

**MINUTES
PLANNING COMMISSION REGULAR MEETING
JANUARY 21, 2016, 7:00 PM
TOWN HALL COUNCIL CHAMBERS**

The Regular Meeting of the Purcellville Planning Commission convened at 7:00 PM and the following attended:

PRESENT: Doug McCollum, Chairman
Theresa Stein, Vice Chair
Chris Bledsoe, Planning Commissioner
Chip Paciulli, Planning Commissioner
EJ Van Istendal, Planning Commissioner
Nedim Ogelman, Planning Commissioner
Tip Stinnette, Planning Commissioner

ABSENT: None

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 Chairman McCollum at 7:00 PM. The Pledge of Allegiance followed.

Chairman McCollum welcomed the newest Commissioner, Tip Stinnette, and an intern from Patrick Henry College, Megan "MJ" Elliott who will be working with the Community Development Department.

OATHS OF OFFICE:

Mayor Fraser issued Oaths of Office to all of the Planning Commissioners.

Chairman McCollum requested on behalf of the Town Clerk that each Commissioner read and sign the Code of Conduct.

AGENDA AMENDMENTS AND COMMISSIONER DISCLOSURES:

None

PUBLIC HEARINGS:

None

DISCUSSION ITEMS:

a) Amendment to Village Case Development Plan

Chairman McCollum invited Mr. Jason Brownell to speak about the two undeveloped parcels in Village Case. Mr. Brownell stated he is seeking to apply for a comprehensive plan amendment so that the use of the PDH can be changed while the comprehensive plan is being rewritten. Mr. Brownell expressed concerns with the costs associated with the application process and the possibility of delays because of the timing. He added that without the assurance of a vote from the Planning Commission, his program to amend could be delayed as the risk may be too great to file all of the applications at once and expedite the project. Mr. Brownell requested a vote as to whether the Planning Commission is prepared to accept and review a comprehensive plan amendment application and related applications to be filed by Brownell Incorporated for the vacant parcels while the Town rewrites the comprehensive plan.

Commissioner Stein stated that when an application is submitted, the Planning Commission is required to act upon it within a certain amount of time per the zoning ordinance. Chairman McCollum agreed.

Commissioner Ogelman added he feels that the public should be able to weigh in on this.

Chairman McCollum stated the application appears to have the support of the HOA of Village Case whom would be most affected, and they will also have a chance to speak at the public hearing for the comprehensive plan amendment. The Commissioners agreed that they do not feel there would be a delay with the application because of the comprehensive plan review.

b) Draft 2015 Annual Report of the Planning Commission

Chairman McCollum noted he would like the Commissioners to take another look at the draft and to send their comments to Daniel Galindo.

Commissioner Ogelman stated a few of his concerns to include the statement about voting and that it needs to state that it was an election by acclamation that there was only one nominee for each of the positions. Chairman McCollum added that it was Commissioner Bledsoe suggestion to strike that completely; however, Commissioner Ogelman noted he feels it is important to have the transparency.

Commissioner Ogelman added that there is only one place where there is any mention of how the public reacted – favorably or negatively – regarding the application to increase the home day care. He suggested either dropping that or adding an assessment of what the general tenor was in every place where the public is mentioned. In regards to 32nd Street, Commissioner Ogelman suggested stating that the Town has not yet heard back from the representatives of the developers. Commissioner Ogelman suggested stopping

comments after the note that the zoning uses were reduced from 315 to 113 as the clause after could be read to assume that a reduction in uses is necessarily better. Commissioner Van Istendal agreed, and Chairman McCollum added he could make the change.

Commissioner Paciulli asked about the Planning Commission supporting the selection committee's decision to retain the consultant as he doesn't recall that. Chairman McCollum added there was no formal vote on the choice and that it was Town Council's decision, and asked for comments on how to change it. Commissioner Ogelman suggested adding a statement that the Planning Commission had no position on it. The Commissioners agreed that the last sentence should be removed.

ACTION ITEMS:

None

INFORMATION ITEMS:

None

CITIZEN COMMENTS:

Stephanie McGuinn, 324 East D Street, came forward to talk about Article 9, Section 5 of the Zoning Ordinance referring to the size constraints for accessory dwellings in that it cannot exceed 25% of the total floor space of the original dwelling yet will not be less than 500 feet of the floor area.

Ms. McGuinn stated she and her husband were discouraged recently from going before the Board of Zoning Appeals to seek accessory dwelling approval because their basement exceeds 25% of the square footage of their house. They were seeking the approval so they can include a stove in the in-law suite that they are building where Mr. McGuinn's parents will live although, she noted, it would become a rental unit until they move in the next couple of years. Ms. McGuinn added that they have been approved to build the in-law suite as drawn except without a stove. Ms. McGuinn stated they feel the original intent of the ordinance is being misconstrued and seems to have been to restrict what size is allowed for new structures such as over the garage apartments or new buildings. Ms. McGuinn requested that the Commissioners consider adding an amendment to allow existing basements to be finished fully with stoves regardless of their size in relation to the rest of the house.

Chairman McCollum provided a summary of the accessory dwelling unit provision, and he requested that Ms. McGuinn contact the Community Development Department to ask where they stand on scheduling the public hearing for the previous request to make a similar amendment and invited her back at that time. Vice Chair Stein added that the issue is not the stove but with the size, as that section of the ordinance does not talk about stoves. Chairman McCollum agreed and added that the Commission should consider her

concern, as well as the other family that had an issue, and decide the best approach in terms of size. Chairman McCollum requested again that Ms. McGuinn contact staff and let them know she would like to pursue this along with the other family that is looking for an amendment to the accessory dwelling unit regulations so that it is included in the staff report for the Planning Commission's review.

CHAIRMAN'S COMMENTS & COUNCIL REPRESENTATIVES REPORT:

Chairman McCollum reminded everyone that the first of the comprehensive plan sessions was rescheduled from this coming Saturday to February 6 at the same times and location.

Chairman McCollum stated that Commissioner Bledsoe had asked about branding the comprehensive plan work, and Daniel Galindo had reminded Chairman McCollum that over the summer, "Plan Purcellville" was selected as a simple concept for people to find everything. Daniel Galindo added that the website is up and running.

PLANNING COMMISSIONER'S COMMENTS:

Vice Chair Stein thanked Chairman McCollum for putting together the Annual Report. Chairman McCollum added that it is a statutory requirement, and he is proud of the work of the Planning Commission.

Commissioner Bledsoe asked if the Commission would need to re-advertise the Comprehensive Plan Update Meetings. Daniel Galindo shared the documents that have been prepared for public outreach: a flyer prepared by the consultant, a copy of the public notice that will be in the Purcellville Gazette, and the Press Release – all of which reflect the new dates. Mr. Galindo also noted the Facebook page had been updated as well.

APPROVAL OF MINUTES:

- a) January 7, 2016 Regular Meeting

Before voting on the minutes, Vice Chair Stein stated that disclosures had not yet been reported during the meeting.

Commissioner Ogelman stated the Planning Commission had discussed adjusting various things on the agenda including announcing that when items might be voted on the same evening as public hearings and discussions are held. Daniel Galindo stated that the agenda does reflect the Commission's previous comments in that Discussion Items were moved before Action Items, and in the future, if there is a public hearing and a discussion, a note will be provided that states those items may be action items. Commissioner Ogelman added that the Disclosures should be mentioned, and Daniel Galindo pointed out that Disclosures were already added with the Agenda Amendments. Commissioner Paciulli asked for an explanation of what a Disclosure is. Chairman McCollum stated that when he attended a Loudoun County Planning Commission

meeting, they would disclose actions that they took that dealt with pending or potentially pending matters before the Planning Commission such as a site visit, application for rezoning, amendment, etc. Chairman Stein added that the Disclosure is meant for when you purposely have a conversation with a pending application that is land use related on an item that is currently or will be before the Planning Commission.

The Commissioners had no Disclosures to report.

Commissioner Bledsoe stated that the agenda reflects Disclosures from Commissioners and from Staff. Daniel Galindo stated that it was a holdover from Agenda Amendments, and he would separate those into two separate items on future agendas.

Commissioner Ogelman had a couple of amendments to the previous meeting minutes:

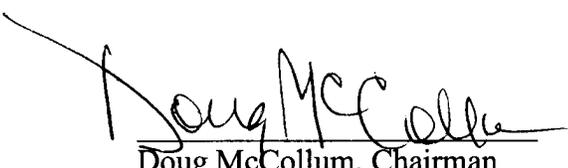
1. The statement where he noted he was opposed to putting together an agenda and moving an item to action the same day (top of page 4) stated that that should be before the vote because what affected his vote on the issue is the fact that the Commissioners were having to make the vote at the same time they had been discussing it.
2. Commissioner Ogelman also suggested that the statements as to how the votes were determined be added. Chairman McCollum noted that those comments are captured on page 4. Commissioner Ogelman noted it would be helpful to point out they were voting on the motion with the friendly amendment and not just the motion itself.

Chairman McCollum requested that Commissioner Ogelman send his language to Tucker and he will send his as well. Tucker Keller noted the minutes can be amended or voted on at the next meeting. The Commissioners agreed to vote on the minutes at the next meeting with the amendments included.

Chairman McCollum stated that a Code of Conduct has been issued to each Commissioner and requested that it be signed and left with Tucker or Daniel.

ADJOURNMENT:

With no further comments, Commissioner Ogelman made a motion to adjourn the meeting at 7:52 PM. The motion was seconded by Commissioner Van Istendal and approved unanimously.


Doug McCollum, Chairman


Diana Hays, Town Clerk