

**WINFIELD PLANNING COMMISSION  
MINUTES  
October 3, 2011**

President William Davis on October 3, 2011 at 7:00 PM at Winfield City Hall, Winfield, West Virginia, called the Winfield Planning Commission meeting to order.

**Members Present:**

Diann Hodges, Dale Vance, William Davis, Jerald Murray, George Armstrong, Terri O'Connor

**Members Absent:**

Chris Legg, Elmer Young,

**Staff Present:**

Randy Barrett – Mayor, Laura Cox – Planning Director, Jessie Parker – Town Engineer, Tim LaFon – Town Attorney, Gloria Chapman – Town Clerk

**Staff Absent:**

Jackie Hunter – Town Recorder

**Public Present:**

Yvonne Mattocks, Dick Whitney, John Payne, Courtland Smith

Ms. Mattocks addressed the Planning Commission with her concerns relating to the building permit process and contractor licensing.

**Minute Approval:**

Motion to approve the minutes of the September 12, 2011 meeting of the Winfield Planning Commission made by George Armstrong. Motion seconded by Diann Hodges. Motion carried.

**Public Hearing:**

2011-2012-02- Conditional Permit Application - The application of The City of Winfield seeking a conditional permit to allow a government building in an R1 District per article 1347.04 (e) of the codified ordinances of the City of Winfield.

President William Davis opened the hearing at 7:20 PM. The legal publication was read into record by President Davis who then called for the applicant or representative to present their case.

Dick Whitney addressed the commission as representative of the Winfield Municipal Building commission and the City of Winfield.

President Davis asked the commission if they had any questions for Mr. Whitney. Discussion followed as to the particular future use of this building, conditional permit requirements and if a community center is considered a governmental entity.

President Davis asked if anyone in attendance wished to speak in favor of or against the applicant. No response was forthcoming. President Davis then asked if the City of Winfield received any correspondence for or against the conditional permit application. No correspondence received.

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President Davis asked Planning Director, Laura Cox to present the staff report. Ms. Cox stated that while the property in question is zoned for single family residential use no dwelling was ever built on it and it has in the past been used for non-residential purposes similar to those anticipated by the applicant. The conditional use permit, if granted, would allow for this particular use (a government building) by this specific applicant (the City of Winfield). Should either the proposed use or owner change this permit would no longer be valid.

Staff recommends that the Planning Commission consider all comment received in the public hearing. Staff notes that should the applicant propose the use of a portion of the site for use as a public park, such a use is allowed by right in the R-1 district

President Davis declared the Public Meeting closed at 7:31 PM. Motion made by Jerald Murray to approve the conditional permit application to allow a government building in an R1 District per article 1347.04 (e) of the codified ordinances of the City of Winfield. Motion seconded by Dale Vance. Motion carried.

### **Public Hearing:**

2011-2012-03 – Rezoning Application - The application of The City of Winfield requesting rezoning of three parcels of land from R1 – C2 (Route 817 frontal property only) and C1 (remaining two lots).

President William Davis opened the hearing at 7:32 PM. The legal publication was read into record by President Davis who then called for the applicant or representative to present their case.

Dick Whitney addressed the commission as representative of the Winfield Municipal Building commission and the City of Winfield requesting the rezoning of the following parcels to make them more viable for future use:

R-1 District to C-2 District, 3.34 acres on grade with Route 817 with approximately 560 feet of frontage along the highway. Total acreage includes two right of ways resulting in net acreage of 2.93. This property is currently vacant.

R-1 District to C-1 District, 7.84 acres that is the site of the existing sanitary sewer plant close to Route 817.

R-1 District to C-1 District, 8.361 acres located behind the Subway Sandwich Shop on Route 817 being 5.932 acres above river bank and 2.429 acres below river bank. This property is currently vacant.

President Davis asked the commission if they had any questions for Mr. Whitney. Discussion followed as to the future use of these parcels and the possible consequences of C-2 District zoning as compared to C-1.

President Davis asked if anyone in attendance wished to speak in favor of or against the applicant. No response was forthcoming. President Davis then asked if the City of Winfield received any correspondence for or against the rezoning application. No correspondence received.

President Davis asked Planning Director, Laura Cox to present the staff report. Ms Cox stated that although not yet officially adopted by the city, The Land Use chapter of the Draft Comprehensive Plan states “The areas between the River and Route 817 are planned for Suburban and High Density Commercial uses.” The parcels are adjoining and abut an existing commercial development.

Staff recommends that the Planning Commission consider all comment received in the public hearing. Staff also recommends that the Planning Commission recommend approval of this application to the City Council based upon the following:

- 1) A finding that the rezoning of these parcels from R-1 to C-2 and C-1 would result in the expansion of an existing commercial district and be in the spirit of the existing neighborhood.
- 2) Such a rezoning would be in conformance with both the intent of the proposed Comprehensive Plan and the established long range planning efforts of the city.

President Davis declared the Public Meeting closed at 7:46 PM. Motion made by Jerald Murray to recommend approval of this application to the City Council based upon the staff comments. Motion seconded by Dale Vance. Motion carried 5 to 1. It is noted George Armstrong opposed the rezoning and voted No.

**Staff Actions/Reports:**

Planning Director reported on September 2011 monthly activity.

**Old Business:**

1. **Craig – Drainage – Cash Lane - Attorney Report**  
No change. Mediation scheduled for October 20, 2011
2. **Town of Winfield Comprehensive Plan-Update**  
No change. Presentation to Planning Commission rescheduled for November or December of this year. Complete draft being reviewed by Mike Dougherty of the WVU Extension Service.
3. **FEMA – Town Floodplain Mapping and Ordinance - Update**  
No change. New maps effective February 2012 received in office.
4. **Alleged property violation, Wehrle Jr. – Attorney Report**  
No change. Waiting on written order from Judge.
5. **Discussion of Amendment to Article 1717.11 Building Permit Fees**  
Additional research on other municipalities for comparison and possible recommendation necessary.

**New Business:**

**Good of the Order:**

Mayor Randy Barrett reports that the City of Winfield has agreed to join the Town of Eleanor by sponsoring REACH Work camps for teenagers. This summer church youth groups will be working in the City of Winfield area doing home repairs.

**Adjournment:**

Motion to adjourn by Jerald Murray at 8:35 PM until the next regular scheduled meeting for November 7, 2011 at 7:00 PM.

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William Davis, President

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Terri O'Connor, Secretary