concerns about it having the support needed to pass, and if the zoning ordinance is the proper tool to regulate these kinds of businesses.

The Commissioners directed Staff to draft an ordinance to be considered at a future meeting.

9. Commissioners' correspondence and communications

None

10. Adjournment.

Mr. Lee motioned to adjourn the meeting. Mr. Flory seconded. Vote was 4-0 in favor.

The meeting was adjourned at 7:46 P.M.