

WINFIELD PLANNING COMMISSION

MINUTES

March 1, 2021

7:00 p.m.

Chairman William Davis called the meeting of the Winfield Planning Commission to order on March 1, 2021 at 7:00 p.m. at Winfield City Hall, 12448 Winfield Road, Winfield, WV.

Members Attending: Bill Davis, Diann Hodges, Dave Dean, Sean Loyd, Vee Brown and Jason Crane

Members Absent: None

Staff Present: Mayor, Randy Barrett, Angie Hodges, Secretary, Laura Cox, Planning Director, Tim Lafon, City Attorney, Jackie Hunter, Recorder, Richie Ferguson, Building Inspector, Tina Woollard, Office Manager and Dana Campbell, City Council

Staff Absent: None

Public Present: Dale Vance, Kevin Johnson and Brian Wood

Approval of Minutes: Motion to approve the Minutes of the February 8, 2021 meeting made by Dave Dean. Motion carried.

Staff Action/Reports:

4 Residential Building permits and 0 Commercial Building Permits and 0 Permit Extensions were issued between February 1, 2021 through February 22, 2021.

UNFINISHED BUSINESS

None

NEW BUSINESS

Public Hearing

Opened at 7:05 p.m.

Closed at 7:35 p.m.

Application 2020-2021-6 of C&E LLC requesting to subdivide to create 11 lots. Property is zoned C-1 Suburban Commercial and is located at 11495 Winfield Road.

President Bill Davis opened the public hearing at 7:05 p.m. Mayor Randy Barrett then called the applicant, Eric Moore, and placed him on speaker phone, as Mr. Moore was unable to attend the meeting due to flooding at his home. President Davis read the legal publication into record and then called for the applicant or representative to speak on behalf of the subdivision application.

Eric Moore, on behalf of C&E LLC, stated that he intends to subdivide the property into 11 lots to build 10 townhomes that will be sold. The proposed townhomes, Platinum Estates, will have 3 bedrooms, 2 baths, and garages. The entrance and exit will be a one way private street, with each home having a concrete patio facing State Route 817 and a sidewalk running continuously along the length of the property.

President Davis called for those in favor of the application to speak and present their evidence. No response. President Davis then called for those opposed to the application to present their evidence. Brian Wood, of Riverdale Estates, asked Mr. Moore if he lived in Putnam County and if he had built townhomes like these before. Mr. Moore answered no to each. Mr. Wood then asked if the sidewalk would be placed in the DOH right of way and if the ditch between the sidewalk and the property would be filled or left open. He also asked about screening of the patio area since they will face State Route 817.

Mr. Moore stated the patio areas will be separated with white vinyl fence and they can install the same fencing across the front so that the patio area can be shielded from State Route 817. The sidewalk will be built to City and DOH standards and filling or leaving the ditch line open would be addressed when construction begins. Mr. Moore stated that there will be a homeowners association for the townhomes that will have rules regarding fences, accessory structures etc...

City Attorney, Tim Lafon stated that this hearing is for subdivision only. It is not for the Planning Commission to decide construction, layout, details etc...of the townhomes.

President Davis then asked if any comments, verbal or written were received for or against this publication. It is noted, no comments, verbal or written were received prior to this hearing.

Kevin Johnson asked if the property line south of the townhomes, that joins his property, has been marked and that he will pay for a survey if the lines are not clear. Mr. Johnson also stated he had concerns regarding slipping on his side. Mr. Johnson wants it noted that he has concerns with slipping, if the hillside is disturbed.

Mr. Moore stated that Randolph Engineering was working on the plans and they had surveyed the property and the south end would not be disturbed due to possible slipping. He is aware of the hillside and there is no intention to disturb it due to Mr. Johnson's home being on that end. There is talk of possibly building a small, fenced play area on the south end. Mr. Moore has hired Randolph Engineering to prepare plans for drains and ditching.

President Davis asked for the staff recommendation from Planning Director Laura Cox. Staff recommends that the Planning Commission consider all public comments received in the public hearing. Staff has reviewed this application and has commented on the following: since the development of this subdivision requires the construction of infrastructure improvements (roadway, Sidewalks, storm sewer etc...) final subdivision approval will be dependent upon satisfactory completion of these improvements. Staff also recommends that the Planning Commission approve this preliminary plat application and that this approval be based upon a finding by the Commission that it is in conformance with Article 1305.01 of the Zoning Ordinance.

President Davis asked if the commission had any comment on the Planning Director's recommendation and if Mr. Moore had any comments. There were none; President Davis closed the

public hearing at 7:35 p.m. and asked for a motion to vote on the subdivision. Member, Sean Loyd commented that he was uncomfortable voting without clarification of the sidewalk and the screening of the patio areas. Attorney, Tim Lafon commented that the hearing was to subdivide the property and not decide details of what was being built. The building code regulations would dictate the details of the townhomes. President Davis then asked again for a motion to approve or disapprove the subdivision. Attorney Tim Lafon stated, if no motion is made, Mr. Moore would need to reapply for the subdivision. Member, Diann Hodges said she would rather see townhomes built rather than a commercial business. Member, Vee Brown stated that she had no problem with the application; she made a motion to approve. The motion carried with five members voting to approve and member, Sean Loyd voting not to approve.

Public Hearing

Opened at 7:45 p.m.

Closed at 7:48 p.m.

Application 2020-2021-4 of Stoneridge Development requesting permission to subdivide to create 1 lot. Property is zoned C-1 Suburban Commercial and located at 12546 Winfield Road and Bowyer Lane.

President Bill Davis opened the public hearing at 7:45 p.m. and read the legal publication into record; then called for the applicant or representative to speak on behalf of the subdivision application.

Dale Vance, on behalf of Stoneridge Development, stated that the subdivision was to even the boundary lines to the right of Bowyer Lane. This would allow RV's to be parked to the left of Bowyer Lane. Moving the RV's will free up space to construct climate-controlled storage buildings.

President Davis then asked if any comments, verbal or written were received for or against this publication. It is noted, no comments, verbal or written were received prior to this hearing.

President Davis asked for the staff recommendation from Planning Director Laura Cox. Ms. Cox stated that staff has reviewed this application and finds that the plans submitted to the City were missing minimum information. The applicant's engineer was made aware, was forwarded a checklist and as of the writing of the report there had been no further communication with them. Since the development of this subdivision requires the construction of infrastructure improvements, final subdivision approval will be dependent upon satisfactorily completion of these improvements. Staff recommends that the Planning Commission consider all public comments received in the public hearing. Staff further recommends that the Planning Commission not approve this preliminary plat application until the questions raised in this report are addressed to its satisfaction. Ms. Cox then changed her recommendation, due to new plans submitted, and asked the commission to approve the application.

President Davis closed the public hearing at 7:48 p.m. and asked for a motion to approve the application. Member Dave Dean made a motion to approve; motion carried.

Public Hearing

Opened at 7:50 p.m.

Closed at 7:55 p.m.

Application 2020-2021-5 of Stoneridge Development requesting permission under Article 1351.04(f) of the Planning & Zoning Code to allow the use of warehousing/storage for a parcel located at 12546 Winfield Road and Bowyer Lane.

President Bill Davis opened the public hearing at 7:45 p.m. and read the legal publication into record and then called for the applicant or representative to speak on behalf of the conditional use application.

Dale Vance, on behalf of Stoneridge Development, asked the commission to allow the warehousing use of one 200x80 climate controlled building and two other buildings to store boats and RV's indoors.

Attorney Tim Lafon reminded the commission that if this conditional use permit is approved and if the property would be sold, the permit doesn't go with the C1-commercial zoning. The approval of this permit is only for this use and this owner.

President Davis then asked if any comments, verbal or written were received for or against this publication. It is noted, no comments, verbal or written were received prior to this hearing.

President Davis then asked for the staff recommendation from Planning Director Laura Cox. Ms. Cox stated that this conditional use permit, if approved, would result in the expansion of an already established warehouse district. Also, the approval of this application is dependent upon the prior approval of Preliminary Subdivision Application 2020-2021-4 to create the parcel upon which the requested use is proposed. Staff recommends that the commission consider all public comments received in the public hearing. Staff further recommends that the commission not approve this Conditional Use application until the questions raised in this report are addressed to its satisfaction. Staff further recommends that should the Planning Commission choose to act favorably on this application, at a future date, that this approval be based upon a finding by the commission that "there are no detrimental effects of this proposed use upon the character of the neighborhood, public utilities, traffic conditions, fire protection or any other matter pertaining to the public health, safety, and general welfare." Ms. Cox then stated that since the writing of this recommendation and the commission approving application 2020-2021-4, staff now recommends approval of this conditional warehousing permit for this use and owner.

President Davis closed the public hearing at 7:55 p.m. and asked the commission for a motion to approve. Sean Loyd made a motion to approve; motion carried.


GOOD OF THE ORDER

ADJOURNMENT

Bill Davis made a motion to adjourn at 8:00 p.m. until the next meeting. Motion carried.



William Davis, Chairman



Angie Hodges, Secretary