

City of Lewisburg
Planning Commission
Meeting Minutes ~ March 4, 2021
942 Washington Street West, Lewisburg, WV
Via Teleconference

PRESENT: Commission Chair Mark Etten; Commission members Tia Bouman, Ghee Gossard, Helen Harless, Misty Hill, Davis Lewis, John Little, Valerie Pritt, Dan Stevenson; Planning & Zoning Officer Marsha Cunningham, Recording Officer Peggy Mackenzie

VISITORS: Josh Baldwin, Christy deMuth, Bailey Emory, Aaron Seams, Lance Syner, Mayor Beverly White

CALL TO ORDER: The Working Session was called to order at 5:38 p.m. by Commission Chair Mark Etten. No comments were offered from the public.

APPROVAL of MINUTES: The minutes of *February 24, 2021* were approved as presented in a motion by Commission member Ghee Gossard and seconded by Commission member Valerie Pritt. With all in favor, the motion carried 9-0.

Review and Discuss Planned Unit Development Ordinance

With approval of the Planned Unit Development (PUD) ordinance on hold after being tabled at two Lewisburg City Council meetings, Commission Chair Etten invited city council members to attend the PLC meeting to help clarify the language in the ordinance section pertaining to Restaurant/Bar service restrictions. Of the four options presented, the PLC had agreed in a previous meeting to include take-out, delivery and patio dining, and to exclude drive-through services within a Planned Unit Development. Council member Aaron Seams asked what the rationale was for the exclusion given the Covid-19 pandemic and economic losses to food industry businesses over the past year. He suggested to allow drive-through services as a conditional use option.

Gossard remarked, and other commissioners agreed, that the previous discussion was limited solely to traffic issues and the avoidance of long lines of cars. Etten said, according to Christy deMuth, impending changes to the comprehensive plan will reassign future conditional use changes to be handled by the Board of Zoning Appeals and not the PLC. deMuth stated that implanting conditional use in a Planned Unit Development is not desired because it makes the Planned Unit Development more complicated by adding extra layers, although, she added, supplemental regulations could be built in but must be done at the outset. deMuth said the City could also get in trouble if the ordinance language simply disallowed fast-food services.

A lengthy discussion brought a range of considerations for and against the drive-through option, including whether or not a restaurant in a PUD could be supported without outside customers and the fact that 60 percent of the upscale franchise, Starbucks, for example, now offer drive-through windows for customers. Commission member Tia Bouman opined that the issue was not about saying no to drive-through operations, as is allowed along Rte. 219, “just not in the Planned Unit Development.” At length, the Commission decided for an up or down vote. A motion was proposed by Commission member John Little

to exclude drive-through restaurant operations from the Planned Unit Development ordinance. The motion was seconded by Commission member Misty Hill. With seven (7) in favor and two (2) opposing, (Lewis and Hill), the motion carried, with the result that the draft of the Planned Unit Development will be presented at the March 16, 2021 City Council meeting for a first reading.

Review and Discuss Sign Regulations

Owing to time limitations, the discussion was confined to establishing numbers and sizes of signs for non-dwelling locations in the R1/ R2 districts, of which, the Lewisburg United Methodist Church was provided as prominent example having 15 signs on the building and the surrounding property. The Commission considered limiting the number to ten signs per non-dwelling site, but Commission member Helen Harless stated there are a number of multi-purpose locations, particularly in the downtown district, where more signs might be required. deMuth said it is possible that signage may be counted only if seen from the right of way. She said she will confer with fellow consultant Whitney on that issue. In the meantime, zoning districts throughout were assigned to Commission members to note and record signage numbers and sizes as an aid to further discussion.

The next meeting was set for April 1, 2021 at 5:30 p.m., to be followed by the general PLC meeting at 7 p.m.

ADJOURNMENT: The Work Session meeting was adjourned at 7:01 p.m. in a motion by Commission member Harless and seconded by Commission member Dan Stevenson.

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CALL TO ORDER: The Regular meeting was called to order at 7:05 p.m. by Commission Chair Etten, with no public comments offered.

*Public Hearing: Conditional Use permit ~ Civitas Hospitality Group, 121 Stratton Alley, Suite #9
Application for outdoor dining and beverages served with alcohol on the outside patio*

Zoning Officer Marsha Cunningham stated the Stratton Alley site is in a Commercial Center (CC) zone, the application has been properly posted in the media, with no objections heard from returned receipt adjacent property owners, and, finally, that the project meets all of the conditional use permit requirements. Josh Baldwin said the patio is gated and meets the legal standards of the food and beverage industry's guidelines for serving alcohol at an outdoor patio of a family restaurant. Lance Syner said the patio will have three tables for up to 6 to 8 persons each. The fire marshal set a total maximum number of persons allowed within the premises, both inside and outside, at 87. Mayor Beverly White expressed concern for the presentation of live music on the patio. Baldwin said canned music will only be allowed inside, with no music to be aired on the patio. The hours of business are set for 2 p.m. to 10 or 11 p.m. A Public Hearing was called at 7:11 p.m., and hearing no remarks, the Public Hearing was closed at 7:11 p.m. A motion to recommend the permit application for approval as presented to the City Council was made by Commission member Gossard and was seconded by Commission member Davis Lewis. With all in favor, the motion carried 9-0.

COMMENTS from the ZONING OFFICER: Cunningham said Christy deMuth appreciated the response to her homework assignment in helping to move the lengthy zoning review project forward. City Manager Misty Hill asked if the commissioners were open to holding the April meeting in person at City Hall, but in the words of Commission member Dan Stevenson, who said, “I’m not in a hurry for in-person meetings just yet,” Hill said she would pose the question again at the next meeting.

ADJOURNMENT: The meeting was adjourned at 7:17 p.m. in a motion by Commission member Stevenson and seconded by Commission member Gossard.

Respectfully submitted,
Peggy Mackenzie
Recording Officer