

**MEETING MINUTES
PURCELLVILLE PLANNING COMMISSION MEETING
THURSDAY, JUNE 2, 2022, 7:00 PM
TOWN HALL**

Meeting recording can be found at the following link: <https://purcellvilleva.new.swagit.com/videos/174881>

PRESENT:

Nan Forbes, Chair/Commissioner
Mary Frances Bennett, Vice Chair/Commissioner
Stanley Milan, Town Council Liaison (via remote participation, unknown reason)
Ed Neham, Commissioner (via remote participation, arrived at 7:10pm)
Nedim Ogelman, Commissioner (late, arrived at 7:05pm)
Chip Paciulli, Commissioner
Carol Luke, Commissioner

STAFF PRESENT:

Sally Hankins, Town Attorney
Don Dooley, Director Planning and Community Development
Heather Spadaccini, Planning Operations Coordinator

CALL TO ORDER:

Chair Forbes called the meeting to order at 7:02 PM and led the Pledge of Allegiance.

COMMISSIONER DISCLOSURES:

None

AMENDMENTS:

None

CITIZEN COMMENTS (first opportunity):

Casey Chapman, CaseCo 205 E. Hirst St. took the opportunity to encourage local businesses and residents to engage and participate in this zoning rewrite process as well as to state that ZoneCo is doing a good job and that he has faith in its ability to fulfill their obligations. He also took the opportunity to state that, based on part of a discussion held at the May 9, 2022 special meeting between the Planning Commission and Town Council in regards to who the client of ZoneCo actually is, he stated that he concurs with the statement that the Town Council is the client of ZoneCo not the Planning Commission and stated that, in his opinion, the Planning Commission doesn't have the ability to enter into a contract with ZoneCo. Mr. Chapman also stated that the process, in his opinion, is as follows: ZoneCo gives recommendations to the Planning Commission, Planning Commission then decides whether or not they are satisfied with those recommendations, then sends their recommendations to Town Council, who ultimately makes the decision on whether or not to approve the Planning Commission's recommendations.

APPROVAL OF MINUTES:

- a. May 5, 2022 regular meeting minutes

Commissioner Luke made a motion that the Planning Commission approve the minutes from the May 5, 2022 meeting and waive reading. The motion was seconded by Commissioner Ogelman and carried 6-0.

b. May 9, 2022 Joint Planning Commission/Town Council Special Meeting minutes Commissioner Ogelman made a motion that the Planning Commission approve the minutes from the May 9, 2022 special meeting and waive reading. The motion was seconded by Commissioner Luke and carried 6-0.

DISCUSSION/INFORMATIONAL ITEM(S):

a. Sean Suder of ZoneCo to present and discuss calibration tables for existing and proposed zoning districts

Mr. Suder's assistant Nolan McCas presented and discussed the calibration tables, their methodology and how they're used, beginning w/ existing district regulations then moving to proposed zoning districts. Using the Comprehensive Plan as the guiding document, ZoneCo went through the different districts and sub-districts of the town and explained how they came up with different recommendations, some specific to certain areas and others more general. Commissioner Ogelman asked why ZoneCo hasn't used the gap analysis provided. ZoneCo stated that they will take a deeper look at the gap analysis that was provided by the Planning Commission as the process proceeds. Chair Forbes asked for best way to communicate comments to ZoneCo to which ZoneCo replied that the steering committee is best way to forward any comments to them. Chair Forbes also asked for guidance in making the process iterative and that the calibration table is a great way to make this process work most efficiently. Chair Forbes also asked about the best timeline to send responses from Planning Commission since the next PC meeting is in 2 weeks. ZoneCo said sending comments over the next few weeks will work well so that they can get the calibration table completed by end of July. Mr. Suder also mentioned that the Town Committees, Commissions and Boards (CCB) August recess will allow ZoneCo to get some back office work done. Commissioner Ogelman noticed that Hirst West & Hirst East descriptions were switched around, so requested ZoneCo to fix that. Mr. Suder stated that they will make this important change. Neham asked if ZoneCo planned on making any tables for areas to sustain. ZoneCo said they've created no tables for areas to sustain as it'd be carrying forward the existing Comp Plan desires throughout. Commissioner Neham said it'd be best to create these tables anyway since there are some key differences within the areas to sustain on the ground (sustain the way it looks), but not necessarily sustain the zoning as it exists. Commissioner Ogelman concurred. Paciuli spoke on parking issues. ZoneCo said that this part of the calibration is to focus on the standards specific to those focus areas. Chair Forbes asked how to get questions to ZoneCo in the most efficient way possible to which ZoneCo replied to go through Director Dooley as he's the designated point of contact. ZoneCo is going to

start looking at the focus areas & will have its comments back to Planning Commission by tomorrow, June 3 2022.

b. Planning Commission as contractor's client

The Commission discussed the email from ZoneCo's Sean Suder passed on through Attorney Hankins regarding the draft document submitted to the agenda regarding the professional services agreement (PSA). Chair Forbes said she doesn't want to rewrite the PSA contract but wants to know the best way to contact ZoneCo w/in the scope of the PSA and how to work out logistics in order to work most efficiently. Commissioner Ogleman said he & Commissioner Neham put the draft document together to try to figure out what the Planning Commission and subcommittee's roles are in the process in regards to the mayor's statement at the special meeting on May 9th that the Comp Plan is the statement of work & the Planning Commission is the client on the Town's behalf and that they're trying to perform the duties adjudicated to them by Town Council. Chair Forbes was surprised by ZoneCo's response as the document is a draft (according to recording secretary Heather Spadaccini, the draft was included in the agenda and was therefore sent to Mr. Suder as a presenter for transparency and preparedness purposes). Chair Forbes asked if ZoneCo will be willing to have a conversation instigated by Mr. Dooley as the point of contact if the Planning Commission or subcommittee has important pressing questions or concerns. Director Dooley said he's happy to find out where the communication boundaries are in terms of extra cost and working outside of the scope of the PSA. Chair Forbes asked what the range of flexibility is in terms of contact(s) between Planning Commission and ZoneCo while staying within the contract. Mr. Dooley suggested that Planning Commission put together a list of questions for ZoneCo that he would submit on their behalf to see if what they're asking is outside of or within the contracted agreement. He also stated that the subcommittee can meet regularly to keep the ball moving as there is a lot of work to get through and there needs to be a more focused effort. Commissioner Ogelman recommended that the accountability/efficiency/transparency matrix model they've been using is critical and should still be used. Commissioner Neham said to fill out the new matrix like they did the last one and get it done by next meeting so they can go through it. ZoneCo said they'd have the new matrix tomorrow which staff will send over once received. Director Dooley told Mr. Neham to send the completed matrix model copy to him & that he'll print it out for the Planning Commission commissioners. Commissioner Ogelman stated he really needs to understand the scope of the contract when it comes to interactions with ZoneCo & to know what the Planning Commission's deliverables are. Chair Forbes asked if staff's comments will be added to matrix. Dooley said yes and that Staff will also address the Planning Commission's areas of concern.

c. Alignment of the forthcoming Loudoun County Zoning Ordinance update with Purcellville's Comprehensive Plan

Chair Forbes spoke about what Loudoun County's plan is development-wise for the town & was told that there are areas that are transition areas. Commissioner Ogelman stated that Coalition of Loudoun Towns lobbied heavily to make sure that the agricultural areas around our towns are

protected. Chair Forbes asked if Planning Commission can make a statement to forward to Town Council who then forwards it to Loudoun County with Planning Commission's recommendations. Town has until mid-July to submit comments/recommendations to County. Director Dooley stated that he will send an email to Loudoun County asking for stakeholder comments then forward their response to the Planning Commission. The County wants all comments submitted through a portal they've provided. Chair Forbes suggested that Planning Commission review & discuss the information provided on the County links from the email Mr. Dooley will forward tomorrow & then formulate a response to Town Council.

d. Revised zoning ordinance rewrite project plan

Commissioner Ogelman and Commissioner Neham spoke on the progress made on the project plan using the graph they created as a guide.

ACTION ITEM(S):

None

PLANNING STAFF REPORT:

a. Zoning ordinance updates

Mr. Dooley stated that there is nothing much to say as everything was discussed in earlier portions of the meeting.

b. Inquires of interest to the Planning Commission: upcoming presentations, applications, permits, etc.

Chair Forbes spoke on an email from Mayor regarding Shoppes on Main & Maple wondering where a 20,000 sq ft building will go. Mr. Dooley informed her where this building is permitted to go (the large grassy area behind where Belly Love brewery is located). The concept is to build a 5,000 sq ft fast service restaurant with a drive through. This was approved in the past and they're just now deciding to get the ball moving on this. The property owners will need a Special Use Permit from the Board of Architectural Review (BAR) for the drive through. There is no active application for this building as of this time but they will be submitting one hopefully early summer along w/ one for a 20,000 sq ft medical building. Councilor Milan asked via messaging if there is a traffic study being done & Mr. Dooley stated that the owners will be paying Town's contracted engineering company to do it. He also spoke of the IHOP being built at Catoctin Corner will be approx. 3300 sq ft. The process will be pretty straight forward as the pad owner received BAR approval in 2020. Mr. Milan also asked about the BAR design guidelines update.

Mr. Dooley stated that the Town was going to ask ZoneCo to do this and that Mr. Suder recommended a consultant that he's used in the past to consider as a subcontractor though there has been no formal contact. Mr. Milan also stated via messaging that the design guidelines are being used by some Town Council members to deter the Planning Commission's work and why can't BAR try to start work on this redesign similar to what Planning Commission has done with the ordinances. Various commissioners made comments and asked questions regarding the future design guideline rewrite.

COUNCIL REPRESENTATIVE REPORT:

None as Mr. Milan was having audio issues from home, so will defer to next meeting.

CITIZEN COMMENTS (second opportunity):

Casey Chapman, CaseCo 205 Hirst Rd., commended the Planning Commission for taking long hours to make the rewrite right and asked if all of the charts used in meeting tonight are available online to which Director Dooley stated that they are. He spoke about how use of the land will affect the town financially and talked about how infill smart development can help the town especially since there is no way at present to offset expenses such as the rising water and sewer rates, that the Town isn't utilizing the potential money makers that already exist in town and shouldn't be creating all of these barriers to development due to resistance to change. Mr. Chapman stated his personal opinion that the updated zoning rewrite might not get approved by Town Council given the resistance to any sort of change and if that happens then all of the Planning Commission's hard work will have been for naught.

PLANNING COMMISSIONERS' COMMENTS:

Mr. Ogelman stated that the Comp Plan voted for should guide what Planning Commission is doing & that the Planning Commission wants to do the will of the citizens. He is secure in using the Comp Plan to guide the zoning rewrite. Vice Chair Bennett found Board of Architectural Review discussion very interesting & believes that the Town's default is always to hire a consultant or "so called expert" while the true experts are actually the residents of the Town and that the experts the Town hires don't live in Town, rather "they live in Ashburn, they live in Round Hill or they live in Cincinnati". Commissioner Paciulli stated that this meeting was very helpful in assisting him to better understand the ZoneCo process and is also curious if the property next to the Post Office on Hatcher St. is on the historic list since the windows are always open leading the building to deteriorate and eventually fall down. Council Liaison Milan commented via message that this property is approved for demolition.


NEXT STEPS:

The Planning Commission will prepare a letter/email per Director Dooley's request to make inquiries of Mr. Suder re: a brief summary of what the communication parameters are & if there is any flexibility within the boundaries of the existing contract. The Planning Commission will

also be taking a look at the Comp Plan vis a vis the Western Loudoun project, specifically around Purcellville, and what the County's plan is at the next meeting on June 16, 2022. The Commissioner's will speak about it at next meeting & prepare a proposed resolution to Town Council in regard to the Town's position in order provide comments to the County in a timely manner. The Planning Commission expects to receive corrected calibration tables from ZoneCo and will have a matrix to work with so Planning Commission can provide comments to ZoneCo's recommendations which will be voted on via a series of straw votes. The Planning Commission will then send those comments to ZoneCo. Mr. Dooley suggested that the Commission provide additional guidelines or standards to ZoneCo in order to create a generic standard that can be applied town-wide where future development may occur. These would be applied to subsequent drafts. Commissioner Paciulli volunteered to start a list of issues of concern that are outside of the focus areas such as streams, slopes, etc. Mr. Dooley suggested focusing on the next task at hand though Mr. Paciulli is welcome to start working on his list. Lastly, Town Attorney Hankins stated that the Planning Commission needs to be as specific as they can w/ their measurable standards comments.

ADJOURNMENT:

With no further business, Commissioner Ogelman made a motion to adjourn the meeting at 9:41 PM. The motion was seconded by Commissioner Luke and carried 7-0.



Nan Forbes, Chair/Commissioner

7/7/22



Heather Spadaccini, Planning Operations Coordinator