

**MINUTES
PLANNING COMMISSION REGULAR MEETING
NOVEMBER 3, 2016, 7:00 PM
TOWN HALL COUNCIL CHAMBERS**

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

ABSENT: David Estey, Planning Commissioner
Britt Adkins, Planning Commissioner

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

CALL TO ORDER OF REGULAR MEETING:

Chairman Stein called the Planning Commissioner Regular Meeting to order at 7:00 PM.

Mayor Fraser called to order the Special Meeting of Town Council at 7:00 PM. The Pledge of Allegiance followed.

PLANNING COMMISSION AGENDA AMENDMENTS:

None

PLANNING COMMISSIONER DISCLOSURES:

None

JOINT PUBLIC HEARINGS WITH TOWN COUNCIL:

a. SUP16-03 Mary's House of Hope (Transitional Housing)

Chairman Stein stated the purpose of the public hearing and granted speakers three minutes. Chairman Stein opened the Planning Commission Public Hearing at 7:03 PM. Mayor Fraser opened the Town Council Public Hearing at 7:03 PM.

There was no one signed up to speak.

Daniel Galindo gave the staff presentation and noted that the applicant is requesting a special use for transitional housing in a building that it has been using as transitional housing for approximately nine years. Mr. Galindo added the Town rezoned the property

earlier this year and created a use for transitional housing in preparation for the possibility of selling the land. Mr. Galindo stated that the Town agrees with all of the information contained within the application and the statement of justification; however, since the application has been received less than a month ago and the Town hasn't received comments back from all reviewers, he recommends that the Planning Commission defer action on the item until their next meeting.

There were no written materials submitted for the record.

Vickie Koth, 198 Wilderness Road, Linden, VA, with Good Shepherd Alliance came forward and talked about their longstanding, great relationship with the town. Ms. Koth added that, with a grant, they were able to renovate the home, and they currently lease the home from the Town for \$1 per year. Ms. Koth added that the house is used to help single moms get back on their feet. With the maintenance facility located there previously, there was a safety concern with having small children in the house because of the equipment coming and going. Ms. Koth stated they did receive the \$300,000 grant to purchase the home.

No citizens were signed up to speak.

Commissioner Stinnette asked Daniel Galindo what the downside would be for not voting on it immediately. Mr. Stinnette asked if the Town was expecting any significant comments from the review and who had not returned comments. Daniel Galindo stated he does not expect significant comments and that the comments outstanding are from the Public Works Department.

Sally Hankins, Town Attorney, recommended allowing a full vetting of an application before acting upon it because it helps ensure that the action taken can withstand any challenge.

Commissioner Paciulli asked if it might be important to add a few conditions on the approval to include maximum living capacity, conforming of building, fire and safety codes, and tree buffering maintenance. Per Dan Galindo, staff has not compiled a list of conditions.

Council had no questions or comments, and Mayor Fraser closed the Town Council Public Hearing at 7:13 PM. Chairman Stein closed the Planning Commission Public Hearing at 7:13 PM.

b. SUP16-04 – Makersmiths

Chairman Stein stated the purpose of the public hearing and granted speakers three minutes. Chairman Stein opened the Planning Commission Public Hearing at 7:15 PM. Mayor Fraser opened the Town Council Public Hearing at 7:15 PM.

Daniel Galindo provided the staff presentation and explained the location of the property as well as its history. Mr. Galindo added that if the Town Council and/or Planning Commission has any issues they may want to include those as conditions or to address them with staff.

Pat Scannell, 803 Lennon Court, Leesburg, Executive Director of Makersmiths, came forward on behalf of Tom Hill, Project Manager. Mr. Scannell stated that since his last presentation to Council he presented on the Maker movement to VML at the annual conference and talked further about the purpose of Makersmiths and their other locations.

An email from Bill and Christy Reynolds was received for the record in support of Makersmiths.

Matthew Hines of 14421 Mountain Road, Purcellville, came forward and talked about the large number of events held at a Makersmiths facility and the need for expansion.

David Bock, 38210 Audrey Court, Hamilton stated he is in support of Makersmiths in Purcellville and talked about the support it would provide to the surrounding schools.

Jill Evans-Kavaldjian, 38615 Morrisonville Road, Lovettsville, President of the Loudoun Arts Council and Manager at Round Hill Arts Center came forward in support of the Makerspace.

Michael Fistler, 17054 Simmontal Lane, Round Hill, shared his experience with Makersmiths over the past year and spoke in favor of Makersmiths coming to Purcellville.

David Painter, 35365 Carnoustie Circle, Round Hill, spoke in favor of Makersmiths in Purcellville and feels they are an asset to any community.

Vickie Koth, 198 Wilderness Road, Linden, VA stated she is Executive Director of the Good Shepherd Alliance and would be the neighbor to the Makersmiths location. Ms. Koth talked about her concerns of security, quiet hours, safety with the in-and-out traffic, and the children in the home.

Pat Scannell offered to meet with Ms. Koth to work with her on her concerns and provided information about current neighbors at other Makersmiths locations. Mr. Scannell talked about the use of the lower driveway to move traffic away from the house.

Mr. Hines talked further about the space being opened to only members twenty-four hours a day with someone always being on-site. Mr. Scannell added there would be other members there as well as video surveillance.

Commissioner Paciulli asked if all of the use areas on the property could be identified. Commissioner Paciulli talked about the Hirst Farm homes that back to the property and

talked about screening. Commissioner Paciulli talked about the quiet hours and feels 10:00 PM may be a little late, and stated the parking is not well defined.

Commissioner Van Istendal asked about the security to monitor the networks as well as physical security. Mr. Scannell stated a security solution has not yet been created but will exceed best commercial practices.

Mr. Scannell committed to adding trees for screening on the Hirst side and behind Mary's House of Hope. Commissioner Paciulli thanked Mr. Scannell for his willingness to help.

Via questions from Commissioner Stinnette, Daniel Galindo confirmed that all of the reviews are in and the only item remaining is setting conditions, if desired, and that the Town has a list of equipment as of today that will be on-site. Commissioner Stinnette asked about facilitating a meeting between the applicants of 16-03 and 16-04.

Commissioner Grim referenced the Sept. 27, 2016 Town Council Meeting Minutes where there is a well-defined map that lays out the description of the area that Makersmiths would be using and referenced in the same meeting that the issues in the lease were addressed line by line. Further discussion took place about adding conditions to the lease. Chairman Stein stated she feel conditions should be worked out between Mary's House of Hope and Makersmiths.

Discussion took place about having the materials ready for this item to be an action item on November 17th.

Council member Bledsoe spoke in favor of Makersmiths and added that he visited the Leesburg location and talked with the neighbors there and received positive feedback.

Council member Jimmerson talked about the possible benefits of having neighbors.

Mayor Fraser encouraged a meeting within a week between Makersmiths and Mary's House of Hope to determine how they can work together.

Pat Scannell offered Makersmiths services to Mary's House of Hope to include physical and network security.

Vickie Koth shared her concerns about the proposed hours of operation for Makersmiths due to noise and safety.

Mayor Fraser closed the Town Council Public Hearing at 8:13 PM. Chairman Stein closed the Planning Commission Public Hearing at 8:13 PM.

c. Zoning Ordinance Text Amendment OA16-02 – Disclosure of Real Parties in Interest

Chairman Stein stated the purpose of the public hearing and granted speakers three minutes. Chairman Stein opened the Planning Commission Public Hearing at 8:15 PM. Mayor Fraser opened the Town Council Public hearing at 8:15 PM.

Sally Hankins, Town Attorney, made the staff presentation and added that the Town Council has expressed interest in amending the zoning ordinance to require that anyone that is presenting a land development application disclose all the legal and equitable ownership interests in the land that is the subject of the application. Town Council has requested that the Planning Commission review the proposed ordinance and provide Council with a recommendation. Ms. Hankins reviewed the proposed process as presented in the staff report.

Tucker Keller noted the four written comments received for the public hearing by Chuck Izzo, Susan Khalil, Lydia Clark, and Kecia Brown. One additional item came in during the public hearing from Edie Forsberg. All are in support of the Real Parties of Interest Disclosure.

No one was signed up to speak.

Commissioner Paciulli spoke in favor of the item.

Commissioner Grim clarified for the residents that she's received questions and that there is a secondary part of the item which requires an affirmation, meaning if anything changes from the time of application that on or before the close of business 22 business days prior to each public hearing before the Planning Commission, Town Council or Board of Zoning Appeals, the applicant or authorized agent must update the document, and she added the form does need to be notarized. Commissioner Grim spoke in favor of the item.

Commissioner Stinnette added that the Affirmation is covered in paragraph 19.5 which should address the concerns of the neighbors.

Chairman Stein noted that the ordinance would give the option for the board member to go further than the code requires in that they could electively refrain from participating and confirmed with Sally Hankins that this is correct.

Commissioner Grim talked about updating the Code of Conduct for Committees, Commissions and Boards and the Code of Ethics for Council to address the issue as other municipalities do.

Council member Bledsoe and Mayor Fraser spoke in favor of the item and with no further Council comments, Mayor Fraser closed the Town Council Public Hearing at 8:24 PM.

ADJOURNMENT OF TOWN COUNCIL SPECIAL MEETING & PUBLIC HEARINGS:

Council member Bledsoe made a motion to adjourn the Town Council special meeting at 8:24 PM. The motion was seconded by Vice Mayor Jimmerson and passed 5-0-2 absent.

The Planning Commissioners had no further comments and Chairman Stein closed the Planning Commission Public Hearing at 8:25 PM.

After a five minute recess, the Planning Commission continued with their regular meeting at 8:33 PM.

PRESENTATIONS:

None

DISCUSSION ITEMS

a. SUP16-03 Mary's House of Hope (Transitional Housing)

Commissioner Van Istendal noted he feels these items were covered during the public hearing and asked if there was anything new to add.

Commissioner Grim stated she would like to attend the meeting and requested that someone suggest to Mary's House of Hope that someone attend the meeting that is in charge of the house on a daily basis.

Commissioner Stinnette made a motion that the Planning Commission move SUP16-03 to its meeting on November 17, 2016 for discussion and possible action. The motion was seconded by Commissioner Van Istendal.

Commissioner Grim added it would be helpful to see a map similar to page 65 of the September 27, 2016 Town Council Meeting Minutes that defines Mary's House of Hope and how it situates whereas the two driveways are shown. Daniel Galindo stated that wasn't included because he didn't want to confuse the lease with the SUP.

The motion passed 5-0-2 absent.

b. SUP16-04 Makersmiths (Public or Government Building, Facility, or Use Not Otherwise Defined)

Commissioner Van Istendal stated he is in support of moving the item to the Nov. 17 meeting.

Chairman Stein noted that the two SUP's go together and added the conditions should be worked out before moving on the item.

Daniel Galindo talked about the parking being noted on the drawing included with the staff report. Commissioner Paciulli added he does not know how the sewer plant interfaces with the rest of it and Mr. Galindo added he can work on clarifying that.

Chairman Stein asked what type of a landscape buffer is required between the two pieces. Daniel Galindo stated he would check the zoning ordinance. Rob Lohr talked about the chain link fence in place. Commissioner Paciulli stated the trees should be shown on the plan and be part of the list of conditions. Further discussion took place about the parking.

Chairman Stein asked if the events are considered an accessory to the use or if a special events permit is required. Daniel Galindo stated they would need to go through the permitting process and not through the Planning Commission. Mr. Galindo added he would speak with the Town Attorney and Events Specialist to see if anything needs to be addressed in the SUP.

Commissioner Stinnette made a motion that the Planning Commission move SUP16-04 to its meeting on November 17, 2016. The motion was seconded by Commissioner Paciulli and passed 5-0-2 absent.

In regards to SUP16-03 Mary's House of Hope, Commissioner Paciulli added that the improvements other than shown on the plan include existing green plantings on the rear of the house should be maintained, all building safety and fire codes shall be conformed with and add a maximum living capacity.

c. OA16-02 Zoning Ordinance Text Amendment to Require Disclosure of Real Parties in Interest

Commissioner Grim stated that an email came in at 8:20 PM from Edie Forsberg supporting the real parties of interest.

Commissioner Stinnette made a motion that the Planning Commission amend the November 3, 2016 agenda to add this item as an action item. The motion was seconded by Commissioner Paciulli and passed 5-0-2 absent.

ACTION ITEMS:

a. Schedule Special Meetings for November 5, 2016

Daniel Galindo stated the purpose is to schedule special meetings that coincide with the workshops and that this has been advised by the Town Attorney.

Commissioner Stinnette made a motion that the Purcellville Planning Commission schedule special meetings on November 5, 2016 from 10:00 AM to 12:00 PM at Town Hall and November 5, 2016 from 2:00 PM to 4:00 PM at Town Hall for the purpose of discussing and considering the Town's Comprehensive Plan. The motion was seconded by Commissioner Van Istendal and passed 5-0-2 absent.

b) OA16-02 Zoning Ordinance Text Amendment to Require Disclosure of Real Parties in Interest

Commissioner Stinnette made a motion that the Planning Commission recommend the adoption of Ordinance 16-09-01 to amend the zoning ordinance and require that land development applicants make a full public disclosure of the legal and equitable ownership interests in the real party that is the subject of such application, and periodically affirm such disclosure.

The motion was seconded by Commissioner Grim and passed 5-0-2 absent.

INFORMATION ITEMS:

a) Status of Priority Work Items

Daniel Galindo had nothing to add.

Commissioner Grim asked if Catoctin Corner had withdrawn SUP15-02. Mr. Galindo confirmed and stated that he intended to include that in the report for the next meeting.

Chairman Stein requested that this item be placed on the next meeting agenda to reorder the items because some items have been received from Town Council that need to be acted upon. Commissioner Paciulli requested that Council prioritize the items.

CITIZEN COMMENTS:

None

COUNCIL REPRESENTATIVE'S REPORT:

Commissioner Grim noted she will have more to update the Commissioners on at the next meetings.

CHAIRMAN'S COMMENTS:

Chairman Stein suggested that with staff reports a vicinity map should be included especially for public hearings.

PLANNING COMMISSIONERS COMMENTS:

Commissioner Paciulli stated that the script was excellent and a good guide throughout the public hearing process.

APPROVAL OF MINUTES:

- a. September 15, 2016 Work Session
- b. September 22, 2016 Work Session
- c. October 6, 2016 Regular Meeting
- d. October 6, 2016 Work Session
- e. October 20, 2016 Regular Meeting
- f. October 20, 2016 Work Session

Daniel Galindo stated that in the October 6 work session minutes on page 79 of the packet, the intern's name is misspelled.

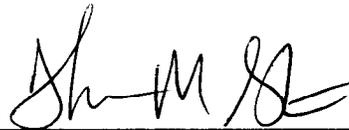
Commissioner Van Istendal referenced page 77 of the agenda packet (October 5 Work Session) and would like to add a comment that was discussed about soliciting input from the police as to where they would suggest a police station should be considered.

Commissioner Paciulli noted he would like to change a portion of his comment on page 82 of the packet third paragraph to read "Vice Chairman Paciulli stated concern to an email from Patrick Sullivan".

Commissioner Stinnette made a motion to approve the meeting minutes for the meetings noted above as discussed and waive reading. The motion was seconded by Commissioner Van Istendal and passed 5-0-2 absent.

ADJOURNMENT:

With no further business, Commissioner Stinnette made a motion to adjourn the meeting at 9:15 PM. The motion was seconded by Commissioner Van Istendal and passed unanimously with two absent.



Theresa Stein, Chairman



Diana Hays, Town Clerk

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