

CITY OF WAYNESBORO PLANNING COMMISSION

Regular Meeting, Tuesday, August 22, 2017

7:00 pm

Council Chambers, Charles T. Yancey Municipal Building
503 West Main Street

PLANNING COMMISSIONERS

Constance Paradiso
Chair

Stephen Arey
Vice-chair

Patrick McNicholas

Shannon Boyle

Miguel Eusse

Andrew Kelly

Elzena Anderson,
Council Rep.

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FUTURE SCHEDULED MEETINGS:

City Council
Business Meeting
Monday, August 28, 2017
7:00 pm

Planning Commission
Regular Meeting/
Public Hearing
Tuesday, September 19, 2017
7:00 pm

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AGENDA

1. Call to order at 7:00 p.m. Pledge of allegiance.
2. Review and approval of minutes of work session held July 18, 2017.
3. Citizen comment period – limited to 4 minutes per speaker, for issues not listed as an agenda item.
4. A public hearing on a zoning text amendment.
5. A public hearing on a rezoning request by William John Hall, owner of VM Acquisition Waynesboro, LLC, to rezone a portion of the property from H-I (Heavy Industrial) District to H-B (Highway Business) District at 1006 & 1010 East Main Street, Waynesboro, Virginia, City Tax Map number 57-2-1, to rezone the property from L-B (Local Business) District to H-B (Highway Business) District at 1010 East Main Street, Waynesboro, Virginia, City Tax Map number 57-4-71-E and 57-1-71-8, 9, & 10, and to rezone the property from RG-5 (General Residential) District to H-B (Highway Business) District at 1010 East Main Street, Waynesboro, Virginia, City Tax Map number 57-1-71-1, 2&3B.
6. Other Business/Commissioners' correspondence and communication.
7. Adjournment.

Thank you for attending. Citizen comments are invited and welcomed during the meeting's citizen comment period. For those with special needs, please contact the Planning Department at 942-6604 for any accommodations required at least 3 days prior to the meeting you wish to attend. Assistive listening devices available.

The Planning Commission of the City of Waynesboro, Virginia, held a regular meeting on the 18th day of July, 2017, 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
 Stephen Arey, Vice Chair
 Shannon Boyle
 Patrick McNicholas
 Miguel Eusse
 Andrew Kelly

Absent: Elzena Anderson, Council Liaison (excused)

City Planner &
Clerk of the Commission: Luke Juday
 Sunny (Weixuan) Yang

1. CALL TO ORDER: Meeting was called to order by Chair Paradiso who asked Mr. Eusse to lead the pledge of allegiance to the flag.
2. REVIEW AND APPROVAL OF MINUTES: Minutes of regular meeting held June 20, 2017, were approved with a 6-0 vote (moved by Mr. Arey, seconded by Ms. Boyle).
3. CITIZEN COMMENTS NOT SUBJECT TO A PUBLIC HEARING: None.
4. A PUBLIC HEARING THE SUBDIVISION ORDINANCE REVISION: Mr. Juday gave a presentation on the Subdivision Ordinance revision. He introduced the basic concepts of a Subdivision Ordinance and the reasons why the current ordinance requires a revision. He then explained each listed change in detail and recommended approval of the Subdivision Ordinance revision.

Mr. McNicholas asked whether sidewalks are required on both sides of the streets and if the multi-use path is required on only one side. Mr. Juday stated that originally the ordinance requires sidewalk on one side of the local streets and it was revised to both sides based on the Planning Commission's request at the work session. The multi-use path option was also discussed at the work session with the hope to expand the greenway system when the developments come in.

Mr. McNicholas questioned the application of the lot size for public utilities, for lots within 200 feet of any public utilities or just for all. Mr. Juday stated that it applies to all lots. Mr. McNicholas asked how would a grinder system fit in that requirement. Mr. Juday stated that a grinder system would require a waiver from the Subdivision Ordinance.

Mr. Kelly asked about VDOT regulations on residential roads. Mr. Juday stated that VDOT has different regulations based on the type of road. The narrowest for local streets is between 24 and 28. Mr. Arey added that there are some things you can do on the narrower streets including no street parking or parking on one side of the street. He also suggested that sidewalks should be on both sides of the street.

Ms. Paradiso opened the public hearing for the Subdivision Ordinance revision. With no public comments, the public hearing was closed.

Mr. Arey made a motion, seconded by Mr. Kelly, to recommend approval to the City Council to adopt the proposed Subdivision Ordinance. The motion passed 6-0, as follows:

BE IT RESOLVED by the Waynesboro Planning Commission, by a 6-0 vote, that a recommendation be forwarded to the City Council that the revised Chapter 74, Subdivision Ordinance, be approved as presented and as attached hereto.

5. A PUBLIC HEARING ON A PRELIMINARY SUBDIVISION PLAT REQUEST BY ROUDABUSH, GALE & ASSOCIATES, INC., APPLICANT, FOR CLABROOK ASSOCIATES LLC, OWNER, TO AMEND AN APPROVED CLAYBROOK PRELIMINARY SUBDIVISION PLAT (APPROVED ON FEBRUARY 23, 2004) FOR A 67-LOT RESIDENTIAL SUBDIVISION ON A 30.847-ACRE RESIDUAL TRACT AT 6001 IVY STREET, WAYNESBORO, VIRGINIA, TAX MAP NUMBER 14-6-25A: Mr. Juday presented the application to the Planning Commission stating that the request is to amend the previously approved preliminary subdivision plat for Claybrook Phase 2. The new plat proposes smaller lots, narrower streets, and interparcel connections to the Quesenbery property to the north and the Evershire Subdivision to the south. The application also requests to waive two Subdivision Ordinance sections for narrow streets and rights-of-way and a private sewer system. Mr. Juday introduced the history of the subdivision, summarized the differences between the proposed and the approved plats, and recommended approval of the plat with the waivers and two additional conditions.

The Planning Commissioners had questions on the greenway, the street light alternatives, the interconnection to the Evershire Subdivision, and the grinder system proposed for 18 lots in the subdivision.

Bill Ledbetter, the owner and developer of the subdivision, spoke to the application, emphasizing that the lot size proposed is still a large lot, the interconnection to the Evershire was required by the City, and the benefits of installing E1 grinder pump at each house instead of constructing a pump station for 18 lots.

Mr. Arey questioned the width of the proposed street and the stormwater treatment. Mr. Ledbetter stated that the street width does comply with the VDOT design standards and the proposed development contains adequate stormwater treatments including grass channels, detention ponds, and buying credits.

Mr. Kelly asked if each lot will have its own pipe for the grinder system to be installed. Mr. Ledbetter explained that each house will have an individual grinder pump. He also stated that once the public sewer service is available, a regular main with a gravity sewer will be installed and the individual sewer system will be taken out and replaced.

Ms. Paradiso opened the public hearing.

David Sheldon, 225 Claybrook Drive, Secretary of the Claybrook HOA (Home Owners' Association), expressed his concerns regarding the significant drop in average lot size and the dramatic change in transitioning from Phase 1 to Phase 2. He suggested discussing with the developer and the City for further options of a more gradual shift from size and street width between Phase 1 and Phase 2.

Chip Yates, 224 Claybrook Drive, Chairman of the Claybrook HOA, questioned one of conditions requiring the developer to deed the common area to the HOA that been discussed but dropped from the staff recommendation. Mr. Yates stated the history of the HOA and addressed the confusion on the ownership of the common area. He again expressed his concern on the sudden change from Phase 1 to Phase 2.

Bill Ledbetter responded to the transition question, stating that the right-of-way would angle at the first new lot and the road pavement would be tapered for a smooth transition. Mr. Ledbetter also addressed the ownership of the common area, stating that it is common for developers to retain ownership of the common area until the whole development is complete for the reason that the ordinance might change or the City might have different requirements.

The Planning Commissioners had questions and discussions on the ownership of the common areas, suggesting that there is some legal issue that is somewhat beyond the committee's capacity.

William Malet, 216 Claybrook Drive, had questions on the stormwater runoff in the area, asking the potential impact of a flooding and any studies been conducted on the capacity for the area in general. Mr. Juday stated that Claybrook is in one of the newer developed sections of the city that contains the best pipes so there is no capacity problem to handle the stormwater issue. If any major flood that exceeds the design capacity happens, the home owners or the HOA are not supposed to bare the obligation.

Frank Smiley, 117 Compass Drive, questioned who will get the common area if there are separate HOAs for each phase. Mr. Ledbetter stated that all the common area in Phase 1 will go to the current HOA because it was platted with Phase 1 subdivision and if Phase 2 is complete and has a separate HOA, the remaining common area will go to the new HOA. Mr. Smiley asked in case Phase 1 is already complete, why wouldn't the developer transfer the common area now instead of holding it. Mr. Ledbetter stated that the developer had the right to add Phase 2 into the current HOA. And the developer would not transfer the common area until the completion of Phase 2 for the reason of possible access to public utilities that are located in the common area.

Ron Mirason, 228 Claybrook Drive, expressed his concern of the increased through traffic from the Evershire Subdivision to Ivy Road when the road is connected to Evershire and suggested keeping the connection road closed. Mr. Juday stated that the City staff is pushing this connection for safety reason and would not give it up.

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

Mr. Arey noted that there will be a second public hearing held by the City Council and encouraged everyone to address their points to the decision making body.

Ms. Shannon tried to confirm that the connection to Evershire was part of the original plan. Mr. Juday concurred that it was.

David Sheldon asked whether it is possible to install speed bumps on the Claybrook streets to ensure speed limits. Mr. Juday suggested he address his concern with the City engineer.

John Reno, engineer for the developer of the Evershire Subdivision, pointed out that the approved Evershire plat has an access to Ivy Street so the increased traffic through Claybrook would only be a short-term impact.

Mr. Arey made a motion, seconded by Mr. Kelly, to recommend approval to the City Council of the preliminary subdivision plat with the staff recommendation as stated. The motion passed 6-0, as follows:

WHEREAS, upon application by Roudabush, Gale & Associates, Inc. for Claybrook Associates LLC, owner, the Waynesboro Planning Commission finds that the preliminary subdivision plat will meet or exceed all the requirements of state and local law, 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 general goals and objectives of 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 Roudabush, Gale & Associates, Inc. for Claybrook Associates LLC, owner, for a preliminary subdivision plat, entitled "Claybrook Phase II Major Subdivision Plat" produced by Roudabush, Gale & Associates, Inc. and dated June 2, 2017 and revised July 7, 2017, to amend the Claybrook preliminary subdivision plat approved on February 23, 2004 to subdivide a 30.847-acre tract into 67 single family residential lots for a property at 6001 Ivy Street, Waynesboro, Virginia (City Tax Map number 14-6-25A), be approved, with a waiver from the minimum road pavement width and right-of-way width requirements of the City Code Chapter 74 Section 74-62(a), and a waiver for a private sewer system from the City Code Chapter 74 Section 74-82(a), in accordance with the application MJR #17-244, the staff report dated July 18, 2017, and the following conditions:

- 1. Final plats and associated deeds in a form acceptable to the City Attorney shall ensure the dedication of the greenway to the City and such deeds shall be recorded in the City of Waynesboro Circuit Court.*
- 2. No final plat shall be approved until the road connection to Evershire (from Cross Keys Way) is constructed.*

6. OTHER BUSINESS/COMMISSIONERS' CORRESPONDENCE AND COMMUNICATION:

Mr. Juday gave an update on the recent planning activities and noted a regular meeting for the next month.

Mr. Kelly asked for an update on the Comprehensive Plan update. Mr. Juday stated that the consultant was supposed to come with a draft for the steering committee to consider.

The Planning Commissioners had some discussions on the benefits of the development of Claybrook Phase 2.

Meeting adjourned at 8:55 pm.

Luke Juday, clerk



**CITY OF WAYNESBORO, VIRGINIA
STAFF REPORT
ZONING TEXT AMENDMENT
ZTA 17-248
August 22, 2017**

SUMMARY SHEET

<i>Applicant:</i>	Michael G. Hamp II, City Manager on behalf of the City of Waynesboro
<i>Affected Properties</i>	These provisions shall apply to all properties within the City.
<i>Action Requested:</i>	<ul style="list-style-type: none">• Amend Section 2.4 of the Zoning Ordinance (Chapter 98) to allow micro-breweries as a by-right use in the H-B (Highway Business) District, L-I (Light Industrial) District, and H-I (Heavy Industrial) District and by conditional use permit in the L-B (Local Business) District and C-B (Central Business) District with use standards in Chapter 98 Section 4.5.3.• Amend Section 2.4 of the Zoning Ordinance (Chapter 98) to allow brewpubs as a by-right use in the L-B, C-B, and H-B Districts.• Add definitions for brewpub and micro-brewery under Section 10.3.• Include Brewpub as an eating establishment under Section 10.2.9.A and include micro-brewery as a light industrial use under Section 10.2.10.A.• Amend Section 5.1.3.E Parking Ratio Requirements for coffee shops, fast food without drive-through, and restaurants with drive-through from 1 space per 50 sq. ft. GFA to 1 space per 100 sq. ft. GFA.• Amend Section 5.6.6.C to restrict electronic signs in any residential districts.• Amend Sections 4.4.10 and 4.6.7 to allow service bay doors (garage openings) that do not face entrance corridors or residential areas.
<i>Authorizing City Code Section(s):</i>	Section 7.3.2.B (Initiation of a Zoning Text Amendment)
<i>Attachments:</i>	A. Proposed text amendment
<i>Summary Recommendations:</i>	The City staff recommends that this ordinance amendment be approved as shown on the attached sheets

1. Nature of Request

City staff are proposing a number of changes to the zoning ordinance prompted by issues with various applications. The changes are listed below:

1. Add microbreweries to the zoning ordinance as a by-right use in H-B, L-I, H-I, and by conditional use permit in L-B and C-B.

2. Add brewpubs to the zoning ordinance as a by-right use in the L-B, C-B, and H-B districts.
3. Add definitions for microbrewery and brewpub, as well as use standards for both.
4. Amend the parking ratio requirements for coffee shops, fast food restaurants without a drive-through, and restaurants with a drive-through.
5. Prohibit electronic changeable copy signs in residential districts.
6. Allow service bay doors (garage doors) to face secondary commercial streets.

2. Background and cases prompting reexamination

Microbreweries and brewpubs

Currently, all breweries are grouped together under the zoning ordinance and classified as a manufacturing use, allowed only in industrial areas. The recent proliferation of microbreweries as commercial destinations makes this classification obsolete. Under our current ordinance, a microbrewery with a tasting room is regulated the same as a large industrial production facility.

Basic City Brewery is the city's only current microbrewery. Located in the former Metalcrafters building, it is allowed because of the building's heavy industrial designation. However, the function of the brewery is more commercial than industrial and the owners have expressed interest in bringing in other complementary commercial uses on the property. They are currently pursuing a rezoning to H-B (Highway Business), which will make the brewery non-conforming. City staff looked into how other neighboring jurisdictions have handled breweries and felt that microbreweries with an attached restaurant, bar, or tasting room are appropriate commercial uses in many districts.

Parking ratios

Currently, the three classes of eating establishment listed are required to have one off-street parking space for every 50 square feet of gross floor area. Each parking space adds about 250 square feet to an establishment's parking lot, meaning that the requirement results in five times as much parking area as building area and provides far more parking spaces than necessary. Several applicants have protested this requirement and the zoning department has agreed that it is excessive.

Electronic changeable copy signs

Currently the requirements for changeable copy signs are unclear on the status of electronic message boards in residential areas. There is a positive statement: "changeable copy signs may be included as a part of a permitted monument sign in any nonresidential district," paired with a requirement that changeable copy signs be permanently affixed to the ground. This seems to exclude signs in residential districts. However, it's not clear that it excludes them, especially if they do not count as "monument signs."

Service bay doors

The zoning ordinance states in two places that “All service bay doors (openings) shall face away from adjacent thoroughfares, right-of-way and residential uses.” This makes it difficult to build service-bay doors and almost impossible to build structures that require two opposing garage doors, such as drive-through car washes, oil change centers, etc. Uses that require two service bay doors on opposite sides of the building cannot be located where either door would face any alley or street, public or private.

Recently, a company approached the city about siting a new oil change franchise. After looking at locations, including one that staff felt was an appropriate place for the use, it became clear that the service bay door ordinance prevented drive-through buildings from locating almost anywhere in the city, despite the fact that they are listed as a by-right use in several districts on the use matrix.

3. Approval Criteria

Good zoning practice seeks to harmonize various uses so that they co-exist adjacent to each other with little conflict or negative impacts. It also promotes the health, safety and general welfare of the community, often by placing complementary uses together to create a district or neighborhood that is more than the sum of its parts.

In evaluating any proposed zoning text amendment, Section 7.3.8 of the Zoning Ordinance requires the Planning Commission and the City Council to consider the following six criteria (provided in *italic* below):

- A. Whether such amendment is consistent with good zoning practice;*
- B. Public necessity, convenience, and general welfare to the extent such factors are pertinent to the subject matter of the amendment;*
- C. The extent to which the proposed text amendment is consistent with the Comprehensive Plan and the remainder of this Chapter, including, specifically, the purpose and intent statements of Section 1.5;*
- D. The extent to which the proposed text amendment represents a new idea not considered in the existing ordinance, or represents a revision necessitated by changing circumstances over time;*
- E. Whether or not the proposed text amendment corrects an error in the chapter; and*
- F. Whether or not the proposed text amendment revises the chapter to comply with State or Federal statutes or case law.*

4. Analysis

Breweries

This change is warranted by criteria A, B, C, and D. Microbreweries and brewpubs do not have the same industrial impacts that a major beverage production facility would. They are also increasingly seen as an economic and quality of life benefit, especially for small cities and rural areas. Microbreweries and brewpubs are popular recreational destinations for tourists and locals and can often showcase local culture. Waynesboro is in a particularly fertile region for breweries and wineries.

The City's commercial areas would benefit from looser restrictions because microbreweries are a complementary and not a detrimental commercial use. They draw traffic and create activity that benefits other businesses while generating few externalities. Segregating them into industrial areas results in lost opportunities for business attraction and district vitality.

Parking ratio

This change is warranted under criteria A, B, C, and E. Modern planning practice generally supports less stringent parking requirements, making the current ordinance outdated. Requiring too much parking not only places an undue burden on the property owner, but also has a negative impact on the surrounding properties and public space. The 1 space per 50 GFA standard is abnormally high and makes it difficult to develop properties in an efficient and sustainable manner. The City has made it a priority to not place onerous restrictions on business development and to improve the look of its commercial areas. This restriction is significant enough to be largely unenforceable and was most likely imported from an outdated ordinance.

Electronic changeable copy signs

This change is warranted under criteria A, B, D, and E. While these signs may be appropriate on a very large site or a commercial corridor, they look and feel out of place in residential areas. This text amendment will make the zoning ordinance's requirements clearer and will ensure that the aesthetic character of established neighborhoods is maintained.

Service bay doors

This change is warranted under criteria A, B, and E. It is generally important to keep garage doors and automobile-oriented uses from dominating important corridors and residential areas, however the current ordinance prevents some common businesses from locating anywhere within the city. Because it is almost impossible to have a sizeable commercial lot in which neither of two opposite sides abuts a right of way, this ordinance functionally bans drive-through service stations and car washes.

Good zoning practice involves establishing appropriate locations for every activity that improves the general quality of life of citizens. Unless drive-through service stations are judged to be an undesirable amenity for the city as a whole, the ordinance needs to allow for them in suitable locations. The most appropriate location is away from residences on secondary commercial streets not designated as major corridors.

5. Recommendations

The City staff recommends that this ordinance amendment be approved as shown on the attached sheets.

Cc: D. James Shaw II, Deputy City Manager
Laura Martin, Zoning Administrator

§2.4 Use Table

Use Categories	Use Types	RS-12	RS-7	RS-5	RG-5	R-MX	R-MF	R-O	L-B	H-B	C-B	L-I	H-I	Use Standard
Commercial Uses (See §10.2.9)														
Eating establishments (See §10.2.9.A Error! Reference source not found.)	Coffee shops					P	P		P	P	P	P		§4.4.5
	Fast food								P	P	P	P		§4.4.9
	Restaurants, limited					C	C	C	P	P	P	P		§4.4.8
	Restaurant and bar								P	P	P			
	Brewpub								P	P	P			
Industrial Uses (See §10.2.10)														
Light industrial service (See §10.2.9.B)	All light industrial service uses not listed below											P	P	
	Crematorium											P		
	Micro-brewery								C	P	C	P	P	§4.5.3

§4.5. INDUSTRIAL USE STANDARDS

§4.5.1. Vehicle or Equipment Storage Yards

Vehicle or equipment storage yards shall be conducted wholly within a non-combustible building or screened to a height of eight feet from view off-site in accordance with the requirements of §5.4.8.

§4.5.2. Wrecking or Salvage Yards

Wrecking or salvage yards shall comply with the requirements of **Error! Reference source not found.**, Outdoor storage and display. (See also §5.4.8**Error! Reference source not found.**)

No wrecking or salvage yard shall be located within 300 feet of a residential district.

Commentary: The Virginia Division of Motor Vehicles requires City approval in the form of a certificate of zoning compliance prior to the establishment of a wrecking or salvage yard, or similar operation.

§4.5.3. Micro-brewery

- A. The facility may include other uses such as retail sales, tasting rooms, restaurants, or outdoor recreational uses. In C-B, L-B and H-B Districts, the facility must include at least one of the following components: retail, eating, drinking, or tasting.
- B. All production, processing and distribution activities must be conducted within an enclosed building;
- C. Outside storage is allowed with appropriate fence screening and/or buffer planting areas according to Zoning Ordinance §5.4.8.B.

§5.1.3. Parking Requirements

E. Parking Ratio Requirements

USE CATEGORIES	USE TYPES	GENERAL REQUIREMENT
COMMERCIAL USES (SEE 0)		
Eating establishments (See Error! Reference source not found.)	Coffee shops	1 space per 50 100 GFA
	Fast food without drive-through	1 space per 50 100 GFA
	Restaurants with drive-through	1 space per 50 100 GFA
	Restaurants, limited	1 space per 100 GFA
	Restaurant and bar	1 space per 100 GFA

§5.6.6. Signs Requiring Permits

C. Sign Types and Standards

Upon issuance of a sign permit in accordance with **Error! Reference source not found.**, the following signs shall be allowed subject to the following requirements.

Signs Requiring Permits

Changeable Copy Sign

Any sign that allows the copy to change. These signs may be lighted or unlighted, with detachable precut letters and figures, or the message may be electronic.

Standards

- (a) Changeable copy signs may be included as a part of a permitted monument sign in any nonresidential district.
- (b) The information displayed on a changeable copy sign shall remain static for a minimum period of four seconds at a time.
- (c) No signs that are not permanently affixed to the ground may be considered eligible for consideration as changeable copy signs.
- (d) Electronic signs shall not be permitted in any residential district.



§4.4.10. Vehicle Sales and Service

All service bay doors (openings) shall face away from adjacent residential uses and from corridors designated in §3.3.2.B.

§4.6.7. Car Washes

Car washes shall be located and designed so that vehicular circulation shall not conflict with traffic movements in adjacent streets, service drives, driveways and/or parking areas. All service bay doors (openings) shall face away from adjacent residential uses and from corridors designated in §3.3.2.B.

§10.2.9. Commercial Use Categories

A. Eating Establishments

Characteristics: Establishments that prepare and sell food for on- or off-premise consumption.		
Principal Uses	Accessory Uses	Uses not Included
Bistro Coffee shops Drive-ins Fast food without drive-through Outdoor vendors with permanent facilities Pizza delivery establishments Restaurants with drive-through Restaurants, limited Restaurant and bar Brewpub Small-scale catering establishments Yogurt or ice cream shops	Bars Decks and patios for outdoor seating Drive-through facilities Live music Off-street customer and employee parking Valet parking facilities	Bars and nightclubs (See Entertainment)

§10.2.10. Industrial Use Categories

A. Light Industrial Service

Characteristics: Firms engaged in the manufacturing, assembly, repair or servicing of industrial, business, or consumer machinery, equipment, products, or by-products mainly by providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.		
Principal Uses	Accessory Uses	Uses not Included
Building, heating, plumbing or electrical contractors, contractors and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site Catering facility, large-scale Clothing or textile manufacturing Commercial bakery Crematorium Dental laboratories Dry cleaning plant Exterminators Janitorial and building maintenance services Large-scale catering establishments Laundry, dry-cleaning and carpet cleaning plants Mailing and stenographic services Maintenance facilities Manufacture or assembly of consumer equipment, instruments (including musical instruments), appliances, precision items and other electrical items Micro-brewery Movie production facilities Photo-finishing laboratories Printing, publishing and lithography Production of artwork and toys Repair of scientific or professional instruments, electric motors Research, testing and development laboratories Sign making Storage areas used as manufacturing uses Truck stop or truck plaza Vehicle and equipment maintenance facilities Welding, machine and tool repair shops Woodworking, including cabinet makers and furniture manufacturing	Cafeterias Child care Employee recreational facilities Offices Parking On-site repair facilities Single residential unit for security purposes Storage	Manufacture and production of goods from composting organic material (See Waste-Related Service) Small-scale catering establishments (See Eating Establishments)

\$10.3. GENERAL TERMS DEFINED

Brewpub: An eating and drinking establishment (restaurant) with a small brewery on the premises producing alcohol beverages, where the majority of the alcohol produced is consumed on the premises. Production is limited to 3,000 barrels annually.

Micro-brewery: A facility for the production and packaging of alcoholic beverages for distribution, retail, or wholesale, on or off premises, and producing no more than fifteen thousand (15,000) barrels per year and which meets all alcohol beverage control laws and regulations.



**CITY OF WAYNESBORO, VIRGINIA
STAFF REPORT
REZONING
ZMA 17-247
August 22, 2017**

SUMMARY SHEET

<i>Applicant:</i>	William John Hall
<i>Address/Legal Description:</i>	1006 and 1010 East Main Street Waynesboro, Virginia, 22980
<i>Total Acreage:</i>	2.962 Acres
<i>Tax Map Number:</i>	57-2-1, 57-4-71-E, 57-1-71-1, 2, 3B, 8, 9, & 10
<i>Real Estate Owner of Record:</i>	VM Acquisition Waynesboro, LLC 3060 Valley Pike Harrisonburg, VA 22802
<i>Current Zoning:</i>	H-I (Heavy Industrial), L-B (Local Business), RG-5 (General Residential), & C-O (Corridor Overlay)
<i>Proposed Zoning:</i>	H-B Highway Business
<i>Comprehensive Plan Designation:</i>	Commercial/Retail
<i>Attachments:</i>	1. Application 2. Proposed zoning map amendment
<i>Flood Plain:</i>	Yes
<i>Enterprise Zone:</i>	Yes
<i>Action Requested:</i>	Rezone a 2.962-acre site at 1006 and 1010 East Main Street from H-I (Heavy Industrial) District, L-B (Local Business) District and RG-5 (General Residential) District to H-B (Highway Business) District.
<i>Authorizing City Code Section(s):</i>	City Zoning Ordinance Section 7.4.
<i>Summary Recommendations:</i>	City staff recommends approval of this rezoning without conditions or proffers.

1. Nature of Request

William John Hall, representative of VM Acquisition Waynesboro, LLC and owner of the Metalcrafters Complex, has asked to rezone a 2.962-acre parcel, city tax map number 57-2-1, 57-4-71-E, 57-1-71-1, 2, 3B, 8, 9, & 10, at 1006 and 1010 East Main Street from H-I (Heavy Industrial) District, L-B (Local Business District) and RG-5 (General Residential) District to H-B (Highway Business) District. The subject site is currently located in three different zoning districts. The intention of the application is to rezone the property into the H-B District. This rezoning application applies to only a portion of the Metalcrafters complex including the former showroom and the Basic City Brewery (the former Foundry Building). The remainder of the Metalcrafters factory may be rezoned or put into a PUD at a later date as the applicant finalizes their plans for the complex.

The property currently contains Basic City Brewery, opened to the public in November 2016, and the former Metalcrafters showroom. As part of the Metalcrafters complex, it is located at East Main Street and Hunter Street. The site contains two buildings: the former Foundry building at the back, which is now

a brewery with a tasting room, and a two-story framed vacant building (the former showroom) facing Main Street. The applicant's intent is to allow retail and other commercial uses in the former showroom; uses that are not permitted within the H-I District or the RG-5 District.

The current zoning ordinance has no specific definition for any type of brewery. A brewery is categorized under "drink bottling," a heavy industrial use, and is only permitted in the H-I (Heavy Industrial) District, in which any retail sales and services are prohibited. In order to better use the Metalcrafters complex and support the mixed-use concept as proposed, the applicant has requested a rezoning for the property from its current zoning districts to H-B. However, according to the current ordinance, a brewery use is not defined or permitted in any of the zoning districts other than H-I District. As a result, a zoning text amendment is also being proposed with this application to allow micro-breweries by right in the H-B, L-I, and H-I Districts and by conditional use permit in the L-B and C-B Districts with use standards set in Zoning Ordinance Section 4.5.3.

This application is conditioned upon the approval of the Zoning Ordinance text amendment. If approved, the existing brewery use will be a by-right use in the H-B District.

2. Background

The property is part of the Metalcrafters Complex, which has been vacant since 2005. Staff worked with the owner in October 2014 to submit an Industrial Revitalization Fund (IRF) request to the State for a \$600,000 low interest loan. The application was approved in early 2015. Renovation work began in Spring 2016 and the new brewery opened to the public in November 2016.

Back in April 2015, the parking lot west of the Metalcrafters building was rezoned from H-I to H-B. The uses for the remainder of the Metalcrafters factory are still under discussion.

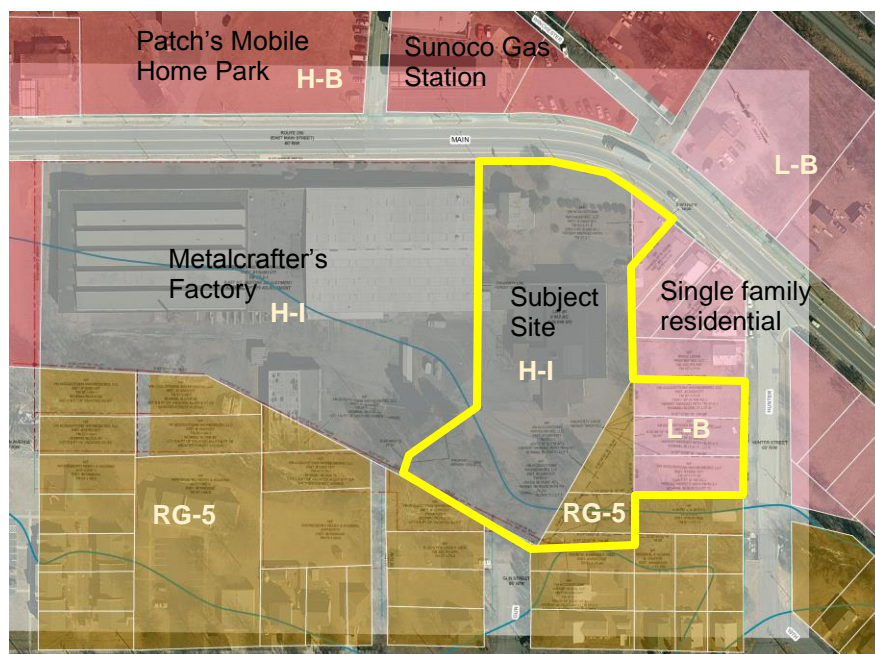
Surrounding Land Use (see vicinity map)

West: The remaining building section of the Metalcrafters complex.

North: Sunoco gas station and Patch's mobile home park in the H-B (Highway Business) District

East: Single family houses in the L-B (Local Business) District

South: Across Rockfish Run, single family houses in the RG-5 (General Residential) District



3. Zoning Requirements

The majority part of the property to be rezoned is currently located in the H-I District. The H-I District is established to provide sites for activities which involve major transportation terminals and manufacturing facilities. Heavy Industrial uses generally have a greater impact on the surrounding area than industries found in an L-I (Light Industrial) District. Breweries are allowed in the H-I district, but retail sales and services are prohibited.

A small portion of the property to be rezoned is currently located in the L-B District. The L-B District is established to provide for small-scale commercial uses offering primarily convenience shopping and services for adjacent and nearby residential uses. According to the current Zoning Ordinance, breweries are not allowed in the L-B District. With the zoning text amendment, breweries will be allowed by conditional use permit in the L-B District.

The remaining portion of the property to be rezoned is currently located in the RG-5 District, which provides for the establishment of higher density residential uses, including single-family detached dwellings, duplexes, townhouses, and multiplexes compatible with traditional residential neighborhoods. Commercial and industrial uses are generally not allowed in this district.

The H-B District is established for the development of offices, hotels, retail uses and similar businesses that rely on close proximity to major transportation routes. The current Zoning Ordinance has no definition or designation for breweries. With the approval of the Zoning text amendments, the brewery will be a by right use in the H-B District along with any retail or commercial uses that may be proposed by the applicant in the former showroom.

Zoning Ordinance Section 7.4.9 sets approval considerations for decision-making bodies to consider for a proposed rezoning. Those considerations include:

A. Consistency with the Comprehensive Plan;

The City's 2008 Comprehensive Plan Land Use Plan identifies the subject site as commercial/retail use. The proposed rezoning is consistent with the land use designation while its current H-I zoning is not.

B. Suitability of the property to support the proposed use;

The Metalcrafters complex is a significant historic monument for the City, especially for the East Main Street entrance corridor. Redevelopment of the property is key to bringing energy and opportunities to the east side of the City. The Basic City Brewery has dramatically improved the property, but rezoning is necessary in order to allow for further improvements. The vacant building known as the showroom was used and designed for retail and office uses and was recently improved to accommodate potential commercial uses.

C. Environmental impacts, such as wetlands, streams, and other surface water features; floodplain management; karst geology and other groundwater resources; impoundment failures; steep slopes; and other natural resources;

Both of the buildings on the site are out of the floodplain with no negative environmental impacts. Because the majority of the property is currently zoned H-I, potential environmental impacts should be reduced by this rezoning.

D. Adequate of existing or proffered public infrastructure, including, but not limited to the following:

1. Transportation infrastructure

The site can be accessed from East Main Street and Hunter Street. Recent improvements to the site include a front access with parking to the former showroom building and a back access with more parking spaces for the brewery. The former showroom building and the brewery are connected with a 20-foot access way.

2. Public water and sewer infrastructure;

Public water and sewer are available at the site. The proposed commercial use in the former showroom building will not generate any significant impact to the existing water and sewer system.

3. Schools, Public Safety, & Parks and recreation

The proposed use will not generate any adverse impact to City schools, public safety, or parks and recreation.

4. Analysis

The subject property is owned by VM Acquisitions Waynesboro LLC, which purchased the former Virginia Metalcrafters complex in 2013. Since then the applicant has worked closely with the City to redevelop the property and has made significant improvements with the opening of the brewery. The property designated in the rezoning is only a portion of the larger complex. Aside from continuing to operate the brewery, the intention is to incorporate retail and commercial uses in the former showroom. Staff sees no problem with rezoning only a portion of the overall complex at this time. The rezoning, coupled with the text amendment being considered, will also allow the brewery to be a by-right use and encourage retail and commercial uses that are consistent with the Comprehensive Plan designation.

The property abuts several single-family houses that are located in the L-B Districts. With the site improvements, a 20-foot landscaping buffer and 6-foot high fence were installed along the side and back of the residential uses to alleviate impacts from the brewery. The buffer as installed meets the zoning requirements. As a result, the proposed use will not generate any more adverse impact to the neighboring properties, which would be subject to greater theoretical impacts from an industrial use.

5. Conclusion and Recommendations

Staff has concluded that the rezoning is consistent with the Comprehensive Plan and will cause no more adverse impacts to surrounding properties. Staff recommends approval with no conditions or proffers.

cc: William John Hall
D. James Shaw II, Deputy City Manager
Todd Wood, City Engineer
Joe Honbarrier, Zoning Administrator



ZONING MAP AMENDMENT (REZONING) APPLICATION

Reference City Code Sec. 98-7-4

Application Fee \$350

A.) SITE INFORMATION:

Property Address: 1006 and 1010 E. Main Street, Waynesboro, VATax Map No./Legal Description: 57-2-1Present Zoning: H-I Comprehensive Plan Designation: Mixed UseProposed Zoning:
H-BLot Size (Acreage or Square Footage): _____ Present Use: Vacant (1006) and Brewery (1010)Is property located in any of the following overlay districts? ☐ Enterprise Zone ☐ Flood Hazard ☒ Historic ☐ Other _____
(according to FEMA map)

Project Description: (use a separate sheet as necessary):

Zoning amendment to amend 1006 and 1010 E. Main Street from H-I to H-B in order to better reflect mixed use of facility which will included retail and other commercial uses.

B.) APPLICANT INFORMATION:

Property Owner of Record: VM ACQUISITION WAYNESBORO, LLCAddress: 3060 N. VALLEY PIKE (Printed) HARRISONBURG, VA, 22802

(Street Address) (City, State, Zip)

Email Address: mike@matchboxrealty.com Phone #: 540-434-5150 x112*Applicant's Name: JOHN HALL Contact Name: MIKE HENDRICKSEN

(Printed) (Printed)

Address: 3060 N. VALLEY PIKE HARRISONBURG, VA 22802

(Street Address) (City, State, Zip)

Email Address: mike@matchboxrealty.com Phone #: 540-434-5150 x112

* If applicant is not property owner of record, the Power of Attorney Form is Required (Form A-2).

FOR OFFICE USE ONLY				
Date Rec'd	Fee Paid	MS Receipt #	Application #	Approval Date
				<input type="checkbox"/> Not approved

CITY OF WAYNESBORO • Planning Department • 503 W. Main St., Suite 204 • Waynesboro, VA 22980 • Phone (540) 942-6604 • Fax: (540) 942-6671

C.) (OPTIONAL) LICENSED PROFESSIONAL (Architect, Engineer, Surveyor, Landscape Architect):

Firm Name: _____ Contact Name: _____
(Printed) (Printed)

Address: _____
(Street Address) (City, State, Zip)

Phone #: _____ Fax Number: _____


Email Address: _____ Professional License # _____

E.) SELECT PRIMARY CONTACT PERSON FOR STAFF: ☐ Owner ☒ Applicant ☐ Licensed Professional**D.) SIGNATURES:**

If applicant is not property owner of record, the Power of Attorney Form is Required (Form A-2).

AFFIDAVIT: The undersigned ☐ property owner, or ☒ duly authorized agent/representative thereof [check one] certifies that the foregoing information is true and correct to the best of my knowledge and belief; WITH THE UNDERSTANDING THAT ANY INCORRECT INFORMATION SUBMITTED MAY RESULT IN THE DELAY OR RESCHEDULING OF APPROVAL. I hereby authorize the City of Waynesboro to review this request, visit the site, and contact any appropriate design professional in relation to questions generated as a result of the review.

Wm. John Hall
 Print Name


 Signature of Owner, Contract Purchaser, Agent

540. 421-8065
 Daytime phone number of contact

7/6/17
 Date