



**PLANNING COMMISSION
REGULAR MEETING AGENDA**

August 18, 2016

7:00 p.m.

- 1) **Call to Order** – Chairman Theresa Stein
- 2) **Pledge of Allegiance**
- 3) **Agenda Amendments** (Planning Commission and Staff)
- 4) **Commissioner Disclosures**
- 5) **Public Hearings**
 - a) SUP15-02 – Catocin Corner Drive-through Facility
- 6) **Presentations**
 - a) None Scheduled
- 7) **Discussion Items**
 - a) SUP15-02 – Catocin Corner Drive-through Facility
- 8) **Action Items**
 - a) None Scheduled
Note: Any Discussion Item may be added as an Action Item during the meeting by motion of the Planning Commission.
- 9) **Information Items**
 - a) Status of Priority Work Items
- 10) **Citizen Comments** – All citizens who wish to speak about an item or issue that is not listed for a public hearing will be given an opportunity to speak (3 minute limit per speaker).
- 11) **Council Representative’s Report**
- 12) **Chairman’s Comments**
- 13) **Planning Commissioners’ Comments**
- 14) **Approval of Minutes**
 - a) July 28, 2016 Work Session
 - b) August 4, 2016 Regular Meeting
 - c) August 4, 2016 Work Session
- 15) **Adjournment**

If you require any type of reasonable accommodation as a result of physical, sensory or mental disability in order to participate in this meeting **OR** if you would like an expanded copy of this agenda, please contact Tucker Keller at (540) 338-2304 at least three days in advance of the meeting. Expanded copies of the agenda may not be available the night of the meeting, please request a copy in advance.

USE OF ELECTRONIC DEVICES DURING MEETINGS For the comfort and consideration of others, all cellular phones must be turned off and cannot be used in the Council Chambers. Pagers must be set on silent or vibrate mode. This is requested because of potential interference with our recording devices and the transmittal of our hearing impaired broadcast.



STAFF REPORT
PUBLIC HEARING ITEM

Item # 5a

SUBJECT: SUP15-02 – Catoctin Corner Drive-through Facility

DATE OF MEETING: August 18, 2016

STAFF CONTACT: Daniel Galindo, AICP – Senior Planner

Application Information		
Applicant/Attorney Robert E. Sevila Sevila, Saunders, Huddleston & White, PC 30 North King Street Leesburg, VA 20176	Property Owner Purcellville Development, LLC c/o William B. Holtzman P.O. Box 8 Mount Jackson, VA 22842	Designer/Engineer Bowman Consulting Group, Ltd. 101 South Street, S.E. Leesburg, VA 20175
Submission Date November 3, 2015	Planning Commission Public Hearing Date August 4, 2016	Town Council Public Hearing Date Not Yet Scheduled

Property Information				
PIN	Tax Map	Address	Current Zoning	Acres
452-18-7178-002	/36/////18A2/	None	MC	6.53

Special Use Requested
SUP15-02
Drive-through Facility

SUMMARY and RECOMMENDATIONS:

Robert E. Sevila of Sevila, Saunders, Huddleston & White, PC in Leesburg, Virginia has submitted a special use permit application (coded by the Town as SUP15-02), on behalf of property owner Purcellville Development, LLC, that seeks to amend the previously approved location of a drive-through facility within the future Catoctin Corner development. A public hearing on SUP15-02 occurred before the Planning Commission on August 4th and was continued to August 18, 2016. Staff is recommending approval of this application with conditions.

BACKGROUND:

On August 10, 2010, Town Council passed Resolution 10-08-06 approving six special use permits for the future Catoctin Corner development. Catoctin Corner will be constructed on a 6.53-acre parcel identified in Loudoun County Land Records as Tax Map Number /36/////18A2/ and Parcel Identification Number 452-18-7178-002. This property has a zoning district designation of MC (Mixed Commercial) and is located at the northeast quadrant of the roundabout intersection of the following four roadways: East Main Street, Berlin Turnpike (Route 287), West Colonial Highway, and William T. Druhan, Jr. Boulevard (aka Southern Collector Road).

In the years since approval, the property has been sold to Purcellville Development, LLC which has recently sought to redesign the layout of the development. As part of this redesign and based on an interpretation letter by the Zoning Administrator, application SUP15-02 has been submitted to amend special use permit SUP09-07 by relocating a drive-through facility within the development. To summarize the Zoning Administrator's interpretation letter regarding Catoctin Corner, his initial review of an August 27, 2015 Merchandizing Plan showing a preliminary layout for the property found that:

1. Changing a "12,900 square foot drive-through pharmacy" (approved as SUP09-02) to a 1,800 square foot fast food drive-through located within the demarcated area of the original SUP is in substantial conformance with the initial approval;
2. Removing the "7,000 square foot restaurant with possible retail" (approved as SUP09-03) is allowed;
3. Changing a "3,300 square foot bank with drive-through" (approved as SUP09-04) to a medical office building with no drive-through is in substantial conformance with the initial approval;
4. Changing the location of a "restaurant over 4,000 square feet located in a building with other retail uses" (approved as SUP09-06) within the demarcated area of the original SUP is in substantial conformance with the initial approval; and
5. Changing the location of a "3,700 square foot drive-through restaurant" (approved as SUP09-07) to a location outside the demarcated area of the original SUP is NOT in substantial conformance with the initial approval.

NOTE 1: To aid the Planning Commission in following the changes between the earlier SUP approvals and the current design proposed for the site, Town Staff requested the *Approved SUP & Current Site Plan Comparison* document that has been supplied by the applicant.

NOTE 2: The August 27, 2015 Merchandizing Plan is not part of the SUP15-02 application. The actual concept plan for the SUP15-02 application is on sheet 4 of the submitted black & white plan set (<http://purcellvilleva.gov/DocumentCenter/View/4713>), and it is specific to the site of the requested drive-through facility. The color Merchandizing Plan for the whole development (dated August 27, 2015 and including a statement of "DRAFT Pending Lease Negotiations DRAFT") that is shown at the end of the Zoning Administrator's interpretation letter

(<http://purcellvilleva.gov/DocumentCenter/View/4717>) was solely used as the basis of that interpretation.

Given the Zoning Administrator's interpretation and the applicant's subsequent applications, the overall site would now contain two drive-through facilities for eating establishments instead of three drive-through facilities for each of a pharmacy, bank and eating establishment. Vehicular ingress and egress to the overall site would now occur via: a northern driveway connecting through Patrick Henry College to the Purcellville Gateway Drive and Berlin Turnpike intersection where there is a traffic light, and a southern driveway with a direct connection to Colonial Highway.

The Planning Commission should also note that the original SUP09-07 special use permit approved the special use of "a 3,700 square foot drive through restaurant" to be located in the northeastern corner of the property. This use was the equivalent of an "eating establishment with drive-through" then listed within the Zoning Ordinance as permitted by special use permit for the MC (Mixed Commercial) zoning district. Due to zoning ordinance text amendments approved by the Town in December 2015 after SUP15-02 was submitted, the current application now proposes to locate the special use of a "drive-through facility" (which is attached to an otherwise permitted eating establishment of approximately 2,800 square feet) closer to Colonial Highway near the middle of the property.

The Catoctin Corner property subject to the SUP15-02 application is surrounded by the following properties and uses:

- The site is bordered on the north by two properties owned by Patrick Henry College with zoning district designations of IP (Institutional and Public Use) and planned land use designations of Institutional/Government. The larger property to the northwest currently contains the educational, recreation and student housing facilities of Patrick Henry College; the smaller property to the northeast is undeveloped although a stormwater detention pond for Catoctin Corner is currently being constructed there.
- The site is bordered on the east by property owned by Patricia DiPalma-Kipfer with a zoning district designation of X (Transitional) and a planned land use designation of Mixed Use Commercial. This property currently contains a single-family detached dwelling.
- The site is bordered on the south by the Colonial Highway (Business Route 7) right-of-way. Across the roadway are two properties owned by Beverly O'Toole and a property owned by Harmony Meadows LLC.
 - The O'Toole properties have zoning district designations of X (Transitional) and no designated planned land use. The larger property to the southwest currently contains a single-family detached dwelling; the smaller property to the southeast is currently undeveloped.
 - The Harmony Meadows LLC property is located outside of the Town's corporate limits and is partially developed for large lot single-family detached dwellings. A final subdivision plat for the property has never been approved.

- The site is bordered on the west by the Berlin Turnpike (Route 287) right-of-way. Across the roadway is a property owned by NSHE Fool Hollow Lake LLC with a zoning district designation of MC (Mixed Commercial) and a planned land use designation of Mixed Use Commercial. This property contains Harris Teeter as well as various eating establishments, retail businesses, and personal services businesses. In addition, the property is approved for a financial institution (i.e. a bank) that has yet to be built.

ANALYSIS:

There are certain relevant factors that should be considered for any special use permit application. Article 8, Section 1.2 of the Zoning Ordinance of the Town of Purcellville, Virginia states:

A special use permit should be approved only if it is listed as allowed by special use permit in the district regulations and only if it is found that the location is appropriate and not in conflict with the comprehensive plan, that the public health, safety, morals, and general welfare will not be adversely affected, that adequate utilities and off-street parking facilities, if applicable, will be provided, and that necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values, and further provided that the additional standards of this article are complied with.

The requested use is listed in Article 4, Section 1.1 of the Zoning Ordinance as a use allowed by special use permit in the MC zoning district while the remaining factors to be considered are addressed in the applicant's Statement of Justification.

Since being submitted, the SUP15-02 application was distributed for three rounds of review by the Town and external review agencies. Following each round, the applicant submitted response comments and revised application documents. As a result of this process, staff now agrees with the contents of application (including the revised Statement of Justification) with one exception noted below. Overall, the requested special use complies with the comprehensive plan and satisfies the other issues listed for consideration in the Zoning Ordinance. It will allow a new business to further economic growth by offering a new drive-through facility which is generally compatible with its surrounding uses and will increase the convenience of the public. Furthermore, the necessary utilities will be constructed for the site by the applicant, and there should be no adverse impact to water quality or air quality. The new eating establishment will also possess a high quality architectural design that was approved by the Board of Architectural Review on May 25, 2016.

The only element of the application with which Staff continues to have a reservation is the proposed location of the intersection between the north-south driveway connecting to Colonial Highway and the southern west-east driveway paralleling Colonial Highway. The offset alignment of the development's entrance with Harmony Meadows Court across Colonial and the future entrance in to the O'Toole property (which is subject to a rezoning

application currently under review) creates tremendous potential for a number of conflicting turning movements in a small area of Colonial Highway in close proximity to the roundabout, but the current configuration of property boundaries appear to make this issue unavoidable at the present time. However, the proposed location of the aforementioned driveway will result in additional turning movements approximately 70 feet (3-4 car lengths) from Colonial that have the potential to lead to further conflicts that could cascade on to the public road and exacerbate its anticipated issues.

During the initial reviews of the application, Staff encouraged the applicant to consider an alternate configuration that would address these concerns, but the applicant chose to keep this design for the Planning Commission to consider. Therefore, Staff believes that the best solution to this concern is to remove the driveway intersection within the site and thereby remove the possibility of left turns so close to Colonial Highway. This should improve the safety of both internal driveways and external roadways. The applicant could then choose to keep the remainder of the existing design which would result in vehicles taking a longer counterclockwise route through the center of the site in order to enter the parking lot and drive-through from the south, or the orientation of these entrances could be flipped to connect to the main west-east driveway on the site and allow entrance from the north.

FINDINGS:

1. The proposed special use is allowed in the MC district by special use permit (Zoning Ordinance – Article 4, Section 1.1).
2. The application complies with Article 8, Section 1 (Special Use Permit) of the Zoning Ordinance.
3. The proposed use advances the goals and strategies established in the Purcellville, Virginia 2025 Comprehensive Plan.

MOTIONS:

Add as Action Item (if desired)

I move that application SUP15-02 for a Drive-through Facility at Catoctin Corner be added to the Planning Commission's August 18th regular meeting agenda as an action item.

If added for action:

Recommended Motion – Conditional Approval

For the reasons stated in the staff report dated August 18, 2016, I move that the Purcellville Planning Commission forward to Town Council, with a recommendation to approve, SUP15-02 allowing a drive-through facility to be relocated within the Catoctin Corner development on the property identified in Loudoun County Land Records as Parcel Identification Number 452-18-7178-002 with the following condition(s):

1. The west-east driveway located near the southern border of the property and running approximately parallel to Colonial Highway shall not intersect with the north-south driveway serving as an ingress/egress point on Colonial Highway.
2. *Optional:*
Vehicular ingress/egress to the drive-through facility and surrounding parking lot shall occur from the north and not the south as currently shown on the concept plan.

Alternative Motions

Approval (as presented)

For the reasons stated in the staff report dated August 18, 2016, I move that the Purcellville Planning Commission forward to Town Council, with a recommendation to approve as presented, SUP15-02 allowing a drive-through facility to be relocated within the Catoctin Corner development on the property identified in Loudoun County Land Records as Parcel Identification Number 452-18-7178-002.

-Or-

Disapproval

I move that the Planning Commission forward to Town Council, with a recommendation to disapprove for the following reasons, SUP15-02 allowing a drive-through facility to be located at the Catoctin Corner development on the property identified in Loudoun County Land Records as Parcel Identification Number 452-18-7178-002:

- 1.
- 2.
- 3.

AVAILABLE ONLINE:

All documents related to the SUP15-02 application are available online at:
<http://purcellvilleva.gov/784/SUP15-02-Catoctin-Corner-Drive-through>



STAFF REPORT
INFORMATION ITEM

Item # 9a

SUBJECT: Status of Priority Work Items

DATE OF MEETING: August 18, 2016

STAFF CONTACT: Daniel Galindo, AICP – Senior Planner

SUMMARY:

This report briefly summarizes any updates on the status of priority work items since the previous Planning Commission meeting.

1. Comprehensive Plan Update –The Planning Commission has continued its weekly work sessions devoted to the comprehensive plan. At its August 4 work session, the Commission reviewed a staff report regarding public outreach and participation for the comprehensive plan, a staff report including a revised draft schedule for the comprehensive plan update process to incorporate the Commission’s feedback, and began a discussion of demographics and housing. At its August 11 work session, the Commission discussed their views of the strategic imperative for the plan.
2. Floodplain Regulations – No change.
3. Civil Penalties – No change.
4. Sign Regulations – No change.
5. Accessory Dwelling Standards – No change.
6. Legislative Applications
 - a. *SUP15-02* – A public hearing on this special use permit application to authorize the relocation of a Drive-Through Facility within the Catoctin Corner development occurred before the Planning Commission on August 4th and was continued to August 18th.
 - b. *CPA15-01* – No change.
 - c. *RZ15-02* – No change.
 - d. *SUP16-01* – No change.
 - e. *PCA16-01* – A proffered condition amendment was submitted on August 2nd to modify the PDH development plan for Village case to switch the remaining

undeveloped commercial and church sites to single-family detached dwellings. Staff is currently reviewing this application for completeness.

- f. *CPA16-01* – A comprehensive plan amendment was submitted on August 2nd to modify the planned land use map to switch the remaining undeveloped commercial and church sites to residential. Staff is currently reviewing this application for completeness.
 - g. *SUP16-02* – A special use permit application was submitted on August 12th requesting approval for a commuter parking lot on Virginia Regional Transit's property at 408 & 412 Browning Court. Staff is currently reviewing this application for completeness.
7. Other Items
- a. *Stream and Creek Buffer Zoning Ordinance Text Amendment* – No change.

MINUTES
PLANNING COMMISSION WORK SESSION
JULY 28, 2016, 7:00 PM
TOWN HALL HERITAGE ROOM

The work session of the Planning Commission convened at 7:00 PM in the Heritage Room:

PRESENT: Theresa Stein, Chair
Tip Stinnette, Planning Commissioner
EJ Van Istendal, Planning Commissioner
David Estey, Planning Commissioner
Kelli Grim, Council Liaison

ABSENT: Chip Paciulli, Planning Commissioner

STAFF: Daniel Galindo, Senior Planner
Michele Snyder, Planning Associate

CALL TO ORDER:

The work session of the Planning Commission was called to order by Chair Stein at 7:00 PM.

OATHS OF OFFICE:

Mayor Fraser issued oaths to the new Planning Commissioners – Brittany Adkins, David Estey, and Kelli Grim. Commissioners Stinnette and Stein were not issued oaths since they were reappointments.

CHAIRWOMAN’S COMMENTS:

Chair Stein thanked the new commissioners for their service to the Planning Commission.

Chair Stein stated the Planning Commission will be meeting every Thursday through September.

Daniel Galindo talked about the appointment of Britt Adkins who will officially take her seat on September 1; however, she has agreed to listen in on the upcoming meetings until then.

DISCUSSION OF REVISED DRAFT SUMMARY FOR ROUND 3 OF THE COMPREHENSIVE PLAN UPDATE:

Daniel Galindo summarized the document and asked the Planning Commissioners for their comments; he added the document will go out to Town Council and committees tomorrow. Commissioner Grim stated she does not feel the document is ready to be rolled out to the community at this time. Daniel Galindo restated that the document will go to Council and committees and they will be provided with a two week time frame to send their comments.

Commissioner Stinnette suggested striking the second paragraph on page 80 and suggested stating something more specific.

Chair Stein stated that it would be helpful to summarize at the beginning of each section what was said with the supporting data behind it.

DISCUSSION OF DRAFT COMMUNICATIONS AND OUTREACH PLAN FOR THE COMPREHENSIVE PLAN UPDATE:

Daniel Galindo talked about the plan presented and asked about a participation goal then summarized past participation. Discussion took place on whether future presentations would involve citizen feedback and whether the drafts should go forward to Town Council before rolling it out to the community. Commissioner Stinnette stated that going forward everything needs to be counted in terms of engagement. Daniel Galindo talked about presenting the information to Town Council so that it becomes public knowledge. The following week would then include a presentation to the community. After discussion, Daniel Galindo summarized that the Planning Commission would like to allow the Council to review the documents with the Planning Commission, provide feedback, change the documents based on the feedback, provide the summary of the changes to the documents and provide the next steps. The Commissioners had extensive discussion on the scheduling of the public meetings and decided on Sept. 8 as a joint informational meeting with Town Council, Sept. 13 as a Town Council informational meeting, and Sept. 24, 26 and 29 as public events with no work session on the 29th.

Commissioner Grim offered several Council members to do personal community outreach and will look into door hangers.

Commissioner Stinnette stated he would provide language for key messages from the actual report in regards to projected population and employment growth.

Chair Stein talked about possibly joining Loudoun County's Planning Commission and Mike Chandler who will be talking about the role of a Planning Commissioner. She will provide more information at an upcoming meeting.

**DISCUSSION OF CURRENT PLANNING DOCUMENTS: DEMOGRAPHICS
AND HOUSING:**

No discussion.

ADJOURNMENT:

With no further business, Commissioner Van Istendal made a motion to adjourn the meeting at 8:48 PM. The motion was seconded by Commissioner Grim and passed unanimously.

Theresa Stein, Chair

Diana Hays, Town Clerk

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MINUTES
PLANNING COMMISSION REGULAR MEETING
AUGUST 4, 2016, 7:00 PM
TOWN HALL COUNCIL CHAMBERS

The Regular Meeting of the Purcellville Planning Commission convened at 7:00 PM in Council Chambers:

PRESENT: Theresa Stein, Chairwoman
Chip Paciulli, Planning Commissioner
Tip Stinnette, Planning Commissioner
EJ Van Istendal, Planning Commissioner
Kelli Grim, Planning Commissioner and Council Liaison

ABSENT: David Estey, Planning Commissioner

STAFF: Daniel Galindo, Senior Planner
Tucker Keller, Planning and Zoning Technician

CALL TO ORDER AND PLEDGE OF ALLEGIANCE:

The regular meeting of the Planning Commission was called to order by Theresa Stein, Chairwoman, at 7:00 PM. The Pledge of Allegiance followed.

AGENDA AMENDMENTS:

None

COMMISSIONER DISCLOSURES

None

PUBLIC HEARINGS

- a) SUP15-02 – Catoctin Corner Drive-through Facility

Theresa Stein, Chairwoman, opened the Public Hearing at 7:04 PM and granted speakers five minutes.

Patti DiPalma Kipfer, 38038 W. Colonial Hwy., came forward and stated she had been properly notified of the public hearing and read and submitted her comments for the record.

Chairwoman Stein stated there had been some question as to whether there was appropriate public hearing notice and stated that the public hearing has been extended to August 18, 2016 at 7:00 PM at Town Hall.

Commissioner Van Istendal made a motion to extend the Public Hearing to August 18, 2016, at 7:00 PM at Town Hall. The motion was seconded by Commissioner Stinnette and approved unanimously with one absent.

Motion:	Commissioner Van Istendal
Second:	Commissioner Stinnette
Carried:	5-0-1 Absent

PRESENTATIONS

None

DISCUSSION ITEMS

- a) SUP15-02 – Catoctin Corner Drive-through Facility

Daniel Galindo summarized the application which is to relocate a previously approved drive-through facility approved as SUP09-07. That application located the drive-through in the northeast corner of the site, and it is being proposed to be moved to a more southern central location closer to Business 7/Colonial Highway. Mr. Galindo added that the original approval was for a 3,700 square foot drive through restaurant and when submitted the language in the zoning ordinance remained the same regarding the listing of that use. After the Town passed the text amendment late last year, the use that is now listed as a special use permit in the MC district is strictly listed as a drive-through facility, and the application is really about whether or not the restaurant that is allowed by-right in the southern central portion of the property can have a drive-through facility or not.

As noted in the staff report, Daniel Galindo stated he agrees with what the applicants have included in the application; however, one item of concern is the southern driveway into the overall site off Colonial Highway. It intersects with another internal driveway which parallels Colonial Highway in close proximity to the roadway. Daniel Galindo added the Town has received a rezoning application for the O'Toole property which is located directly south from the Catoctin Corner site and that none of the various entries into the different properties are aligned nor can they easily be given the current property lines. Daniel Galindo stated his recommendation would be for the Planning Commission to recommend that Council approve the application with the condition that at a minimum the intersection of the two internal driveways is closed off, and he noted an optional condition regarding the ingress/egress.

Bob Sevilla, applicant's representative, came forward and stated that this was their third and final submission which includes solutions to the issues in the application. Mr. Sevilla

stated it is their preference to maintain the existing proposed entrance with access to the drive-through off of the entrance and that VDOT has approved it and it has been bonded. Mr. Sevilla added he would come back at the August 18th meeting since the Public Hearing will continue then and will have more materials on the entrance and the front facade.

Patricia DiPalma-Kipfer, 38038 W. Colonial Highway, asked Daniel Galindo to repeat his comments on how he would like to see this changed in regards to north, east, etc. Daniel Galindo restated his comments and showed the location of concern on a visual and stated that the left portion of the intersection just inside the site is where he would make changes. Mr. Galindo stated his recommendation would be to close that off so that there are two remaining alternatives that are mentioned in the staff report – the traffic can flow up and around or the site can be flipped and the entrances and exits in and out of the site would be through the northern east/west driveway.

Further discussion took place on the subdivision across the street, width of driving lanes, community engagement, traffic study, parking analysis at Purcellville Gateway after completion of the project, and the timeline of the SUP.

Commissioner Grim noted that the traffic study talks about the entrance and the conflicts with the subdivision. The representative stated the striping has been removed and there is still separation for vehicles to get through without it which is shown on the current site plan which also addresses the other five items in question. Commissioner Grim compared similarities between this development and McDonalds and Purcellville Gateway. Discussion took place on the buffer between the center and the nearby residence as well as whether an easement is either vacated or will be vacated with the site plan.

Chairwoman Stein strongly encouraged the applicant to look at an alternative location for the drive-through entrances and would like to review those at the August 18th meeting. She also requested to see the elevation plan at that time.

Commissioner Paciulli expressed concerns with the location of the dumpster enclosure.

Commissioner Stinnette requested to see alternate traffic flows at the August 18th meeting if possible.

ACTION ITEMS:

None

INFORMATION ITEMS:

a) Status of Priority Work Items

Daniel Galindo stated he added the legislative application section as requested but had nothing else to add that wasn't already in the staff report.

Commissioner Paciulli asked about the proposals for zoning ordinance changes, and stated he went to the Council meeting and attempted to raise the issue that the items are outstanding. However, he does not know if the item went anywhere. Commissioner Grim explained that the stop on the item came from the Town Manager when the item was about to go to a public hearing without Council having received any information about it. Commissioner Grim noted she and another Council member are concerned with the internalized process of things happening without Council's knowledge, and she noted that Council will discuss this further in the September strategic planning session.

Chairwoman Stein talked about attending the strategic planning session and talking with Council about what they would like to propose as well as to receive direction on moving forward.

CITIZEN COMMENTS:

Chairwoman Stein granted speakers three minutes.

Patricia DiPalma-Kipfer, 38038 W. Colonial Hwy., referenced page 2 of 4 of the site plan that shows the 50 ft. easement that is included and has not seen anything stating that it was ok to change it. Ms. DiPalma-Kipfer stated her 3 acre property was annexed into the Town in December 2008 by a Town initiated annexation along with Catoctin Corner and Patrick Henry College. Ms. Kipfer stated that although her property has been zoned transition x with a land use designation of mixed use commercial, it has never been put on the land use map and hopes it will be during this comprehensive plan review. Ms. Kipfer stated it has been the perception of the previous Town Council and Planning Commission that she wanted to be the developer, and stated she is a residential property owner and not the developer and is not part of an HOA and does not have the support of people that are. Ms. Kipfer added that meetings should always include the resident whose property is impacted by the development and should ensure the best outcome for all involved to avoid litigation.

COUNCIL REPRESENTATIVE'S REPORT:

Commissioner Grim stated that at the last Town Council Meeting, Council initiated the Real Parties of Interest Disclosure policy that will come forward in September.

Commissioner Grim stated it is important that the Planning Commissioners attend Council's strategic planning session in September or provide a report on ideas or challenges they would like to see addressed.

CHAIRWOMAN'S COMMENTS:

Chairwoman Stein stated that Loudoun County is holding a training session for their Planning Commissioners, and she is working with the Planning Office to see if the Town may be able to attend.

PLANNING COMMISSIONERS COMMENTS:

Commissioner Van Istendal stated he is sensing a lack of buy-in from the community on the Catoctin Corner project and thinks it is worth re-examining on a community level.

Commissioner Grim stated she has been heavily involved and the initial buy-in was not positive and noted the outstanding issues.

APPROVAL OF MINUTES:

- a) **July 21, 2016 Regular Meeting**
- b) **July 21, 2016 Work Session**

Commissioner Stinnette made a motion to approve the June 21, 2016 regular meeting minutes and waive reading. The motion was seconded by Commissioner Van Istendal and passed unanimously with one absent.

Commissioner Van Istendal made a motion to approve the June 21, 2016 work session minutes and waive reading. The motion was seconded by Commissioner Stinnette and passed unanimously with one absent.

ADJOURNMENT:

With no further business, Chairwoman Stein made a motion to adjourn the meeting at 8:24 PM.

Theresa Stein, Chairwoman

Diana Hays, Town Clerk

**Thursday, August 4, 2016 7p
P-Ville Planning Commission
Public Hearing/Catoctin Corner LLC**

Good evening Planning Commissioners.

My name is:

**Patricia DiPalma-Kipfer
38038 W. Colonial Hwy.**

I have been properly notified of this Public Hearing for Catoctin Corner development now owned by Purcellville, LLC to Amend Special Use Permit SUP09-07 to SUP15-02.

However, per the advertised Public Hearing Notices dated 7/22/16 & 7/29/16 signed by Theresa Stein, Vice Chair Planning Commission, and the certified letter I received from the law firm of Sevila, Saunders, Huddleston & White dated July 21, 2016 whereas both notices state information related to Special Use Permit SUP15-02 is available for review on the Town's website or at the Town Hall was inaccurate.

On Friday July 29th I checked the web site for this info. It was not posted. I then called Community Development on Monday August 1st when I was told this information would not be available until late afternoon on this date.

Per an e-mail I received from Daniel Galindo on 8/1/16 at 9:16p stating The Agenda Packet had been uploaded to the website noting that some of the Planning Commissioners received a full size set of plans on 7/21 and new members received a set in in their mail boxes. To Daniel's credit he did e-mail to me the links needed to locate these documents. Thanks to Kelli Grim for e-mailing additional links and to Tucker for making copies for me in the 11th hour.

As a residential property owner adjacent to and impacted by this development, I feel it is wrong to advertise a Public Hearing when the backup documents needed to make an informed decision are not available for review at the same time as the required posting. Not having the necessary backup information at minimum the weekend before the Public Hearing Date is unacceptable. If a Public Hearing is to credible, all citizens need to receive this information to review in a timely manner.

Since 2006 I attended Planning and Town Council Meetings and Public Hearings. This is a full two years before my property, Catoctin Corner, LLC and Patrick Henry College were annexed by Town Initiation in December 2008. I have the original concept plans, and was present when Catoctin Corner, LLC presented their application for six Special Use Permits and one by right retail.

I feel it is fair to say, the development of Catoctin Corner has had more than its share of challenges, financial or otherwise, which in August 2014, ultimately resulted in the sale and change of ownership from Catoctin Corner LLC to Purcellville Development, LLC.

Since that time, the new owner, and the Community Planning Dept. have continued to change the look and feel of this development from the original concept plan, and original SUP's claiming as long as they were somewhat similar it was OK! I guess this is to be expected when a project is so

long in the process that it renders the development in “piece meal” mode. For instance: first, by clearing the property, before plans were approved, then grading the property, before plans were approved, putting in storm drains, before plans were approved, determining where water would be looped on the property and connected through Patrick Henry College. Now this was approved, then rescinded and plans would change again to bring water lines in front of the property as was originally presented and approved... THEN will be looped through property....

This development has been on the Town books 10 years. Given the considerable personnel turnover in the Community Development Dept., a recent virtual clean sweep of the Town Council and new members added to the Planning Commission, I would like to make the following suggestion:

BEFORE the Planning Commission takes anymore action on additional changes and/or additions to this project, you should require the Developer to provide a new concept plan to include all changes, additions, and deletions.

The most recent concept plan on page 24 is a Draft Merchandising Plan submitted by KLN B retail dated August 27, 2015 which now indicates Popeye’s as the potential lessee.

Specifically, I would require the Plan be submitted in color, to scale and large enough to read without a magnifying glass. Show number and exact location and sq.ft. of each building and identify if leasing contracts have been signed and by whom. This plan should also include the original 10’ wide bike trail in front of property on Colonial Hwy., along with sidewalks and curbs. It should show the Main Entrance on Colonial Hwy, the Entrance Location on Rt 267, and the interparcel connection to my property. It should include location of parking spaces and the number of spaces assigned to each building. It should indicate all right and left hand turn lanes and how traffic will flow through the development. I would hope drive lanes will be wider than the Harris Teeter parking lot, where you take your life in your hands every time, you drive in. I want to know how will pedestrians safely walk between buildings? It should show all landscaping, berms, buffering, fences, lighting and signage. In other words, we should see how the plan has changed from the original concept plan, and then determine if this is the same vision the Town currently has for this space.

Before any action to approve is called, I would want to see the most current Traffic Study and not the one from 2014 that was based on original plan. I would want to hear from VDOT regarding the impact this change may have. For instance, will VDOT require a traffic light? If not, how will the entrance and turn lanes impact the traffic circle and the flow of traffic on Colonial Hwy and in and out of the double drive through which may or may not overflow back into the street like McDonalds’s does at peak times.

Lastly, to be sure my comments are entered into the record accurately; I will provide a copy of my comments to the Town Clerk and ask that it be attached to the minutes for future reference.

Thank you for your time and consideration.

Patricia A. Di Palma-Kipfer

38038 W. Colonial Hwy.

Hamilton, VA 20158

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**MINUTES
PLANNING COMMISSION WORK SESSION
AUGUST 4, 2016
TOWN HALL HERITAGE ROOM**

The work session of the Planning Commission convened at 8:33 PM in the Heritage Room:

PRESENT: Theresa Stein, Chairwoman
Tip Stinnette, Planning Commissioner
EJ Van Istendal, Planning Commissioner
Chip Paciulli, Planning Commissioner
Kelli Grim, Planning Commissioner/Council Liaison

ABSENT: David Estey, Planning Commissioner

STAFF: Daniel Galindo, Senior Planner
Tucker Keller, Planning and Zoning Technician

CALL TO ORDER:

The work session of the Planning Commission was called to order by Chairwoman Stein at 8:33 PM.

CHAIRWOMAN'S COMMENTS:

Chairwoman Stein expressed concerns for the time of day that emails are being sent and asked Daniel Galindo to let her know if he is need of assistance from the Planning Commissioners.

DISCUSSION OF COMPREHENSIVE PLAN UPDATE PUBLIC OUTREACH AND PARTICIPATION:

Daniel Galindo stated the purpose of the report was to provide the most information for comparative purposes of where we stand compared to other jurisdictions comprehensive plan processes. Daniel Galindo also talked about the County's upcoming schedule.

Commissioner Grim talked about the stakeholder groups selected by each of the Board of Supervisors which will help facilitate the process.

Chairwoman Stein thanked staff for compiling the information and noted the Town appears to be on track with what other jurisdictions do for engagement efforts.

DISCUSSION OF DRAFT SCHEDULE FOR COMPREHENSIVE PLAN UPDATE:

Daniel Galindo summarized the schedule and his concerns for repeating some of the same mistakes as before particularly with the first two items noted in the staff report. Mr. Galindo talked about the schedule for the Round 5 Public Input Sessions and having that either before or after the holidays.

Dan Galindo talked further about the proposed joint meeting with Town Council on September 8th which has not been scheduled due to no feedback from Council; however, he stated he would contact each Council member individually and offer the opportunity to meet and review the information within the next couple of weeks.

The Commissioners discussed possible locations for the public presentations to include Carver Center, Train Station, etc. as well as notice to the public and to Town Council. Commissioner Grim offered to help with a marketing strategy and outreach.

DISCUSSION OF CURRENT PLANNING DOCUMENTS: DEMOGRAPHICS AND HOUSING:

Chairwoman Stein talked about the SUP application presented this evening and the minimal guidelines in the comprehensive plan that provides structure for design. Chairwoman Stein further talked about the need to have things added so that if the zoning ordinance doesn't include information that the comprehensive plan has a guide on how the Town wants developments to look which will provide staff with a guideline to evaluate applications.

Daniel Galindo stated his goal for reviewing each of the topics is to see what the community wants and review the goals and policies in each area so that the Commissioners can say what they feel needs to be changed.

Daniel Galindo noted the difference in area population in the old plan versus recent research and talked about the increase in average household size and median age.

Commissioner Grim suggested that an executive summary be interjected into each narrative and will provide examples.

Further discussion took place about growth and capacity, the historic district, affordability, provisions for housing developments, and strategy and implementation goals.

Commissioner Stinnette suggested that each of the Commissioners take the feedback received so far, and after reading through it, be ready to provide a summary at the next meeting on what the strategic imperative is. The Commissioners agreed. Daniel Galindo requested if a Commissioner will miss a meeting to forward comments to him.

ADJOURNMENT:

With no further business, Commissioner Stinnette made a motion to adjourn the meeting at 10:00 PM. The motion was seconded by Commissioner Grim and passed unanimously

Theresa Stein, Chairwoman

Diana Hays, Town Clerk