STAUNTON VIRGINIA

COMMUNITY DEVELOPMENT
Planning & Zoning Division

MEMORANDUM

To: Planning Commission Members

From: Tim Hartless, Planning Manager

Date: February 14, 2025

RE: February 20, 2025 Planning Commission Meeting

The Staunton Planning Commission will hold a meeting on **Thursday, February 20, 2025.** The meeting will begin at **5:30 P.M.** The meeting will be held in Rita S. Wilson Council Chambers located on the first floor of City Hall, 116 W Beverley Street.

If you cannot attend this meeting, please contact the Community Development Department, Planning and Zoning Division at (540) 332-3862, by **noon** on **Wednesday, February 19, 2025**.

There **will not** be a field trip prior to this meeting.

The audio feed is available online at https://www.ci.staunton.va.us/departments/planning-zoning-division or on the public access television station (Comcast channel 7). Those members of the public wishing to participate will be able to do so in person or via Zoom using the link provided on the City's website. The appropriate page of the website can be accessed using the link above.

AGENDA

		Action Taken
1.	Call to order	_____
2	Approval of minutes of the January 16, 2025 Meeting	_____
3.	New Business A. Public Hearing and Consideration of The City of Staunton, Virginia, Capital Improvement Plan 2026-2030	_____

	B. Public Hearing and Consideration of Amendments to Title 18, Zoning, of the Staunton City Code to Remove or Revise References to Tile 13. C. Public Hearing and Consideration of Amendments to Chapter 18.85, H-1 Historic Preservation District, of Title 18, Zoning, of the Staunton City Code D. Authorization for an Amendment to Chapter 18.50, P-1 Professional District, of Title 18, Zoning, of the Staunton City Code to Allow Florists Shops as a Use Permitted on Review	_____ _____ _____
5.	Old Business	_____
6.	Other Business	_____
7.	Updates on Actions of Council	_____
8.	Matters from the Public	_____
9.	Adjournment (Next Meeting will be March 20, 2025)	_____

MINUTES
STAUNTON PLANNING COMMISSION
January 16, 2025
5:00 p.m.
City Council Chambers

PRESENT: **Judith Wiegand**
Jessica Robinson
Daniel Hansen
Scott Kesecker

ALSO PRESENT: **Tim Hartless, Planning Manager**
Linda Nesselrodt, Zoning Administrator
Adam Campbell, Council Liaison
Kiley Kesecker, Clerk of Council

Planning Manager Tim Hartless, called the January 16, 2025 meeting of the Staunton Planning Commission to order.

ELECTION OF OFFICERS

Mr. Hartless opened the floor for nominations for the office of Chair. Ms. Wiegand nominated Ms. Robinson for Chair.

With no further nominations, the motion carried as follows:

Ms. Robinson	aye	Mr. Kesecker	aye
Mr. Hansen	aye	Ms. Wiegand	aye

Ms. Robinson was elected on a unanimous vote.

Ms. Robinson opened the floor for nominations for Vice Chair. Mr. Hansen nominated Ms. Wiegand for the office of Vice Chair.

With no further nominations, the motion carried as follows:

Ms. Robinson	aye	Mr. Kesecker	aye
Mr. Hansen	aye	Ms. Wiegand	aye

Ms. Wiegand was elected on a unanimous vote.

APPROVAL OF MINUTES

Ms. Wiegand moved to approve the minutes of the December 19, 2024 Planning Commission meeting, as presented.

The motion was seconded by Mr. Kesecker and carried as follows:

Ms. Robinson	aye	Mr. Kesecker	aye
Mr. Hansen	aye	Ms. Wiegand	aye

NEW BUSINESS

3-A) Introduction of the City of Staunton Capital Improvement Plan FY 2026 – 2030

Chief Financial Officer Jessie Moyers provided a review for the annual update to the Capital Improvement Plan for all city funds and the education fund. City and School Board staff updated the plan to review existing projects, revise projects, and to include new projects.

3-B) Public Hearing and Consideration of a Request by Michael Gutzler and Prospect Village, LLC, for a Special Use Permit at 217 West Beverley Street, under the provisions of SCC 18.55.060(3), to Allow Living and Sleeping Quarters on the Ground Floor of the Existing Building

Planning Manager Tim Hartless stated that Michael Gutzler and Prospect Village, LLC, is requesting a special use permit for living and sleeping quarters on the ground floor of 217 West Beverley Street. The property is located on the north side of West Beverley Street in the block between North Washington Street and North Lewis Street. The building was constructed in 1887 by the then Town of Staunton, and its original use was the Stonewall Jackson Primary School. The school closed in 1973, and uses within the building have changed many times over the years since. Mr. Gutzler has a contract to purchase the property contingent upon the approval of this special use permit.

The property consists of a building that is approximately 13,650 square feet and a lot that is roughly 20,778 square feet. The property is zoned B-1, Local Business District, and residential uses are permitted by-right on the second and third floor of the building; however, residential use on the ground floor of buildings within the B-1 district is only permitted on review, which has necessitated this special use permit request. Surrounding zoning to the south and east is B-1, Local Business, to the west is B-1, Local Business and R-4, High Density Residential, and the north is R-4, High Density Residential.

Surrounding uses include two churches and a mixture of single-family, multi-family, and commercial. The property is located in the Newtown Historic District. As recently amended, Chapter 18.125, Minimum Off-Street Parking Requirements, establishes a minimum parking requirement for multi-family uses. The applicant proposes 26 studio apartment units.

Using the recently amended parking requirements for multi-family use, 29 parking spaces are required. For residential purposes, parking must be located on the same property as the use that it serves. The existing parking lot, located in the rear of the property, does not have an adequate number of spaces. The applicant proposes to relocate the existing retaining wall and enlarge the parking lot. Any alteration to the retaining wall and expansion of the parking lot will require approval from the Historic Preservation Commission through the issuance of a certificate of appropriateness, as well as site plan approval by city staff. Approval of a special use permit should

be contingent upon completion of the parking lot expansion project to provide at least 29 parking spaces onsite.

The *City of Staunton, Virginia, Comprehensive Plan 2018-2040*, Future Land Use Map designates this area as Neighborhood Residential. This designation is reserved for older neighborhoods which can be characterized as large housing units on small lots. One of the policies of the designation is to encourage the development of in-fill housing units that are compatible with existing facilities and structures. Staff gives careful consideration to requests for residential use on the ground floor of buildings in business districts. Giving up commercial space on the ground floor of a building on West Beverley Street so close to downtown is not a practice that the city wants to encourage; however, commercial enterprises in this building have consistently struggled over the years, which suggests that residential use may be the highest and best use of all floors of the building. Given the large size of the building, multi-family is the most feasible residential use of the property.

Staff recommends the following conditions:

1. No more than 10 dwelling units are permitted on the ground floor of the building.

2. A Certificate of Appropriateness (COA) will be required for any change in appearance to the exterior of the building which can be seen from a public street, that may include alteration/relocation of the existing retaining wall and expansion of the parking lot. The Zoning Administrator will make the determination if a COA is required.

3. A site plan will be required for the relocation of the retaining wall and parking lot expansion.

4. The special use must comply with all provisions of SCC 18.125, Minimum Off-street Parking Requirements. There are 26 dwelling units proposed; however, total number of dwelling units permitted will be limited based upon the number of parking spaces that can be provided onsite. Parking provided on other properties and on-street parking may not be counted for residential use.

5. A building permit will be required for a change of use and all work must be in compliance with the provisions of the Virginia Uniform Statewide Building Code.

Ms. Robinson asked if commissioners had any questions for staff.

Ms. Robinson asked what the history is of uses in the building. Mr. Hartless stated that there are a number of businesses that have occupied the first floor over the years, including restaurants and offices.

Commissioners had no further questions.

The public hearing was opened.

Applicant Mike Gutzler was present to answer questions from the Commission.

Elizabeth Geiger, 220 West Frederick Street, spoke in opposition to the project due to the potential reduction in quality of life due to decreased privacy in her back yard.

Dana Quillen, board president of the Beverley Street Studio School, stated that the school will need to relocate if the project is approved.

Leslie Kipp, 16 Church Street, expressed concerns about potential parking issues the proposed project would cause.

Robert Stuart, 220 North Madison Street, spoke in opposition to the project and in support of the Beverley Street Studio School.

Carol Kipp, 16 Church Street, spoke in opposition to the project.

With there being no one else wishing to speak, the public hearing was closed.

Mr. Kesecker asked if there is any limit on the number of potential units that could be built on the second and third story by-right. Mr. Hartless stated that there is not a density limit on the number of units.

Ms. Wiegand clarified that the number of units approved through the site plan would be limited by the number of parking spaces available.

Discussion ensued regarding parking spaces, emergency access, the historic guidelines, the art school, and current occupancy of the building.

Commissioners agreed that more information is needed before a decision can be comfortably made.

Ms. Robinson asked Mr. Gutzler if he would prefer that the Commission make a decision, or that the item be tabled to allow him time to provide additional information. Mr. Gutzler asked that a decision be made that evening.

On the basis that it would not serve the interests of public necessity, convenience, general welfare, and good zoning practice, Ms. Wiegand moved that Planning Commission recommend denial of the requested Special Use Permit for a living a sleeping quarters on the ground floor of 217 West Beverley Street.

The motion was seconded by Mr. Kesecker and carried as follows:

Mr. Hansen	aye	Mr. Kesecker	aye
Ms. Robinson	aye	Ms. Wiegand	aye

3-C) Consideration of a Request by First Five Cousins, LLC, for a Special Use Permit for a Planned Residential Development, consisting of 17 Single-Family Attached Dwellings Located at 2311 Morris Mill Road

Mr. Hartless stated that First Five Cousins, LLC, is requesting a Special Use Permit at 2311 Morris Mill Road to construct 17 single-family attached dwellings. The property is located on Morris Mill Road near the intersection with Essex Drive. In the immediate area, there are two other townhome developments. First Five Cousins acquired the property in December, 2015, and is now requesting a Special Use Permit for a Planned Residential Development (PRD) to construct single-family attached dwellings with shared parking in a common area. The shared parking arrangement is permitted only through a PRD. The property is zoned R-4, High Density Residential District, and a PRD can only be permitted through the Special Use Permit process. The development proposes a single point of access off Morris Mill Road and a common parking lot with 40 off-street parking spaces.

Surrounding zoning is R-4, High Density Residential to the east and west, R-1, Low Density Residential to the north, and I-1, Light Industrial to the south across Morris Mill Road. The *City of Staunton, Virginia, Comprehensive Plan 2018-2040*, Future Land Use Map designates this area as High Density Residential. This designation is characterized by multi-story multi-family dwellings with more than 20 units per acre. The proposed development contains 17 units in an area of approximately 1.8 acres. The requested Special Use Permit is consistent with this designation.

A Special Use Permit is one step of a multi-step process to develop the property for the intended use. A minor subdivision plat will be required for lot line adjustments. A site plan will be required to address construction of the parking lot and stormwater management facilities. The plat and site plan must be approved prior to issuance of any building permits. The Commission conducted a public hearing on this request at its May 18, 2023 meeting. After closing the public hearing, the Commission unanimously voted to delay action on the request to allow the applicant time to address some of the concerns that were raised by staff during its review. Staff had concerns with the common area and common elements of the development, such as maintenance of the parking lot and stormwater management facilities. Since that time, the applicant has submitted the document for the Home Owners Association. Staff has reviewed the document and determined that the previous concerns have all been addressed. Staff is proposing a series of conditions designed to make the development compatible with the surrounding land uses and which are similar to what is required for developments within the Entrance Corridor Overlay Districts.

Staff recommends that the Planning Commission recommend approval of the proposed Special Use Permit with the following conditions:

1. Lighting shall be wholly contained within the site. Light poles shall not exceed 24 feet in height. Lighting shall be limited to that which is necessary for safety; lighting shall not up light or downlight building elevations. Lighting at the property lines shall not exceed one-half (0.5) foot candle.

2. All dumpster pad locations or other trash collection areas must be screened with architectural elements, such as fully opaque fences or walls, or built into the site or architectural design.

3. All construction must comply with the provisions of the Virginia Uniform Statewide Building Code.

4. The architecture of the buildings shall be designed so that the front facade of all dwellings face Morris Mill Road.

5. Approval of the special use permit for a planned residential development includes approval of the restrictive covenants for the sole purpose of ensuring the association, or other entity, is responsible for ownership and maintenance of the common elements of the development such as common areas, open space, any recreational or other common amenities, and storm water management facilities. Other provisions of the restrictive covenants are a private agreement between the association, the individual property owners, and/or the developer and the City of Staunton is not a party to, nor does it take any interest in, those provisions, nor will the City of Staunton enforce or litigate any matter related to the restrictive covenants.

Ms. Robinson asked if commissioners had any questions for staff.

Commissioners had no questions.

The public hearing was opened.

Steve Driver, representing the developer, provided some background information on the project.

Patrick Garrett, 111 Fox Hill Drive, asked that sound barriers or privacy fencing be installed to reduce noise from air conditioners, heat pumps, and vehicles.

With there being no one else wishing to speak, the public hearing was closed.

A brief discussion took place regarding the elevation difference between the proposed development and the surrounding neighborhood, and landscape screening.

Commissioners had no further questions.

On the basis that the rezoning would serve the interests of public necessity, convenience, general welfare, and good zoning practice, Mr. Hansen moved that the Planning Commission recommend approval of the Special Use Permit for a Planned Residential Development at 2311 Morris Mill Road with the following conditions:

1. Lighting shall be wholly contained within the site. Light poles shall not exceed 24 feet in height. Lighting shall be limited to that which is necessary for safety; lighting shall not up light or downlight building elevations. Lighting at the property lines shall not exceed one-half (0.5) foot candle.

2. All dumpster pad locations or other trash collection areas must be screened with architectural elements, such as fully opaque fences or walls, or built into the site or architectural design.

3. All construction must comply with the provisions of the Virginia Uniform Statewide Building Code.

4. The architecture of the buildings shall be designed so that the front facade of all dwellings face Morris Mill Road.

5. Approval of the special use permit for a planned residential development includes approval of the restrictive covenants for the sole purpose of ensuring the association, or other entity, is responsible for ownership and maintenance of the common elements of the development such as common areas, open space, any recreational or other common amenities, and storm water management facilities. Other provisions of the restrictive covenants are a private agreement between the association, the individual property owners, and/or the developer and the City of Staunton is not a party to, nor does it take any interest in, those provisions, nor will the City of Staunton enforce or litigate any matter related to the restrictive covenants.

6. The deed of dedication and/or the restrictive covenants shall be recorded prior to the issuance of the first certificate of occupancy.

The motion was seconded by Ms. Wiegand and carried as follows:

Ms. Robinson	aye	Mr. Kesecker	aye
Mr. Hansen	aye	Ms. Wiegand	aye

3-D) Consideration of a Request by Management Services Corporation for a Special Use Permit at 206 Frontier Drive for Multi-Family Use in a B-2, General Business District

Mr. Hartless stated that Management Services Corporation has requested a Special Use Permit to construct 11 apartment buildings containing 308 units as well as a clubhouse and pool. The property is zoned B-2, General Business District and under the provisions of Staunton City Code 18.60.070(3)(b), multi-family dwellings are a use permitted on review. The property contains approximately 23.38 acres of land and is located on the west side of Frontier Drive between Frontier Ridge Court and the Red Oaks Residential Development. The applicant has a contract to purchase the property contingent upon approval of the Special Use Permit. This area was annexed into the city in 1986.

The zoning to the north and south is B-2, General Business, to the east is B-1, Local Business, and to the west is R-3, Medium Density Residential. Surrounding uses include, single-family, multi-family, business, a portion of the Betsy Bell Wilderness Park, and the American Frontier Culture Museum.

As recently amended, Chapter 18.125, Minimum Off-Street Parking Requirements, establishes a minimum parking requirement for multi-family uses as follows:

Studio, efficiency – One space per dwelling unit
Two-bedroom Unit – 1 ½ space per dwelling unit
Three or more-bedroom unit – Two spaces per dwelling unit
Guest Parking – one space for every 10 units

The applicant proposes 308 units. At this time, the applicant does not have a definitive breakdown of unit types, but their stated target goal is: 25% one-bedroom, 60% two- bedroom, and 15% three-bedroom. These estimates are sufficient for a Special Use Permit review, but staff will require a definitive breakdown based on what is actually purposed for construction during site plan review.

The table below shows the parking requirements based on the target mix the applicant has provided.

Developer's Target Mix	Number of units (based on 308 total units rounded to nearest whole number)	# of parking spaces required (any fraction of a space =1)	
25% - One bedroom	77 units	1 space / unit =	77
60% - Two bedroom	185 units	1 and ½ space / unit =	278
15% - Three bedroom	46 units	2 spaces / unit =	92
Guest Parking (1 for each 10 units)	--	1 for each 10 units =	31
Total Required Parking			478
# of Spaces Proposed by Applicant			544
Difference Between # of Spaces Proposed and # of Spaces Required			66
Guest Parking and Excess Parking that can by Counted Toward Clubhouse and Pool (31 + 66)			97

Using the recently amended parking requirements for multi-family use, 478 parking spaces are required. The applicant proposes 544 parking spaces resulting in an excess of 66 spaces. This calculation does not account for the pool and clubhouse. Typically, those uses require one parking space per each three individuals based on the design capacity of the facility. Those facilities will require additional parking which can be dual functioning and can also be counted toward the guest parking requirement. The total number of spaces that can be allocated for guest parking and the pool and clubhouse parking is 97.

If the property were zoned R-3, Medium Density Residential

Since the Comprehensive Plan recommends Medium Density Planned Residential for this area, staff has conducted an analysis of the proposal to determine if it complies with the R- 3, Medium Density Residential, zoning requirements. Under the density requirements of the R-3 district, 633 multi-family units could be permitted. The applicant proposes only 308 units which is less than half of what R-3 allows.

Conceptual Grading Plan

A conceptual grading plan has been provided for staff review. Staff, from the Environmental Services Division of Community Development, have reviewed the plan and have not identified any issues.

Traffic Impact Analysis (TIA)

A traffic impact analysis (TIA) has been provided for staff review. The City Engineer has reviewed the TIA and has also forwarded the TIA to the Virginia Department of Transportation (VDOT) for its review.

The TIA included study intersections at Frontier Drive / Red Oaks Drive and Frontier Drive / Frontier Ridge Court. The TIA concluded that full buildout of the apartments would not result in a change of the Level of Service (LOS) categorization at either of the two study intersections. A turn lane warrant analysis was conducted at the Frontier Ridge Court intersection and at the proposed site entrance on Frontier Drive to determine if turn lane(s) were warranted. The development proposes one entrance on Frontier Drive and two on Frontier Ridge Court. Full buildout conditions triggered a warrant for a left turn lane at Frontier Ridge Court; while at the proposed Frontier Drive site entrance, a left turn lane and right turn taper were each just under the threshold for being warranted. However, the study concluded that no turning improvements were recommended to accommodate the proposed development, as follows:

"Based on the results of the operational analysis, no further improvements are recommended to accommodate the proposed development's site traffic. A northbound left turn lane at Frontier Drive/Frontier Ridge Court is not recommended, as the maximum queue along Frontier Drive (without the turn lane) is only 75 feet (3 vehicles). The level of service remains near free-flow results at 0.5 seconds, indicating that traffic stoppages or delays caused by left turning vehicles is minimal."

Although the TIA did not recommend a left turn lane at either study entrance/location, staff believes that a left turn lane at the Frontier Ridge Court / Frontier Drive intersection should be strongly considered at full buildout. Furthermore, a minimum 100 ft storage + 100 ft taper (VDOT's urban area standard) is recommended as opposed to the TIA's determination that a 50' storage + 50' taper would be sufficient.

Additionally, the study limits of the TIA are along Frontier Drive between Red Oaks Drive and Frontier Ridge Court. For the purposes of the TIA, this seems reasonable. However, it does not take into account the development of the Villages at Vista Ridge which is currently under construction to the south of the study limits. This development is located in Augusta County, on Barterbrook Road, and just outside of the city limits. It is understood that this development will include approximately 400 multi-family units, 267 single-family attached (townhomes), and 78 single family dwellings at full buildout. While not immediately adjacent to the TIA study area, it is conceivable that a significant amount of the traffic generated by Vista Ridge will be utilizing the Frontier Drive corridor. Thus, turn lane warrant analyses may need to be reconsidered, particularly since each was near the threshold, and current traffic conditions on Frontier Drive already make turning movements difficult from its existing unsignalized intersections and entrances.

At the Planning Commission meeting on December 19, 2024, the Commission considered the results of the TIA and took additional public comment. At the conclusion of its consideration, the Commission decided to table action on the request and directed staff to work with the applicant on some additional conditions that would address concerns related to traffic on Frontier Drive. Staff met with the applicant on Friday, January 3, to discuss possible options. The applicant proposes to phase the development into two phases, where they will cap the density of phase 1 development at 154 units. Since 308 units had just barely exceeded the threshold to warrant a left turn lane, it is

reasonable to assume that 154 units would be well under the threshold and a left turn lane would not be warranted for phase 1. When, and if, the developer proposes to move forward with phase 2 of the development, both a new site plan and a new TIA will be required. By that time, the development at Vista Ridge should be well underway and we should have a better idea of the impact it has on Frontier Drive. The increase in traffic from that development will be taken into account in the new TIA for phase 2. Additionally, this gives the city time to work with the county and VDOT on a regional strategy for improvements to Frontier Drive before any additional improvements are warranted in this specific area. Staff believes that this is a suitable compromise to address the traffic concerns that were raised at the December meeting.

B-2 zoning includes a five-foot front setback requirement and zero side and rear setback requirements. These minimum setback requirements are not suitable for residential development. The following set of conditions which are intended to help mitigate any impacts on the adjacent Red Oaks residential development and Betsy Bell Wilderness Park:

1. A water and sewer engineering report will be required to confirm anticipated demands and ensure adequate capacity is available, and help determine tie-in points to the existing system.

2. There shall be a minimum setback for all structures of 25 feet from any property line, and five feet for any parking area.

3. There shall be a minimum 25-feet of undeveloped buffer between this development and any boundary line of the Red Oaks development or the Betsy Bell Wilderness Park. The minimum setbacks from condition 2, can be part of this buffer.

4. Screening shall be required between this development and the adjacent Red Oaks development and Betsy Bell Wilderness Park. Screening shall consist of a planting strip which shall not be less than five feet wide containing two staggered rows of evergreen trees planted 15 feet on center, or a double staggered row of evergreen shrubs planted 10 feet on center. The screening can be part of the 25-foot buffer requirement.

5. A public access point shall be provided to the Betsy Bell Wilderness Park trail system. This access point shall be marked with a sign subject to review and approval by the Community Development Department.

6. At least five (5) parking spaces shall be provided near the Betsy Bell Wilderness Park trail access point. These parking spaces shall be made available for use by the general public. They may be counted as part of the required parking for the development.

7. Lighting shall be wholly contained within the site. Light poles shall not exceed 24 feet in height. Lighting shall be limited to that which is necessary for safety; lighting shall not up light or downlight building elevations. Lighting at the property lines shall not exceed one-half (0.5) foot candle.

8. All dumpster pad locations must be screened with architectural elements, such as walls, or built into the site design. This will be reviewed as part of the site plan for the development.

9. Separate site plans will be required for each phase of the development. Phase I will be limited to no more than 154 units. As a result of the concerns related to potential traffic increases on Frontier Drive, the city may require a new traffic impact analysis as part of the site plan review for any future phases.

10. The entire development shall not exceed 308 units at final buildout.

The *City of Staunton, Virginia, Comprehensive Plan 2018-2040*, Future Land Use Map, designates this area as Medium Density Planned Residential and Planned Business. Medium Density Planned Residential designation is intended for the planned development of multi-family uses. The proposed special use is consistent with this designation.

On the basis that the rezoning would serve the interests of public necessity, convenience, general welfare, and good zoning practice, Ms. Wiegand moved that the Planning Commission recommend approval of the requested Special Use Permit for a multi-family development at 206 Frontier Drive with the following conditions:

1. A water and sewer engineering report will be required to confirm anticipated demands and ensure adequate capacity is available, and help determine tie-in points to the existing system.

2. There shall be a minimum setback for all structures of 25 feet from any property line, and five feet for any parking area.

3. There shall be a minimum 25-feet of undeveloped buffer between this development and any boundary line of the Red Oaks development or the Betsy Bell Wilderness Park. The minimum setbacks from condition 2, can be part of this buffer.

4. Screening shall be required between this development and the adjacent Red Oaks development and Betsy Bell Wilderness Park. Screening shall consist of a planting strip which shall not be less than five feet wide containing two staggered rows of evergreen trees planted 15 feet on center, or a double staggered row of evergreen shrubs planted 10 feet on center. The screening can be part of the 25-foot buffer requirement.

5. A public access point shall be provided to the Betsy Bell Wilderness Park trail system. This access point shall be marked with a sign subject to review and approval by the Community Development Department.

6. At least five (5) parking spaces shall be provided near the Betsy Bell Wilderness Park trail access point. These parking spaces shall be made available for use by the general public. They may be counted as part of the required parking for the development.

7. Lighting shall be wholly contained within the site. Light poles shall not exceed 24 feet in height. Lighting shall be limited to that which is necessary for safety; lighting shall not up light or downlight building elevations. Lighting at the property lines shall not exceed one-half (0.5) foot candle.

8. All dumpster pad locations must be screened with architectural elements, such as walls, or built into the site design. This will be reviewed as part of the site plan for the development.

9. Separate site plans will be required for each phase of the development. Phase I will be limited to no more than 154 units. As a result of the concerns related to potential traffic increases on Frontier Drive, the city may require a new traffic impact analysis as part of the site plan review for any future phases.

10. The entire development shall not exceed 308 units at final buildout.

The motion was seconded by Mr. Kesecker and carried as follows:

Mr. Hansen	aye	Mr. Kesecker	aye
Ms. Robinson	aye	Ms. Wiegand	aye

3-E) Authorization for Amendments to Title 18, Zoning, of the Staunton City Code to Revise References to the Recently Amended Title 13, Environmental.

Mr. Hartless stated that recently, City Council adopted amendments to Title 13, Environmental, of the Staunton City Code. Title 18, Zoning, includes references to Title 13 which no longer reference correct sections. Staff is requesting authorization from Planning Commission to draft amendments to the Zoning Code to revise these references so that the Zoning Code is in line with the newly amended Environmental Code.

On the basis that the amendment would serve the interests of public necessity, convenience, general welfare, and good zoning practice, Mr. Kesecker moved that Planning Commission authorize staff to draft the necessary amendments to Title 18.

The motion was seconded by Ms. Wiegand and carried as follows:

Mr. Kesecker	aye	Mr. Hansen	aye
Ms. Robinson	aye	Ms. Wiegand	aye

OLD BUSINESS

There was no old business to discuss.

OTHER BUSINESS

Annual report for 2024.

UPDATE ON ACTIONS OF CITY COUNCIL

Mr. Hartless stated that at its last meeting, City Council approved a special use permit to amend the master plan for Olde South and South View, and a zoning code amendment that allows alleys and private access easements to be used for single-family homes in cases where the city engineer does not want to issue an entrance permit from the public street.

MATTERS FROM THE PUBLIC

There was no one present who wished to speak.

ADJOURNMENT

Ms. Robinson stated the next Planning Commission meeting would be held on February 20, 2025.

Upon a motion properly made, seconded, and unanimous, the meeting adjourned at 7:29 p.m.

_____

Kiley A. Kesecker
Clerk of Council

PLANNING COMMISSION

AGENDA BRIEFING

Staunton, VA

Meeting Date:	**February 20, 2025**	**Staff Members:** **Jessie Moyers,** **Chief Financial Officer**
Item #	**3-A**	
Ordinance #		
Department:	**Finance And Community Development - Planning and Zoning**	
Subject:	**Public Hearing and Consideration of City of Staunton's Capital Improvement Plan, FY 2026 – 2030**	

Background: The Chief Financial Officer will provide a review for the annual update to the Capital Improvement Plan for all City funds and the Education Fund. City and School Board staff updated the plan to review existing projects, revise projects, and to include new projects.

A copy of the plan will be presented to Council at the work session on February 27, 2025 with additional review and discussion planned for the work session on April 3, 2025, if needed, and the adoption scheduled on April 24, 2025.

The Draft CIP plan was presented to the Planning Commission on January 16, 2025, for review and discussion. The Planning Commission will hold a public hearing on the plan on February 20, 2025 with the potential endorsement scheduled for the same meeting.

The School Board reviewed the school capital projects on December 9, 2024 and approved the Education Fund CIP on January 13, 2025.

The draft plan will be available end of day Friday, January 10, 2025. Commission members can access the document electronically after that time at the following address: https://www.ci.staunton.va.us/departments/finance/capital-investment-plan

Recommendation: Staff recommends that Planning Commission conduct the public hearing and endorse the Capital Improvement's Plan as presented.

Suggested Motion: I move that Planning Commission recommend adoption of the City of Staunton, Capital Improvement Plan FY 2026-FY 2030.

PLANNING COMMISSION

AGENDA BRIEFING

Staunton, VA

Meeting Date:	**February 20, 2025**	**Staff Members:** **Tim Hartless** **Planning Manager**
Item #	**3-B**	
Ordinance #		
Department:	**Community Development – Planning and Zoning**	
Subject:	**Public Hearing and Consideration of Amendments to Title 18, Zoning, of the Staunton City Code to Revise References to the Recently Amended Title 13, Environmental.**	

Background: Recently, City Council adopted amendments to Title 13, Environmental, of the Staunton City Code (SCC). Title 18, Zoning, includes references to Title 13 which no longer reference correct sections. Staff has prepared draft amendments to two sections of the Zoning Code that need to be revised to reference the correct sections of Title 13.

Proposed Changes Include:
Amend SCC 18.83.050 to eliminate a reference to a provision that is no longer part of Title 13.
Amend SCC 18.169 to replace a reference to 13.05 with the new section 13.01

Attachments:
Attachment 1—Draft Amendment

Recommendation: Staff recommends Planning Commission recommend approval of the necessary amendments.

Suggested Motions: On the basis that the amendment would serve the interests of public necessity, convenience, general welfare, and good zoning practice, I move that Planning Commission recommend approval of the necessary amendments to Title 18, Zoning.

18.83, ENTRANCE CORRIDOR OVERLAY DISTRICT

Section, 18.83.050, Approval process

(1) Submission of Plan. Prior to commencing any activity set forth in SCC 18.83.040, the person, firm, or corporation proposing such activity shall submit a development plan to the zoning administrator or designee for the city of Staunton for review and approval. Applicants shall schedule and participate in an informal meeting with the zoning administrator or designee prior to submitting the plans.

(2) Minimum Requirements for Development Plan. Materials submitted with the application or on subsequent request by the zoning administrator or designee shall include clearly labeled plans, maps, studies, narratives, drawings, and reports depicting or presenting the following, with sufficient copies for necessary referrals and records, unless deemed unnecessary by the zoning administrator or designee due to the scope and nature of the proposed development:

(a) Surveyed property lines;

(b) Tree preservation plan (to scale) to include:

(i) Survey of existing topography and location of existing trees (over three inches in caliper), their species, and caliper and other vegetation ~~per SCC 13.10.010(6)(a)(i)(E)(I)~~;

18.169 SITE PLANS

18.169.050 Plan contents.

The site plan shall provide the following information, at a minimum, unless expressly waived in writing by the zoning administrator due to the scope and scale of the project:

(1) Title and description of the project; names and contact information of the engineer, architect, landscape architect and surveyor, if any; names of the developer and property owner; and a signature panel for the zoning administrator's agent's approval;

(2) The boundaries, by bearings and distance utilizing the city datum, of the property involved, the acreage, all existing property lines, setback lines, buildings, structures, watercourses, topography, adjacent property lines, easements with deed or instrument source references, waterways or lakes and other existing physical features in or adjoining the project, including flood hazard areas as provided in Chapter 18.170 SCC, Floodplain Districts and Regulations;

(3) The owners with instrument number or deed book and page number, present zoning, parcel identification numbers, and current use of the property involved and adjoining properties;

(4) Approved proffers, special use permit conditions, waivers, or granted variance on the property involved;

(5) Building lot coverage, building usage, dimensions, square footage, height, number of floors and finished floor elevation; location of accessory structures;

(6) Open space for multiple-family structures as provided in SCC 18.30.050;

(7) Physical features such as watercourses, waterways, or lakes on adjoining properties shown only in approximate scale and proportion;

(8) The location, dimensions, construction type, and names of existing and proposed streets, alleys, sidewalks, curbs and gutters, and all curb cuts;

(9) The location and size of existing and proposed sanitary sewers; water, gas, telephone, electric and other utility lines (if known); culverts and other underground or overhead structures in or affecting the project, including existing and proposed facilities and easements for these facilities;

(10) All parking, travel lanes, driveways, loading spaces, walkways and outdoor lighting systems, including luminary size, indicating type of surfacing, size, angle of stalls, width of aisles and a specific schedule showing the number of parking spaces provided and the number required by the provisions of Chapter 18.125 SCC, Minimum Off-Street Parking Requirements;

(11) Existing and proposed stormwater management facilities and erosion and sediment control measures, indicating location, size, type and grade of ditches, catch basins, and pipes, including on-site water retention and related requirements of Chapter ~~13.05~~13.01 SCC;

PLANNING COMMISSION

AGENDA BRIEFING

Staunton, VA

Meeting Date:	**February 20, 2025**	**Staff Members:** **Linda Nesselrodt** **Zoning Administrator**
Item #	**3-C**	
Ordinance #		
Department:	**Community Development – Planning and Zoning**	
Subject:	**Public Hearing and Consideration of Amendments to Chapter 18.85, H-1 Historic Preservation District, of Title 18, Zoning, of the Staunton City Code**	

Background: At its December 19, 2024 meeting, Planning Commission authorized staff to work with the Historic Preservation Commission (HPC) to draft proposed changes to the H-1, Historic Preservation District ordinance. The proposed changes include amendments to definitions, administrative processing of certificates, an exception to the guidelines, adding additional items for administrative review, and updating a maintenance provision. Staff has included the proposed amendments in your packet for consideration and public hearing. (Attachment 1)

Definitions: The proposed changes to definitions will better align the city ordinance with the *Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* for reconstruction, rehabilitation, and restoration. This includes the addition of a definition for "preservation".

In addition to updating definitions, the HPC is proposing a revision to the definition of "repairs" to require that the HPC review any work or replacement in kind, when the work or replacement exceeds fifty percent of the building element. This purpose of this change is to address problems that have occurred in recent years with replacement of roof surfaces; specifically, with improper installation of historic standing seam metal roofing and where porches or decks have been removed and replaced with in-kind materials but have resulted in a total reconstruction where important elements have been lost.

Administrative processing of applications: Throughout the chapter, small changes are proposed to update how certificates are processed, clarification on treatment types, and

updating the responsible person to inspect for conformance with the chapter.

Exception to guidelines: In cases where the HPC deems it necessary, this change will grant the HPC the availability to deviate from the Historic District Design Guidelines when approving a certificate for proposed alterations if the proposed changes do not change the character of the district.

Administrative review: The current ordinance allows the review of signage to be completed administratively. This process includes the review and issuance of a sign permit by city staff, along with a recommendation by Historic Staunton Foundation, to ensure the proposed signage meets city sign regulations and complies with the Staunton Historic District Guidelines. This process generally takes about ten business days.

To reduce application review times for minor changes that are appropriate treatments for historic buildings, HPC is proposing to include three additional items to be reviewed administratively. These include screening of mechanical equipment, removal of vinyl or metal siding to expose the original siding, and removal of gutters to install metal, half round gutters. This administrative review will reduce review times from a four-week waiting period for a full HPC review, to ten business days.

Update to maintenance provision: this change includes further guidance that painting with products causing alteration and potential damage of exterior surfaces, including application of liquid siding products, are not exempted from review by the HPC.

Attachments:
Attachment 1 – Proposed ordinance changes to SCC 18.85, Historic Preservation District

Recommendation: Staff recommends Planning Commission recommend approval of the proposed changes to SCC 18.85, H-1 Historic Preservation District.

Suggested Motions: On the basis that the amendments will serve the interests of public necessity, convenience, general welfare, and good zoning practice, I move that Planning Commission recommend approval of the amendments to SCC 18.85, H-1 Historic Preservation District as presented.

Attachment 1

Chapter 18.85

H-1 HISTORIC PRESERVATION DISTRICT

Sections:

18.85.010 Purpose.
18.85.020 Definitions.
18.85.030 Creation of an historic preservation commission.
18.85.040 Recommendation and designation of historic districts.
18.85.050 Application to commission for certificate of appropriateness.
18.85.060 Maintenance and zoning code provisions.

18.85.010 Purpose.

The intent of this chapter is to promote and protect the health, safety, comfort, recreation, prosperity, and general welfare of the community through the identification, preservation, rehabilitation, restoration, reconstruction, new construction, and enhancement of buildings, structures, sites, neighborhoods, landscapes, places and areas which have special historical, cultural, artistic, architectural or archaeological significance as provided by Sections 15.2-2201 and 15.2-2306 of the Code of Virginia, as amended.

It is hereby recognized that inappropriate treatment through neglect, ~~the~~ deterioration, destruction, or alteration of such buildings, structures, sites, neighborhoods, landscapes, places, and areas may cause the permanent loss of unique resources which are of great value to the people of the city of Staunton, the state of Virginia and the nation, and that the special controls and incentives are warranted to ensure that such losses are avoided when possible.

The purposes for establishing this chapter are:

(1) To preserve and improve the quality of life for residents of the city by protecting familiar and reassuring visual elements in the area.

(2) To promote tourism investment and business growth by protecting historical and cultural resources attractive to visitors and thereby supporting local business and industry.

(3) To stabilize and improve property values by providing incentives for the upkeep and rehabilitation of older structures and by encouraging desirable uses and forms of economic development.

(4) To educate residents on the local cultural and historic heritage as embodied in the historic districts and properties and to foster a sense of pride in this heritage.

(5) To promote local historic preservation efforts and to encourage the identification and nomination of qualified historic properties and districts to the National Register of Historic Places and the Virginia Landmarks Register.

(6) To prevent the encroachment of additions or new buildings and structures which are architecturally incongruous with their environs within areas of architectural harmony and historic character.

(7) To recognize and develop the historic areas as integral parts of the city so that succeeding generations may build with the quality and sensitivity of past generations.

18.85.020 Definitions.

The following definitions apply to this chapter:

(1) “Alteration” means any change, modification, or addition to a part of or all of the exterior of any building or structure.

(2) “Building” means any enclosed or open structure which is a combination of materials to form a construction for occupancy or use.

(3) “Building official” means that person appointed by the city manager as the individual who issues the permit for the construction, alteration, reconstruction, or demolition of all or part of any building.

(4) “Building permit” means an approval statement signed by the building official authorizing the construction, alteration, reconstruction, or demolition of all or part of any building.

(5) “Contributing properties” means properties so designated on the inventory map of historic districts and properties which is adopted as a part of this chapter, being generally those properties which by reason of form, materials, architectural details and relation to surrounding properties contribute favorably to the general character of the part of the historic district in which they are located.

(6) “Certificate of appropriateness” means the approval statement signed by the zoning administrator~~chairman of the historic preservation commission~~ which certifies the appropriateness of a particular request for the construction, alteration, reconstruction, repair, restoration, or demolition of all or a part of any building within an historic district, subject to the issuance of all other regional permits needed for the matter sought to be accomplished.

(7) “Demolition” means the dismantling or tearing down of all or part of any building and all operations incidental thereto.

(8) “Exterior architectural features” means the architectural style, general design and general arrangement of the exterior of a building, structure or object, including, but not limited to, the kind or texture of the building material and the type and style of all windows, doors, signs, and other appurtenant architectural fixtures, details, features, or elements.

(9) “Exterior environmental features” means all those aspects of the landscape or the development of a site which affect the historical character of the property including trees, shrubbery, plantings, walks, fences, walls, signs, lights, and other appurtenances and elements.

(10) “Historic district” means a geographically definable area consisting of public and/or private property within the city, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history. An historic district shall further mean an area designated by the city council as an historic district pursuant to the criteria established in SCC 18.85.040(2) and (3).

(11) “Historic property” means an individual building, structure, site, or object including the adjacent area necessary for the proper appreciation thereof designated by the city council as an historic property pursuant to the criteria established in SCC 18.85.040(2) and (3).

(12) “Material change in appearance” means a change that will affect either the exterior architectural or environmental features of an historic property or any contributing or noncontributing building, structure, site, object, or landscape feature within an historic district, such as:

(a) Reconstruction or alteration of the size, shape, or facade of an historic building, including relocation of any doors or windows or removal or alteration of any architectural features, details, or elements.

(b) Demolition or relocation of an historic structure.

(c) Commencement of excavation for construction purposes.

(d) Change in the location of advertising visible from the public right-of-way.

(e) The erection, alteration, restoration or removal of any building or other structure within an historic property or district, including walls, fences, steps, and pavements, or other appurtenant features.

(f) New construction within an historic district.

(13) “New construction” means any construction within an historic district which is independent and exclusive of an existing building or structure or part thereof in the historic district.

(14) “Noncontributing properties” means properties so designated on the inventory map of historic districts and properties which is adopted as a part of this chapter, being generally those properties which by reason of age, condition, amount of alterations, form, materials, architectural details and relation to surrounding properties do not contribute favorably to the general character of the part of the historic district in which they are located.

(15) Object. An “object” is a material thing of functional, aesthetic, cultural, historical or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

(16) “Preservation” means the act or process of applying measures necessary to sustain the existing form, integrity, and materials of a historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. Limited and sensitive upgrading of mechanical, electrical, and plumbing systems, as well as other code-required work, to make properties functional is appropriate within a preservation project.

(176) “Reconstruction” means ~~any or all work needed to remake or rebuild all or a part of any building to a sound condition, but not necessarily of original materials.~~ the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

(18) “Rehabilitation” means the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

(197) “Repairs” means any work or all work involving the replacement of existing material with equivalent material for the purpose of maintenance, but not including any addition, change or modification in construction. Any work or replacement, in-kind, where the project exceeds fifty percent of the building element, is not considered a repair and shall be reviewed as a rehabilitation and reviewed by the Commission.

(2018) “Restoration” means ~~any or all work connected with the returning to or restoring of a building, or part of any building, to its original condition through the use of original or nearly original materials.~~ the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems as well as other code-required work to make properties functional is appropriate within a restoration project

(2119) “Site” means the location of a significant event, a prehistoric or historical occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing structure.

(2220) “Structure” means anything manmade that is a work made up of interdependent and inter-related parts in a definite pattern of organization.

18.85.030 Creation of an historic preservation commission.

(1) Creation of the Commission. There is hereby created a commission whose title shall be city of Staunton historic preservation commission (hereinafter “commission”).

(2) Commission Members – Number. The commission shall consist of five voting members appointed by the city council and shall be persons who have demonstrated special interest, experience or education in history, architecture or the preservation of historic resources. All members shall be residents of the city of Staunton.

(3) Commission Members – Qualifications. To the extent available in the city of Staunton, at least two members shall be appointed from among professionals in the disciplines of architecture, history, architectural history, planning, archaeology or related professions and at least one member shall be appointed from among professionals in the disciplines of building construction or real estate or the general business community.

(4) Commission Members – Terms. Members shall serve three-year terms. Members may be reappointed for consecutive terms. In order to achieve staggered terms, initial appointments shall be: one member for one year; two members for two years; and two members for three years. The term of any member who is also a member of the planning commission shall be concurrent with his/her appointment to the planning commission. A new appointment shall be made by the city council for any unexpired term within 60 days after it becomes vacant.

(5) Commission Members – Conflict of Interests. No member shall participate in the selection, award, or administration of a contract, vote, participate or otherwise engage in any other conduct or action which would violate the terms of the applicable provisions of the Virginia State and Local Government Conflict of Interests Act, Sections 2.2-3100 through 2.2-3127 of the Code of Virginia.

(6) Commission Members – Removal. Any appointed member of the commission may be removed from office by the city council for inefficiency, neglect of duties, or malfeasance. An appointment to fill a vacancy shall be only for the unexpired term on the vacancy.

(7) Statement of the Commission's Powers and Responsibilities. The commission shall have the following powers:

(a) To issue or deny certificates of appropriateness for any material change in appearance including construction, reconstruction, exterior alteration, demolition, or relocation of contributing or noncontributing properties within the historic districts and for individually designated historic properties with the exceptions of ordinary maintenance and repair items listed in SCC 18.85.060;

(b) To assist and advise the city council, the planning commission, and other city departments, agencies, and property owners in matters involving historically significant sites and buildings or other properties in historic districts. Upon request of the commission and with approval of the city manager, the departments, agencies, boards, commissions, and other offices of city government shall furnish to the commission such available information and render it such service as may be required for the exercise of the powers and performance of the duties and functions of the commission. All city departments and agencies responsible for individually designated historic properties or for properties within an historic district shall make application to the commission for review and

recommendation for any project related to construction, reconstruction, substantial exterior alteration, demolition, or relocation;

(c) To continuously evaluate and recommend to the planning commission and the city council specific places, areas, neighborhoods, landscapes, sites, buildings, structures, or objects to be designated by ordinance as historic properties or historic districts;

(d) Adopt standards or guidelines for review and approval by the city council to supplement the standards set forth in this chapter;

(e) Conduct educational programs on historic properties and districts located within the city of Staunton and on general historic preservation activities;

(f) Prepare and submit an annual budget to the city council and seek out local, state, federal, or private funds for historic preservation with consent of the city council, and make recommendations to the city council concerning the most appropriate uses of any funds acquired;

(g) Receive donations, grants, funds, or gifts of historic property and acquire and sell historic properties. The commission shall not obligate the city of Staunton without prior consent and the commission shall ensure that these funds do not displace any appropriated governmental funds;

(h) Employ qualified persons, if necessary, to advise and assist the commission within the limits of funds that may be made available to the commission for the performance of its work;

(i) Review and make comments to the Virginia Department of Historic Resources concerning the nomination of districts and properties within its jurisdiction to the National Register of Historic Places and to the Virginia Landmarks Register with consent of the city council;

(j) Participate in private, state and federal historic preservation programs and with the consent of the city council enter into agreements to do the same; and

(k) Perform other historic preservation activities as the official agency of the city of Staunton's historic preservation program.

(8) Commission's Power to Adopt Rules and Standards. The commission shall adopt rules and standards for the transaction of its business such as bylaws and design guidelines and criteria without amendment to this chapter as approved by city council. The commission shall provide for the time and place of regular meetings and a method for the calling of special meetings. The commission shall select such officers as it deems appropriate from among its members. A quorum shall consist of a majority of the members.

(9) Records of Commission Meetings and Annual Report. A public record shall be kept of the commission's resolutions, proceedings, and actions and the commission shall make an annual

report with recommendations to the planning commission and the city council concerning the operation of the commission and the status of historic preservation within the city.

18.85.040 Recommendation and designation of historic districts.

(1) Preliminary Research by Commission.

(a) Inventory Map of Local Historical Resources Established. The commission shall prepare and recommend for adoption as a part of this chapter an inventory map covering the areas to be considered for inclusion as historic districts and/or historic properties and based upon the criteria set forth in this chapter. This map, hereinafter called the inventory map, when adopted shall be as much a part of this chapter as if fully described herein and shall be filed as a part of this chapter. All structures shall be considered as contributing or noncontributing structures for the purposes of this chapter. Structures or sites designated as properties which contribute to the historic character of the city shall be known as contributing properties for the purpose of this chapter. Structures or sites not designated as contributing properties shall be known as noncontributing properties. The inventory map may be amended from time to time in the same manner as the zoning district map. The commission shall compile and collect such information and conduct surveys of historic resources within the city of Staunton with the assistance of Historic Staunton Foundation.

(b) Commission's Power to Recommend Districts and Buildings to the City Council. The commission shall present to the city council recommendations for historic districts and historic properties.

(c) Commission's Documentation of Proposed Designation. Prior to the commission's recommendation of an historic district or historic property to the city council for designation, the commission shall prepare a report for nomination consisting of a completed National Register of Historic Places nomination or:

(i) A physical description;

(ii) A statement of the historical, cultural, architectural and/or aesthetic significance;

(iii) A map showing historic district boundaries and classification (i.e., contributing, noncontributing) of individual properties therein, or showing boundaries of individual historic properties;

(iv) A statement justifying district or individual property boundaries; and

(v) Representative photographs.

(2) Designation of an Historic District or Historic Property.

(a) Criteria for Selection of Historic District. An historic district is a geographically definable area, which contains buildings, structures, sites, objects, and landscape features or a combination thereof, which:

(i) Have special character or special historic/aesthetic value or interest;

(ii) Represent one or more periods, styles, or types of architecture typical of one or more eras in the history of the city, state, or region; and

(iii) Cause such area, by reason of such factors, to constitute a visibly perceptible section of the city.

(b) Criteria for Selection of an Historic Property. An historic property is a building, structure, site, or object, including the adjacent area necessary for the proper appreciation or use thereof, deemed worthy of preservation by reason of value to the city, state, or region, for one of the following reasons:

(i) It is an outstanding example of a structure representative of its era;

(ii) It is one of the few remaining examples of a past architectural style;

(iii) It is a place or structure associated with an event or persons of historic or cultural significance to the city, state, or the region; or

(iv) It is a site of natural or aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the city, state, or region.

(c) Boundaries of an Historic District or Historic Property. Boundaries of an historic district or an historic property shall be included in the separate ordinances designating such districts and properties and shall be shown on the official zoning map of the city of Staunton.

(3) Requirements for Adopting an Ordinance for the Designation of Historic Districts and Historic Properties.

(a) Application for Designation of Historic Districts or Property. Designations may be proposed by the city council, the planning commission, the commission, Historic Staunton Foundation, neighborhood associations, group of property owners, or individual property owners.

(b) Required Components of a Designation Ordinance. Any ordinance designating any property or district as historic shall:

(i) List each property in a proposed historic district or describe the proposed individual historic property;

(ii) Set forth the name(s) of the owner(s) of the designated property or properties;

(iii) Require that the property or district be shown on the official zoning map of the city of Staunton, Virginia, and kept as a public record to provide notice of such designation.

(c) Required Public Hearings for Designation. Requests for the designation of historic districts or historic properties or for the termination of any district or property designation previously created shall be made in the same manner provided in this title for the

amendment, supplementation or changing zoning designations, and the procedure for such amendments or designations and the establishment of such district shall be in accordance with the provisions of Section 15.2-2280 et seq., Chapter 22 of Title 15.2 of the Code of Virginia, as amended. Virginia Code Section 15.2-2285 contains the procedures for amending a local zoning code. It sets forth six basic steps for zoning amendments:

(i) The planning commission prepares the proposed amendment after consultation and a recommendation from the historic preservation commission;

(ii) The planning commission, after providing notice in accordance with Section 15.2-2204 of the Code of Virginia, holds a public hearing on the proposal;

(iii) The planning commission presents the proposal to the city council, with its recommendations;

(iv) The city council, after providing notice in accordance with Section 15.2-2204 of the Code of Virginia, holds a public hearing on the proposal;

(v) If the amendment is adopted, it must be enacted in the same manner as all other ordinances; and

(vi) Any person, firm, or corporation aggrieved by the decision may file an action contesting the city council's adoption or failure to adopt a proposed zoning amendment within 30 days of the decision in the circuit court which has jurisdiction of the land affected by the decision.

(d) Recording Requirement for Historic Districts or Historic Properties. Following the creation of each historic district or historic property, a copy of the resolution creating such district or property, and a boundary description of such district, shall be filed by the zoning administrator with the clerk of circuit court for the city of Staunton.

(e) Notification of Adoption of Ordinance for Designation. Within 30 days following the adoption of the ordinance codified in this chapter for designation by the city council, the owners of each designated historic property, and the owners and occupants of each building, structure, site, or object located within a designated historic district, shall be given written notification of such designation by the commission which notice shall apprise said owners and occupants of the necessity of obtaining a certificate of appropriateness prior to undertaking any material change in appearance of the historic property designated or within the historic district designated.

(f) Notification of Other Agencies Regarding Designation. The commission shall notify all necessary agencies within the city of Staunton of the ordinance for designation.

(g) Ordinance Relation to City Codes and Other Ordinances. Whenever the regulations of this chapter require more restrictive standards than are required in or under any other statute or ordinance, the requirements of this chapter shall govern. Whenever the

provisions of any other statute or ordinance require more restrictive standards than are required by this chapter, the provisions of such statute or ordinance shall govern.

(4) Designation of Existing Historic Districts.

(a) Upon the effective date of the adoption of the ordinance codified in this chapter, the following districts situated within the city of Staunton, Virginia, all of which are presently shown and registered with the Virginia Department of Historic Resources and the National Register of Historic Places and all of which are shown on the "Map of Staunton's National Register Historic Districts," a copy of which is on file at the city of Staunton's Department of Planning and Inspections, are hereby designated as historic districts, including:

(i) The Newtown Historic District;

(ii) The Stuart Addition Historic District;

(iii) The Beverley Historic District;

(iv) The Gospel Hill Historic District;

(v) The Wharf Historic District.

(b) Upon the effective date of the adoption of the ordinance codified in this chapter, the districts hereby created, as their boundaries are now shown on the "Map of Staunton's National Register Historic Districts," shall be overlaid onto the existing underlying zoning of such areas on the official zoning map of the city of Staunton.

18.85.050 Application to commission for certificate of appropriateness.

(1) Approval of Material Change in Appearance in Historic Districts or Involving Historic Properties. After the designation by ordinance of an historic property or of an historic district, no material change including construction, reconstruction, exterior alteration, demolition, or relocation that affects the appearance of such historic property, or of a contributing or noncontributing building, structure, site or object within such historic district, shall be made or be permitted to be made by the owner or occupant thereof, unless or until the application for a certificate of appropriateness has been submitted to and approved by the commission. A certificate of appropriateness shall be required whether or not a building permit is required. Ordinary maintenance and repair items such as those listed in SCC 18.85.060 are exempt from review.

(2) Pre-Application Conference With Staff. Prior to the formal submission of a proposed plan of erection, demolition, alteration, or removal of buildings controlled by this chapter, the applicant or his or her representative is encouraged to meet with the designated staff of the commission concerning the proposed plan of action and submit unofficial preliminary studies, a written description, drawings, photographs, and plans of the concept of the proposed action for tentative review, comments, and recommendations.

(3) Submission of Plans to Commission. An application for a certificate of appropriateness shall be accompanied by a written description, drawings, photographs, plans, and documentation as required by the commission and as further set forth on the application for the certificate of appropriateness. Upon the filing of a complete application and the payment of the application fee no later than the first Tuesday of the month, the application shall be considered at that month's commission meeting. An application filed or application fee paid after such first Tuesday shall cause such application to be considered at the following month's commission meeting.

(4) Interior Alterations. In its review of applications for certificate of appropriateness, the commission shall not consider interior arrangement or use having no effect on exterior architectural features.

(5) Technical Advice. The commission shall have the power to seek technical advice from outside its members on any application subject to funds being available for such purposes.

(6) Public Meetings on Applications for Certificate of Appropriateness, Notices, and Right to Be Heard. The commission shall hold a public meeting at which each proposed certificate of appropriateness is discussed. Notice of the meeting shall be emailed by the commission to all owners and occupants of the proposed property. The commission shall give the property owner and/or applicant and any other interested party an opportunity to be heard at the meeting.

(7) Commission Options. The commission may approve the certificate of appropriateness as proposed, approve the certificate of appropriateness with any modifications it deems necessary, or reject it.

The commission shall approve the application and issue a certificate of appropriateness if it finds that the proposed material change(s) in the appearance would not have a substantial adverse effect on the aesthetic, cultural, historic, or architectural significance and value of the historic property or the historic district. In making this determination, the commission shall consider, in addition to any other pertinent factors, the following criteria for each of the following acts:

(a) Rehabilitation, Restoration, Reconstruction, Additions, Alteration, or New Construction~~, or Renovation~~. The commission shall issue certificates of appropriateness for the above proposed actions if those actions conform in design, scale, building material, setback and landscaping and to the Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties and the Staunton Historic District Design Guidelines.

(b) Relocation Criteria. A decision by the commission approving or denying a certificate of appropriateness for the relocation of a building, structure, or object shall be guided by:

(i) The historic, scenic, cultural, aesthetic or architectural significance of the building, structure, site, or object.

(ii) The importance of the building, structure, site, or object to the ambiance of a district.

(iii) Whether there are definite plans for the property to be vacated and what the effect of those plans on the character of the surrounding area will be.

(iv) Whether the building, structure, or object can be moved without significant damage to its physical integrity.

(v) Whether the proposed relocation area is compatible with the scenic, cultural, aesthetic, historical, and architectural character of the building, structure, site, or object.

(c) Demolition Criteria. A decision by the commission approving or denying a certificate of appropriateness for the demolition of buildings, structures, sites, or objects shall be guided by:

(i) The historic, scenic, cultural, aesthetic or architectural significance of the building, structure, site, or object.

(ii) The importance of the building, structure, site, or object to the ambiance of a district.

(iii) The difficulty or the impossibility of reproducing such a building, structure, site, or object because of its design, texture, material, detail, or unique location.

(iv) Whether the building, structure, site, or object is one of the last remaining examples of its kind in the neighborhood or the city.

(v) Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what the effect of those plans on the character of the surrounding area would be.

(vi) Whether reasonable measures can be taken to save the building, structure, site, or object from collapse.

(vii) Whether the building, structure, site, or object is capable of earning reasonable economic return on its value.

(d) Applications for Demolition. In the case of an application for demolition, if preservation is found by the commission to be physically or economically unfeasible, the commission shall issue the certificate of appropriateness. If preservation is found to be both physically and economically feasible, the commission shall take or promote the taking of whatever public or private action that seems likely to lead to such preservation, either on the site on which the structure is located or on another site to which it might appropriately be moved. Where preservation is feasible but the applicant still seeks demolition, the following provisions of subsection (7)(a)(v), Right to Demolish, from the Code of Virginia may be undertaken while alternatives for preservation are sought.

(e) Right to Demolish. The owner of an historic property or the owner of a building, structure, site, or object in any historic district, shall, as a matter of right, be entitled to raze or demolish such building, or structure; provided, that:

(i) The owner has applied to the commission for such right. If the demolition request is denied by the commission, the owner may appeal this decision to the city council;

(ii) The owner has, for the period of time set forth in the same schedule hereinafter contained and at a price reasonably related to its fair market value, made a bona fide offer to sell such building, structure, site, or object, and the land pertaining therein to such city or municipality or to any person, firm, corporation, government, or agency thereof, or political subdivision or agency thereof, which gives reasonable assurance that it is willing to preserve and restore the building, structure, site or object, and the land pertaining thereto;

(iii) No bona fide contract, binding upon all parties thereto, shall have been executed for the sale of any such building, or structure, and the land pertaining thereto, prior to the expiration of the applicable time period set forth in the time schedule hereinafter contained. Any appeal which may be taken to the court from the decision of the city council, whether instituted by the owner or by any other proper party, notwithstanding the provisions heretofore stated relating to a stay of the decision appealed from, shall not affect the right of the owner to make the bona fide offer to sell referred to above;

(iv) No offer to sell shall be made more than one year after a final decision by the city council, but thereafter the owner may renew his request to the commission to approve the demolition of the historic landmark, building, or structure. The time schedule for offers to sell shall be as follows: three months when the offering price is less than $25,000; four months when the offering price is $25,000 or more but less than $40,000; five months when the offering price is $40,000 or more but less than $55,000; six months when the offering price is $55,000 or more but less than $75,000; seven months when the offering price is $75,000 or more but less than $90,000; and 12 months when the offering price is $90,000 or more.

(f) Undue Hardship. The commission shall have the power to reduce or suspend any of the requirements of this chapter, if the property presents special circumstances whereby the strict compliance of this chapter will produce an undue hardship or if the spirit of the chapter has been met and deviation has been deemed to be in the best interest of the city.

(g) Approval or Rejection of Application for Certificate of Appropriateness. The commission shall approve or reject an application for a certificate of appropriateness at the meeting when the item is heard as prescribed in subsection (3) of this section. Failure of the commission to act shall constitute approval, and the certificate of appropriateness shall be issued, unless the applicant agrees to an extension of time in writing. Evidence of approval shall be by a certificate of appropriateness issued by the commission. Notice of the issuance of approval or denial of a certificate of appropriateness shall be sent by the United States mail or electronically to the applicant and all other persons who have requested such

notice in writing filed with the commission. ~~within 15 calendar days of the date of the decision.~~

(h) Necessary Action to be Taken by the Commission upon Rejection of Application for Certificate of Appropriateness.

(i) In the event the commission rejects an application, it shall state its reasons for doing so, and shall transmit a record of such actions and reasons, in writing, to the applicant. The commission may suggest alternative courses of action it thinks proper if it disapproves of the application submitted. The applicant, if he or she so desires, may make modifications to the plans and may resubmit the application at any time after doing so.

(ii) In cases where the application covers a material change in the appearance of a structure which would require the issuance of a building permit, the rejection of the application for a certificate of appropriateness by the commission shall be binding upon the building official or other administrative officer charged with issuing building permits and, in such a case, no building permit shall be issued.

(i) Requirement of Conformance with Certificate of Appropriateness. All work performed pursuant to an issued certificate of appropriateness shall conform to the requirements of such certificate. When a certificate of appropriateness has been issued, the zoning ~~building official may~~administrator, may from time to time inspect the material changes, alteration, or construction approved by such certificate and shall give prompt notice to the applicant of any work not in accordance with such certificate or violating any ordinances of the city. The ~~building~~ zoning administrator~~official~~ may revoke the certificate ~~or the building permit~~ if violations are not corrected by the applicant in a timely manner. The building official may place a hold on any building permits until the violation is corrected.

(j) Certificate of Appropriateness Time Constraints.

(i) Certificates of appropriateness shall be issued for a period of 12 months. On written request from an applicant, the commission may grant a single extension of its approval for a period of up to one additional year if, based upon submissions from the applicant, the commission finds that conditions on the site and in the area of the proposed project are essentially the same as when approval originally was granted.

(ii) Any certificate of appropriateness shall also expire and become null and void if such authorized work is suspended or abandoned for a period of 12 months after being commenced. Any period or periods of time during which the right to use any such certificate or permit is stayed pursuant to this chapter shall be excluded from the computation of the 12 months.

(k) Recording of Applications for Certificate of Appropriateness. The commission shall keep a public record of all applications for certificates of appropriateness, and of all the commission's proceedings in connection with said application.

(l) Acquisition of Property. The commission may, where such action is authorized by the city council and is reasonably necessary or appropriate for the preservation of a unique historic property, enter into negotiations with the owner for the acquisition by gift, purchase, exchange, or otherwise, to the property or any interest therein.

(m) Exception to Guidelines. The commission may, when there is a conflict in the local zoning ordinance and historic district design guidelines, and there is substantial justification, deviate from the Staunton Historic District Design Guidelines when approving a certificate for proposed alterations if the exception does not change the character of the district. Reasons for the approval shall be noted in the motion.

(n~~m~~) Appeals.

(i) An appeal from a decision of the commission may be taken to the city council by the owner of the property in question or by any person, firm, or corporation aggrieved by said decision. This appeal must be filed within 30 days of the commission's decision and the city council will hear such appeal at its next regularly scheduled meeting to be held at least 14 days after the appeal is filed. In exercising its powers, the city council may, in conformity with the provisions of this chapter, reverse or affirm, wholly or partly, or may modify, any order, requirement, decision or determination appealed from and make such order, requirement, decision or determination as ought to be made and to that end shall have all the powers of the commission.

(ii) If the city council fails to approve the application, an appeal may be filed by the property owner or any aggrieved person, firm, or corporation with the Staunton Circuit Court within 30 days of the city council decision.

(o~~n~~) Notwithstanding the foregoing, however, a certificate of appropriateness may be granted ~~for signs~~ by the zoning administrator without submission to the commission as a whole unless, in the discretion of the zoning administrator, the application should be reviewed by the whole commission for the following:

~~.~~(i) Installation of signage.

(ii) Screening of mechanical equipment.

(iii) Removal of vinyl or metal siding on a building to expose the original siding.

(iv) Removal of gutters to install metal, half round gutters.

Appeals from the decision of the zoning administrator hereunder shall be processed as set forth in subsection (7)(n~~m~~) of this section.

18.85.060 Maintenance and zoning code provisions.

(1) Ordinary Maintenance or Repair. Ordinary maintenance or repair of any exterior architectural or environmental feature in or on an historic property or a building, structure, site or object within an historic district to correct deterioration, decay or damage, or to sustain the

existing form, and that does not involve a material change in design, material or outer appearance thereof, does not require a certificate of appropriateness.

Such actions shall include the following and any similar actions which in the opinion of the commission or its designated staff will have no more effect on the character of the district than those listed:

(a) Repainting resulting in the same or in a different color. (Products causing alteration and potential damage of exterior surfaces including application of liquid siding products and o~~O~~riginal painting of masonry surfaces is not exempted from review.)

(b) Replacing broken window panes, missing roof shingles, or documented missing features with matching in-kind materials.

(c) Addition or deletion of storm windows and doors, window-box gardens, awnings, temporary canopies, window air conditioners, or similar appurtenances.

(d) Addition or deletion of television or radio antennas, skylights or solar collectors in locations not visible from a public street.

(e) Planting of grass, trees and shrubs, but not including landscape treatment which substantially alters the contour of a site or involves landscaping or construction of parking areas, fences, walls, walkways, pools, fountains and the like which materially affect the appearance of a site and which is visible from a public street.

(f) Any changes to a structure which are not visible from a public street.

Provided, however, that the commission or designated staff shall have authority to order that work be stopped and that an appropriate application be filed for review in any case where in his/her opinion the action may produce the loss or irreparable changes to character-defining features of the building or arresting and spectacular effects, violent contrasts of materials or colors and intense and lurid colors or patterns, or a multiplicity of incongruous details clearly inconsistent with the character of the present structures or with the prevailing character of the surroundings and the historic district.

(2) Failure to Provide Ordinary Maintenance or Repair. Property owners of historic properties or properties within historic districts shall not allow their buildings to deteriorate by failing to provide ordinary maintenance or repair. The commission shall be charged with the following responsibilities regarding deterioration by neglect:

(a) The commission shall monitor the condition of historic properties and existing buildings, structures, sites, and objects in historic districts to determine if they are being allowed to deteriorate by neglect.

Examples of such decay, deterioration or defects which, in the opinion of the commission, may result in the irreparable deterioration of any exterior appurtenance or architectural feature or

produce a detrimental effect upon the character of the district as a whole or upon the life and character of the structure itself, include but are not limited to:

(i) The deterioration of exterior walls or other vertical supports;

(ii) The deterioration of roofs or other horizontal members;

(iii) The deterioration of exterior chimneys;

(iv) The deterioration or crumbling of exterior plaster or mortar;

(v) The ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors;

(vi) The peeling of paint, rotting, holes and other forms of decay;

(vii) The lack of maintenance of surrounding environment, e.g., fences, gates, sidewalks, steps, signs, accessory structures, and landscaping;

(viii) The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions; or

(ix) Signs that are not in good condition may be removed by the building official if not repaired by the owner within six months of a written request.

(b) In the event the commission determines a failure to provide ordinary maintenance or repair, the commission will notify the owner of the property and set forth the steps which need to be taken to remedy the situation. The owner of such property will have 30 days in which to begin corrective action of the situation and completion shall be done in a timely manner. Thereafter, each day during which there exists any violation of this chapter shall constitute a separate offense and shall be punishable as provided in Division IV of this title.

(c) In addition to the remedies set forth above and, at the direction of the city council, the commission may request that staff after due notice to the owner, to enter the property and make or cause to be made such maintenance or repair as is necessary to prevent deterioration by neglect. The owner of the property shall be liable for the cost of such maintenance and repair performed by the commission and staff. If these costs are not paid by the owner within 60 days, a lien shall be placed against the property.

(3) Affirmation of Existing Building and Zoning Codes. Nothing in this chapter shall be construed as to exempt property owners from complying with existing city building and zoning codes, nor to prevent any property owner from making any use of his property not prohibited by other statutes, ordinances or regulations.

PLANNING COMMISSION

AGENDA BRIEFING

Staunton, VA

Meeting Date:	**February 20, 2025**	**Staff Members:** **Tim Hartless** **Planning Manager**
Item #	**3-D**	
Ordinance #		
Department:	**Community Development – Planning and Zoning**	
Subject:	**Authorization for an Amendment to Chapter 18.50 P-1, Professional District, of Title 18, Zoning, of the Staunton City Code**	

Background: Melissa Swan has requested a zoning text amendment to allow florist shops as a use permitted on review in the P-1, Professional District. The Applicant recently purchased property at 2010 N Augusta Street with the intention of relocating her business, Honey Bees Florist; however, 2010 N Augusta Street is zoned P-1, Professional District, and florist shops are not a permitted use in the district. If SCC 18.50 is amended to allow florist shops as a use permitted on review, a Special Use Permit could be approved to allow Honey Bees to operate at this location. Florists are permitted in business districts as a "shop for the conduct of retail business". Staff is opposed to florist shops as a by-right use in a professional zoning district, but is willing to support florist shops as a use permitted on review. Not all professional districts are suitable for retail sales but some areas could be compatible with small scale retail such as the area where the Applicant wishes to relocate.

Attachments:
Attachment 1 – Application and Letter from the Owner

Recommendation: Staff recommends Planning Commission authorize staff to work with the Applicant on the proposed amendments.

Suggested Motions: On the basis that the amendment would serve the interests of public necessity, convenience, general welfare, and good zoning practice, I move that Planning Commission authorize staff to work with the Applicant to draft the necessary amendment to SCC 18.50, P-1 Professional District.

Attachment 1

Judith Wiegand
Chair, City of Staunton Planning Commission
City Hall
116 W Beverly Street
Staunton, Virginia 24401

RE: Zoning Text Amendment Request to Permit Florist Shops in the Professional (P-1) Zoning District

Dear Ms. Wiegand,

Thank you for your time and attention as I present an important matter for your consideration. My name is Melissa Swan and I am the owner of Honey Bee's Florist, Inc., an award-winning local florist shop that has served the local Staunton community for nearly 20 years. Since 2006, Honey Bee's has supplied and curated high quality flowers and floral arrangements to both Staunton residents and local organizations including the Staunton Police Department, the Staunton Sheriff's Office, Henry, Coffman & Bear Funeral Homes, the Staunton Volunteer Fire Department, the Staunton Augusta Rescue Squad, Staunton High School, and local churches, just to name a few important community-focused institutions.

Historically, Honey Bee's has operated at 2211 N. Augusta Street in the Terry Court Shopping Center. Recently, I leased the building that housed the Staunton Eye Clinic (a medical office building located at 2010 N. Augusta Street (the "Property"). Honey Bee's needed a larger store footprint to better serve the Staunton community. The Property is within walking distance to the Terry Court Shopping Center and is located on Route 11/ N. Augusta Street.

Given the Property's location on a busy Route 11 and its former use by the busy Staunton Eye Clinic, we assumed that Honey Bee's could properly operate here. Unfortunately, we found out soon after signing the lease for the Property that the Professional (P-1) zoning district in which the Property is located does not permit florist shops either by-right or by special use permit. After discussions with City planners, I learned that I could request this zoning text amendment which would add a "florist shop" as a by-right use within the P-1 zoning district. Respectfully, the requested use would fit seamlessly with the existing, nearby uses, including the adjacent residential uses, and will allow our long-established Staunton florist to flourish and continue to serve the greater Staunton community.

Though some might think of a florist shop as a retail business, florist shops (and Honey Bee's in particular) are far less impactful than another retail business. Of note, a florist shop such as Honey Bee's makes far more of its sales by delivery than by walk-in customers. This means that there will be less traffic than another retail business. Nevertheless, we researched the trip generation for a retail use pursuant to the standards established by the Institute of Traffic Engineers and found that even if the Property were to be used as an ordinary retail establishment (without the offsetting reduction in traffic owing to the volume of offsite floral deliveries that are common with a florist shop), the difference in traffic volumes would be nominal. As the chart below reflects, a retail use like Honey Bee's would be expected to generate two *fewer* trips in the AM peak hour, only seven more trips in the PM peak hour and only forty-eight more trips over the course of a weekday. It is very likely that there would be no discernable difference in traffic volumes owing to the change in use from the Staunton Eye Clinic to Honey Bee's.

Land Use	ITE Code	Size	Units	--- Weekday ---						Weekday
				AM Peak			PM Peak			
				In	Out	Total	In	Out	Total	Total
Medical										
Medical-Dental Office	720	2.583	kSF	6	2	8	3	7	10	93
Total Medical Office Trips		**2.583**	**kSF**	**6**	**2**	**8**	**3**	**7**	**10**	**93**
Retail										
Strip Retail	822	2.583	kSF	4	2	6	9	8	17	141
Total Retail Trips		**2.583**	**kSF**	**4**	**2**	**6**	**9**	**8**	**17**	**141**
Difference (Retail - Medical)				**-2**	**0**	**-2**	**6**	**1**	**7**	**48**

The Zoning Ordinance requires that a Zoning Text Amendment ("ZTA") request analyze the four factors outlined in Section 18.215.060. The analysis provided below demonstrates that amending the P-1 district to allow florist shops is a suitable and appropriate amendment for the City's consideration.

a. The proposed amendment shall be necessary because of substantially changed or changing conditions of the area and districts affected, or in the city generally.

The continued growth of the business community necessitates the inclusion of the florist shop use within the P-1 district. The move from Honey Bee's current and historical location just up the street from the Property will allow the more efficient use of City properties and the growth of the Staunton business community, which includes Honey Bee's. As the area continues to develop, and professional businesses contemplate the most strategic site for operations, the City should contemplate additional, low impact uses to the P-1 district that support the purpose and intent of the district and the comprehensive plan. The proposed florist shop use, though not contemplated in the P-1 district, provides the City with a unique opportunity to increase the value of surrounding properties without the introduction of a potentially incompatible high-traffic generating use.

b. The proposed amendment shall be consistent with the intent and purpose of this title.

In accordance with Section 18.50.010 of the Ordinance, the purpose of the P-1 district is to promote and encourage the reuse of undesirable residential buildings into compatible community serving uses that will not detriment the surrounding properties. A florist shop use is appropriate given its scale and operation. Importantly, due to the nature of the business, florist shops are more likely to utilize delivery services, as opposed to traditional in-store retail traffic, minimizing vehicular traffic to the use. The zoning text amendment requested continues to realize the purpose and intent of the P-1 district which is to revitalize undesirable residential uses with compatible and attractive uses.

c. The proposed amendment shall not adversely affect any other part of the city, nor shall any direct or indirect adverse effects results from such amendment.

The proposed amendment will not adversely affect the surrounding neighborhood, or otherwise negatively affect the use and operation of the neighboring uses. Florist shops are wholly operational within the building footprint, and do not require any outdoor displays or storage eliminating visual impacts to the site from neighboring uses. Additionally, the operation of florist shops (and the heavy reliance on deliveries) leads to far fewer vehicular trips than what is generated

with traditional retail uses. As referenced above, a florist shop is expected to generate only 48 more total weekday trips (or 2 *fewer* trips in the AM peak and 7 more trips in the PM peak) than the existing medical office use. The trips generated by a florist shop pale in comparison to the trips that could be generated by a hospital or funeral home, both of which are permitted uses in the P-1 district. The proposed use will have a minimal impact on the existing, nearby uses.

d. The proposed amendment shall be consistent with and not in conflict with Staunton's master plan.

The proposed zoning text amendment request is consistent with the Staunton master plan. The Property is part of the "Professional" land use designation which "encourages development, reuse, and redevelopment of professional properties in a manner which is compatible with adjacent residential properties and maintains the residential character of the area in question" (page 2-13). The requested amendment does not change the nature or character of the building. Instead, the amendment seeks to permit a compatible, innocuous use to a land use designation already permitting low-density professional uses.

For the reasons stated herein, I respectfully request an opportunity to submit a zoning text amendment request to permit the development of florist shop uses in the Professional District. Thank you for your time and attention.

Sincerely,

Melissa Swan
Honey Bee's Florist, Inc.
2211 N. Augusta St. Staunton, Va 24401 &

Swans Properties, LLC
2010 N. Augusta St. Staunton, Va 24401