

**City of Lewisburg
Planning Commission
Regular Session and Public Hearing
Meeting Minutes — September 2, 2021, 7:00 p.m.
942 Washington Street West, Lewisburg, WV
Paul L. Cooley Council Chambers**

PRESENT: Chairperson John Little; Planning and Zoning Officer Marsha Cunningham; Commission members Tia Bouman, Margaret Gossard, Helen Hughes (via ZOOM), Davis Lewis (via ZOOM), Valerie Pritt, Dan Stevenson; Mayor Beverly White; City Manager Misty Hill; Recorder Tina Alvey

ABSENT: None

VISITORS: Don Huber, Phil Reed with Terradon, Joshua Baldwin, Skip Deegans, Shae West (via ZOOM)

CALL TO ORDER: The meeting was called to order by Chairperson John Little at 7:00 p.m.

PUBLIC COMMENTS: None

***Conditional Use Application: The Briergarten, 121 Stratton Alley Suite 9,
expand outdoor patio for temporary overflow***

Representing Civitas Hospitality, Joshua Baldwin said the company, d/b/a Briergarten, already has a conditional use permit for outdoor consumption of food and alcohol. The request this evening is for another conditional use permit to allow the business to use an adjacent patio with seating capacity of around 24 for special events, such as an Oktoberfest celebration planned for early October of this year, TOOT and First Fridays after Five. Baldwin said the West Virginia Alcohol Beverage Commission (ABC) had approved the space expansion under Briergarten's license.

Misty Hill said that the ABC extension is temporary and only for special events. If the additional patio were to be used more frequently, further approval would be needed from the ABC, she said. Baldwin said the patio's use would be only occasional, but that ABC had told him the patio is approved as a permanent extension under the facility's license. Hill said the city has not yet received a letter from ABC to that effect.

Baldwin said there is already a wall around the patio. However, commissioners agreed that extension of Briergarten's wrought iron fence around the additional patio would provide a "more permanent barrier." John Little suggested adding a gate in the fence to close off the additional patio when not in use.

Margaret Gossard made a motion to recommend that City Council grant a temporary conditional use permit to extend Civitas Hospitality's outdoor consumption of food and

alcohol permit to the adjacent patio, with each event for its use to be considered and individually permitted or denied administratively, and contingent upon the applicant's return to the Planning Commission in January 2022 with a plan for installation of a fence and gate to contain the additional patio. Dan Stevenson seconded the motion, which was approved by the Planning Commission by a vote of 6 ayes, 0 nays and 1 abstention (Little).

Discussion and Public Hearing: Blackbird Village "The Gardens"
Revised Preliminary Plat Review

Developer Don Huber has requested approval of a revised preliminary plat for Blackbird Village 2. The original plat for that development was approved on August 2, 2018.

Huber described his purchase of more than seven acres of land with the intention of constructing large garden-style homes. He went through the original planning process with that plan in mind, but when he priced the proposed houses last winter, he found the selling price for each would need to be around \$350,000. There would be few buyers at that price point, Huber said, so he went back to the drawing board to come up with revised plans for an increased number (24 as opposed to 2018's 20) of more affordable units to match the market.

Marsha Cunningham said the original plat that was approved in 2018 provided for 3,000-square-foot lots with 20-foot setbacks, except for end units which were given 5-foot variances. Huber said the proposed revised preliminary plat is for zero-lot line units with firewalls between. There will be four units in each section with 10 feet between sections. The smallest lot is 2,400 square feet. Cunningham said the revised plat's setbacks and lot sizes don't meet the city's zoning regulations.

Huber said the demographic breakdown anticipates the two- and three-bedroom units would be occupied by 50 percent students and 25 percent each retired persons and professionals. Gossard said such housing could attract younger people to Lewisburg, and Hill said the city needs lower cost housing with high-end beautification. Drainage, parking and traffic issues were also discussed.

Little called the public hearing on the preliminary plat to order at 7:40 p.m. There were no comments from the public. The public hearing closed in less than a minute, at 7:40 p.m.

Little noted that the proposed lot sizes are smaller than permitted by the city, but otherwise the revised preliminary plat is consistent with what had been previously approved when the original plat was presented in 2018. Phil Reed of Terradon responded that in order to meet the city's lot size regulations, the development would have had to lose approximately 25 percent of the homes included in the revised plat. Huber said that would have raised the per-unit price too high for the market.

Hill said, if the project goes forward, Huber will need to provide the city with a timeline for water use, citing the water plant's capacity issues.

Tia Bouman made a motion to recommend that City Council approve the revised preliminary plat as presented. Davis Lewis seconded the motion, which was unanimously approved by members of the Planning Commission.

COMMENTS FROM CITY MANAGER: Hill said a compromise has been reached between the city and its merchants on the proliferation of portable A-frame signs that obstruct sidewalks. She said the wayfinding sign project that was discussed in the August 5, 2021, Planning Commission working session and is still in development will address that issue.

ADJOURNMENT: The meeting adjourned at 8 p.m.

Respectfully submitted,
Tina Alvey
Recording Officer