

**MINUTES
PLANNING COMMISSION REGULAR MEETING
MAY 4, 2017, 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
David Estey, Planning Commissioner
Kelli Grim, Planning Commission/Council Liaison

ABSENT: 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 Commission Regular Meeting to order at 7:01 PM. The Pledge of Allegiance followed.

AGENDA AMENDMENTS:

Daniel Galindo stated that he had no amendments, but he had an addendum to the Comprehensive Plan Prioritization Staff Report.

COMMISSIONER DISCLOSURES:

None

PUBLIC HEARINGS:

None

PRESENTATIONS:

None

DISCUSSION ITEMS:

a. Comprehensive Plan Update Status & Prioritization of Work

Daniel Galindo referenced the supplemental information and discussed reasons for the delay in the Comprehensive Plan as well as two proposals on how to improve the process going forward. Mr. Galindo stated that, in the short term, he would recommend stopping work on all other priorities for about one month and feels a draft could be ready in early June. Mr. Galindo stated that, in the long-term, he does not feel that the Planning Commission prioritizing the items is having the effect that was intended and that it would be appropriate for Council to prioritize the items.

Commissioner Paciulli stated he is in support of the suggestions but would like to move the Building Heights item forward as well as Stream and Creek Buffer item.

Commissioner Grim referenced item 7a and asked for an explanation of the statement that references that funds were originally allocated for an overall fiscal impact analysis of the Comprehensive Plan but that an alternative is proposed because looking outside the corporate limits is being eliminated. Commissioner Grim stated that she feels that from previous conversations that the fiscal impact analysis is an internal issue in looking at buildout and other items. Daniel Galindo stated that what was initially anticipated was to do a traditional land use map for the overall plan, including areas outside of Town, but now the plan was focused on redevelopment areas. Daniel Galindo talked about Planning Commissioners and some Council members being interested in moving towards a tool that can be used for rezoning applications and SUP's, which is what option one provides although it would involve more funding. Mr. Galindo added that the second option provides the information for review for guidance moving towards such a tool in the future.

Chairman Stein referenced option 1 and the additional funding of \$12,000 going through Council. Daniel Galindo stated that Council is currently going through the budget process and referenced the Long-Range Planning line item. Daniel Galindo proposed the idea of asking Council to move forward with this tool and either add money back in or to move the new design guidelines across the fiscal year as initially discussed and use some of the money for this item.

Commissioner Grim added that Council is looking at the prospect of a high-performing retired or part-time Planner that could be a part of the Comprehensive Plan and assisting with the other items as needed.

Commissioner Stinnette recommended that all activities be stopped to allow the Planning Staff to be able to focus on the Comprehensive Plan which is a priority to the Town. Commissioner Stinnette referenced pages 13 and 14, the steps to complete the Comprehensive Plan and stated the timeline associated with each step is missing and feels this would be useful for the Commissioners and the Council. Commissioner Stinnette stated he sees about twelve thousand dollars' worth of work that will not need executed. Daniel Galindo stated that if the Commissioners determine that the implementation tool is more useful, then the money would be

freed up. Commissioner Stinnette suggested before dividing into sub-teams to assist staff that it would be helpful to know what outputs are expected from a project team and what they look like. Chairman Stein asked the Commissioners if they wanted to entertain the team approach or if they want to give the Senior Planner the month to work on the Comprehensive Plan. Chairman Stein recommended giving the time to Daniel Galindo to accomplish this.

Commissioner Grim clarified that the building heights issue was a very important issue that Council saw with the Comprehensive Plan coming together which had not been updated since 2008. Commissioner Grim added that since February, all of the projects have had to continue moving forward and does not feel that she has had anything to do with review or input of the Comprehensive Plan and feels the Commissioners should be able to read through the drafts to stay involved in the process. Commissioner Grim added that it is not her intent to have Commissioners slow down the process.

Daniel Galindo added he felt a draft could be ready for the Planning Commissioner's review by around June 9th. Commissioner Stinnette confirmed that the Planning Commission would not ask for assistance from Daniel Galindo as he works on the Comprehensive Plan and requested a timeline against the tasks. Chairman Stein added that it is important that Council agree. Commissioner Stinnette recommended delaying the public hearing on the building heights to the Council until June. Chairman Stein noted that if all of the Planning Commissioners are in agreement that they could direct Daniel Galindo to create the schedule and take it to Council for approval. All of the Planning Commissioners were in support of this, and Chairman Stein requested that Daniel Galindo receive approval from Council. Commissioner Stinnette offered to draft a separate document for the Commission's review that shows the recommendation to the Council that the Planning Commission agreed to and request Council's support.

Commissioner Grim talked about the other items and that the Commissioner's stay involved outside of meetings.

Commissioner Stinnette asked about the Planning Commissioner's receiving emails to and from the consultant so that they stay involved in the process. Daniel Galindo stated that this would be possible and added that he feels he has always tried to put all of the information out for the Planning Commission as well as the public.

Commissioner Van Istendal stated that he understands the need for transparency and agrees with it and that Mr. Galindo should be granted the one month to work on the plan and recommended that a weekly summary be provided rather than be copied on all emails. Commissioner Paciulli stated he feels it would be inappropriate for the Planning Commissioners to chime in at any point. Chairman Stein requested that documents be shared with the Commissioners so they stay aware and feels this would be sufficient. Commissioner Stinnette requested that the new timeline be shared as well.

Commissioner Grim stated that she has no distrust and is trying to stay informed which may be different than other Planning Commissioners, and that Commissioners may opt of getting the

emails if they choose. Commissioner Grim thanked Mr. Galindo for facilitating and sharing the information over the past three months and finds it helpful.

Chairman Stein summarized that Commissioner Stinnette would create a draft to share with the Commissioners before forwarding to Council which would include the timeline. Chairman Stein asked if they should plan to meet the second meeting May or cancel. Commissioner Grim added that the public hearing and the VRT information has been sent back to the Planning Commission, and VRT would forward a new drawing that shows the issues that were addressed. Chairman Stein stated that this is if a resubmission is received from VRT and otherwise there would not be anything on the agenda. Chairman Stein suggested that if nothing is received from VRT then the meeting be canceled. Mr. Galindo added that depending on the changes that another public hearing process may need to be held. Commissioner Grim stated that VRT's plan is that the buses conduct activity inside the parking lot. Chairman Stein stated she feels this would be substantial enough for a new public hearing and would need preparation time and that June 1st would be better. Daniel Galindo agreed and stated that June 1st would be the earliest it could come back for a public hearing due to advertising requirements.

Commissioner Paciulli asked Commissioner Grim the logic behind sending it back to the Planning Commission. Commissioner Grim stated the Council felt that pictures, reports and information were not presented to the Planning Commission at the time. Daniel Galindo stated that June 1st or 15th could work depending on the change. Chairman Stein recommended canceling the May 18th meeting and to let Mr. Galindo state when he is ready.

Commissioner Grim asked if the Fire Dept. submitted comments on the original as she had not seen them. Mr. Galindo stated he would look; however, he noted that it may have been Loudoun County Fire and Rescue and not the Fire Dept.

Daniel Galindo asked if the Planning Commissioners agree to having the Town Council prioritize their work items, where would the Outdoor Storage item be prioritized and if there is a preference on the two options of the fiscal element.

Chairman Stein stated in regards to the Outdoor Storage item that she cannot believe that the Zoning Administrator cannot make a determination of what is or isn't outdoor storage and that he feels the zoning ordinance does not give enough information to be able to solve the problem without a text amendment. Chairman Stein added that with some of the other items she does not see this as taking precedence. Chairman Stein stated that she hopes to be able to move the heights forward today and that Civil Penalties needs additional work.

Daniel Galindo added that the Floodplain Regulations have been adopted and since then the Duplex Dwelling item has been added and Council had asked recently about Outdoor Storage.

The Planning Commissioners discussed the priorities of the work items. Chairman Stein stated she believes Outdoor Storage would go to the bottom of the list. Daniel Galindo asked about preferences on the fiscal elements, and added that option one is his preferred option if Council approves it. Commissioner Van Istendal talked about being fiscally responsible and does not feel

\$24,000 should be invested for a better product and was not against a smaller investment. Commissioner Grim added that she feels Council would need to be presented with the product to see it applied to a particular project. Mr. Galindo stated that \$11,800 is what is in the current Comprehensive Plan budget for a fiscal product and that would be reallocated towards implementing a tool that help pursue the goals of the plan once it is approved. Mr. Galindo added that the \$12,000 would be additional. Commissioner Stinnette stated he does not feel it is within the scope or authority of the Planning Commission to say the money should be reallocated, and feels the value of the Comprehensive Plan, once finished, is not going to be influenced by this tool but that the tool would influence the implementation of the Plan. Commission Paciulli clarified that they do not want to spend the \$11,800 in the Plan for the fiscal portion. Chairman Stein suggested speaking to Council without a recommendation from the Planning Commission.

Discussion took place about the work associated with the standard staff reports. Daniel Galindo stated that once draft text is prepared that Commissioner Grim can take it to Council as part of the update.

Commissioner Stinnette talked about project teams and if there is a desire for them that the Planning Commission talk about how to characterize the teams. Chairmain Stein stated that if there is a project team that they could go to the Planning Commission with their decision on what they would work on and the Commission would help with the scope.

ACTION ITEMS:

a. OA16-05 – Zoning Ordinance Text Amendment to Reduce Maximum Building Heights in the C-4 District

Chairman Stein stated the public hearing was held at the April 20th Planning Commission Meeting. Daniel Galindo stated that he added some information to the second point of his analysis and that the provision references business buildings being limited by the lower heights. Mr. Galindo noted that something that is a business building now may not be in the future and vice versa if it is a permitted use, and he does not feel that a 35 foot maximum height is significantly different than a 30 foot height. Further discussion took place about setting the height in the various districts.

Commissioner Grim agreed with Commissioner Stinnette that the non-conformities would not effect a lot of buildings and only if a building is going to be rebuilt. Chairman Stein talked about the overall height and the number of stories not being with the “and” requirement.

Daniel Galindo confirmed with the Commissioners that no one is in favor of the 65 or 75 feet current height and that the issue is the maximum height.

Commissioner Van Istendal stated he feels that based on the findings and previous discussions that it should be 35 feet. Daniel Galindo added that, based on the definition, since it is 45 feet and three stories, if it is three stories at the front finished grade that it could still be four stories in the back. Mr. Galindo added that if the front is higher, then the measurement would be taken

from the front and if not then the measurement is taken all the way around to get an average. Daniel Galindo stated that the language that Commissioner Paciulli initially brought was from 1991, and when he reviewed what was actually in the ordinance in 2008, the maximum was 32 feet instead of 30 feet.

Chairman Stein stated she feels it would be penalizing a business by making it lower than what the adjacent residential could be which does not seem like a good land use decision.

Commissioner Van Istendal offered to make a motion based on the fact that citizens and businesses did provide input and feels that the majority would benefit.

Commissioner Van Istendal made a motion that for the reasons stated in the staff report dated May 4, 2017, that the Purcellville Planning Commission forward to Town Council with a recommendation to approve OA16-05 Reducing the Maximum Building Heights in the C-4 Zoning District with the following changes:

1. Maintain the portion of the current regulations which require buildings within 50 feet of a residential district to be limited to a maximum height of 35 feet instead of the proposed maximum height of 30 feet and 2 stories for buildings within 200 feet of a residential district; and
2. Do not add the additional three story limitation to the existing standard which limits the general maximum height to 45 feet.

The motion was seconded by Commissioner Paciulli.

Commissioner Estey asked if this is reducing the maximum building height. Daniel Galindo stated that the overall number in the district is 45 feet with some exceptions and this would be changing some of the exceptions and moving them back towards what they were previously.

The motion carried 4-2-1 with Commissioners Grim and Stinnette opposed and Commissioner Adkins being absent.

INFORMATION ITEMS:

a. Status of Priority Work Items

This item was discussed previously.

CITIZEN COMMENTS:

None

COUNCIL REPRESENTATIVE'S REPORT:

Commissioner Grim stated that VRT has been sent back to the Planning Commission.

Commissioner Grim stated that a new question has been issued through Polco about the Town and the County consolidating the tax payments which could have ramifications to the residents with all taxes being handled by the County and online and available within the Munis program. Commissioner Grim added that this would have some cost savings to the Town and added that other Towns are also looking into this.

Commissioner Grim stated that there has been a new parking proposal for 21st Street which limits two hour parking on the signs that say “customer parking” which will help resolve the issue of employees taking up spaces.

Commissioner Grim stated that Council is talking with Dominion about solar and pilot programs.

Commissioner Grim stated that a public hearing is scheduled at Council’s next meeting for the proposed usage and rates for water and sewer and that Council is currently at a zero water percent increase and a two percent sewer increase. The public hearing is also for the proposed budget.

Commissioner Grim added that Mr. Lohr is retiring and will keep the Commissioners alerted of a celebration, and at Council’s next meeting, two will be interviewed for the Interim Town Manager position while Council looks at a search firm for the Town Manager position which both could also apply for.

CHAIRMAN’S COMMENTS:

Chairman Stein stated she appreciates staff’s work in getting the Comprehensive Plan information to the Commissioners.

PLANNING COMMISSIONERS’ COMMENTS:

Commissioner Paciulli thanked Daniel Galindo and staff for being patient and assisting with the building heights in downtown.

Commissioner Grim referenced an email from VRT that helped address the items brought up in preparation for the new rendering. Commissioner Grim stated the Town does not have access to VRT’s contract until it has been signed.


APPROVAL OF MINUTES:

a. March 16, 2017 Regular Meeting

Commissioner Van Istendal made a motion to approve the minutes of the March 16, 2017 Regular Meeting and waive reading. The motion was seconded by Commissioner Stinnette and carried with one absent.

ADJOURNMENT:

With no further business, Chairman Stein closed the meeting at 9:00 PM.



Theresa Stein, Chairman



Diana Hays, Town Clerk