

**MINUTES
PLANNING COMMISSION MEETING
MONDAY, OCTOBER 20, 2022, 7:00 PM
TOWN HALL COUNCIL CHAMBERS**

Meeting video can be found at the following link: <https://purcellvilleva.new.swagit.com/videos/187064>

COMMISSIONERS PRESENT:

Chair Nan Forbes, Commissioners Mary Bennett (Vice Chair), Ed Neham, (*via remote participation due to medical condition, arrival 7:02pm*), Nedim Ogelman(*arrival at 7:05pm*), Carol Luke, and Council Liaison Stan Milan

STAFF PRESENT:

Director of Planning and Economic Development Don Dooley, Deputy Town Clerk Kimberly Bandy, Planning Operations Coordinator Jordan Andrews

CALL TO ORDER:

Chair Nan Forbes called the meeting to order at 7:01 PM and lead the Pledge of Allegiance.

AGENDA AMENDMENTS:

Chair Forbes noted an amendment to the agenda to Item 8(a.): *Presentation on Draft Table of Contents for Zoning Ordinance Update* to include the attachment of numerical analysis charts provided by Commissioner Neham.

COMMISSIONER DISCLOSURES:

Chair Forbes thanked Commissioners for their time attending the various special meetings as well as Town Staff for their work helping facilitate those meetings.

CITIZEN/BUSINESS COMMENTS (First opportunity):

None.

APPROVAL OF MINUTES:

a. September 7, 2022 Special Meeting Minutes

Liaison Milan made a motion that the Planning Commission approve the minutes from the September 7, 2022 special meeting and waive reading. The motion was seconded by Commissioner Bennett and carried 6-0.

b. September 22, 2022 Special Meeting Minutes

Liaison Milan made a motion that the Planning Commission approve the minutes from the September 22, 2022 special meeting and waive reading. The motion was seconded by Commissioner Bennett and carried 6-0.

c. October 3, 2022 Special Meeting Minutes

Liaison Milan made a motion that the Planning Commission approve the minutes from the October, 2022 meeting and waive reading. The motion was seconded by Commissioner Bennett and carried 6-0.

DISCUSSION ITEMS:

a. Presentation on Draft Table of Contents for Zoning Ordinance Update

ZoneCo representative Nolan Nicaise led presentation of the Draft Table of Contents for the Zoning Ordinance Update. Commissioners raised concerns with the correlation of the proposed zones in the table of contents with those found in the Comprehensive Plan.

Commissioner Ogelman proposed that PDH 2, 5, and 8 be removed from the table of contents, pending review by Director Dooley. The proposal was affirmed by the Commission in a straw vote. **(6-0)**

Mr. Nicaise made responses to concerns and questions emailed by Commissioner Neham. An email of those responses is attached to these minutes as well.

Commissioner Neham began presentation of the numerical analysis provided by Commissioner Neham. The analysis, pulled from Loudoun County's open source data, serves to show correlation between the zoning and districts in the Comprehensive Plan/ZoneCo updates with supporting data. Chair Forbes thanked Commissioners Neham and Ogelman for their work on the analysis, which could help inform and support the Commission's decisions regarding any zoning updates.

b. Planning Commission Comments on Draft Table of Contents for Zoning Ordinance

Commissioner Ogelman began discussion on the Draft Table of Contents for Zoning Ordinance. The zoning districts that are being developed and modified should adequately address the areas set out in the Comprehensive Plan. Director Dooley spoke to the administrative challenges of readjusting the proposed zoning tables and districts.

Chair Forbes raised concerns with the correlation between the Comprehensive Plan Legend and the suggested districts in the table.

Liaison Milan inquired regarding future designations and their ability to be overlaid with historical designations. Mr. Nicaise clarified that focus areas would be a zone and district unto themselves. Commissioner Ogelman commented that the distinct focus areas may have unique uses, but are consistent in form. Mr. Nicaise clarified that historical overlays, similar to what currently exists in the Town, are not common amongst newer rezoning projects.

Mr. Nicaise offered to prepare a list of options relative to the focus areas and their zoning and/or historical overlays.

PLANNING STAFF REPORT:

Director Dooley gave a staff report noting the Dominion project, the upcoming ribbon cutting for Adam's Bike Park on October 22nd, the Catocin Corner developments relative to the IHOP. The Woodlands site plan has been submitted, however Director Dooley will be sending an incompleteness letter addressing several smaller issues with the submitted site plan. EDAC had a outreach program on the 11th that had a successful turnout with some inquiries regarding opening new businesses.

COUNCIL REPRESENTATIVE'S REPORT:

Liaison Milan gave updates on the upcoming Town Council meeting, in which the survey of Mayfair residents will be review by the Council.

CITIZEN/BUSINESS COMMENTS (Second opportunity):

None.

PLANNING COMMISSIONER COMMENTS:

Liaison Milan thanked the Planning Commission for work it's on the ZoneCo project, as well as Commissioner Neham specifically for his work with Adam's Bike Park.

Commissioner Bennett encouraged Commissioners to attend the upcoming Town Council meeting in which Commissioner Paciulli will be acknowledged. Commissioner Bennett also expressed thanks for supportive feedback received from Mayfair Community residents in relation to the Fields Farm project decision.

Chair Forbes reiterates her thanks to the Commission for their hard work and attention to citizen's feedback regarding the Fields Farm project.

SUMMARIES AND NEXT STEPS:

ZoneCo's Nolan Nicaise will send a summary of the zoning options discussed to Director Dooley in advance of the next Planning Commission regular meeting on November 3, 2022.

NEXT MEETINGS:

The next meeting is scheduled on Thursday, November 3, 2022 at 7:00 PM.

The next meeting is scheduled on Thursday, November 17, 2022 at 7:00 PM.

The next meeting is scheduled on Thursday, December 1, 2022 at 7:00 PM.

ADJOURNMENT

With no further business, Liaison Milan made a motion to adjourn the meeting at 9:35 PM.


Jordan Andrews, Planning Operations Coordinator


Nan Forbes, Chair

11/9/22

From: Nolan Nicaise <nnicaise@thezoneco.com>
Sent: Thursday, October 20, 2022 3:30 PM
To: Dooley, Don <ddooley@purcellvilleva.gov>
Cc: Sean Suder <SSuder@thezoneco.com>
Subject: RE: Comments on ZOneCo Table of Contents

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Don,

I have replied to Ed Neham's comments in red ink below. I will see you virtually this evening.

Nolan

Comments on Table of Contents

- Rules of Measurement- Nedim's work (can we do a district -or zone-based height/stories measure?)
Yes, if you provide me this information, it may be useful in final assignment of district/zone height limits.
- Discuss applications of numerical analysis and their effect on zoning limits
- Retain Article 16's title: Severability, Conflict, Effective Date Retain Article 16's title and apply it in place of which proposed section?
- Pending Applications for Permits - do we need an ordinance for this? This does not need to be a separate ordinance. It can be included in the new zoning ordinance, as proposed in the outline provided.
- Introduction - include a section on our different overlays? The new districts are not proposed as OVERLAYS. They are proposed as base districts that will take the place of whatever districts are currently assigned to those areas.
- Will there be transects? If so, discuss in Introduction I do not understand the comment.
- Districts = Focus Areas? What about our Historic District (overlay)? I do not see an Historic Overlay District in your current code. Is this a recently codified district?
- Districts are made up of one or more zones? Districts are the same as zones in many ways. Zones are areas of limited uses that appear in several places across a town (think Euclidian zoning). Districts are usually places that a local could recognize by name and have a more diverse range of uses but with a particular design and layout character (think "downtown").
- What correlation between Comp Plan Land Uses and Zones? The new districts were extracted directly from the comprehensive plan's focus areas.
- Each Zone section could/should contain paragraph on zone-based measures (e.g., FAR, ISR) Each zone and district will have regulations related to impervious surface coverage. FAR regulations can be added if desired if data is conveyed to ZoneCo about existing FARs.
- Discuss R3 zone Yes, we can discuss.
- CM-1 Local Service Industrial Exists: Art. 4, Sec. 10 This reference was added to my updated table of contents.
- M-1 Limited Industrial Art. 4, Sec. 11, not Sec. 10 This reference was corrected in my updated table of contents.

No Noise ordinance? A noise ordinance is sometimes enacted as a separate ordinance, or is sometimes included in a zoning ordinance. I suggest enacting a noise ordinance as a separate ordinance.

ZONECO++



Nolan Nicaise, AICP
Urban and Environmental Planner

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Disclaimer

Nothing contained in this email shall be deemed or considered to be legal advice. Although some ZoneCo professionals are also attorneys who may be separately engaged to provide legal representation in states where we are licensed to practice law, ZoneCo is not a law firm. ZoneCo professionals do not provide legal representation or services and are not engaged in the practice of law in any jurisdiction. Engaging ZoneCo does not form an attorney-client relationship and, as such, the protections of the attorney-client relationship do not apply. If you wish to create an attorney-client relationship, you are encouraged to contact an attorney of your choosing.

From: Dooley, Don <ddooley@purcellvilleva.gov>
Sent: Wednesday, October 19, 2022 2:44 PM
To: Nolan Nicaise <nnicaise@thezoneco.com>; Sean Suder <ssuder@thezoneco.com>
Cc: Planning Commission <PlanningCommission@purcellvilleva.gov>; Zoning Code Update Subcommittee <ZoningCodeUpdateSubcommittee@purcellvilleva.gov>
Subject: FW: Comments on ZOneCo Table of Contents
Importance: High

Hello Nolan and Sean:

Please take a look at the initial comments provided by Commissioner Ed Neham in advance of tomorrow night's PC meeting (see below).

I have also attached a copy of tomorrow night's PC agenda. I look to seeing you on line, Nolan. Give me a call if you have any questions. The Zoom link is under "Instructions to Participate Remotely." The meeting starts at 7:00 p.m. EST (Thursday, October 20, 2022).

Best,

Don

Don Dooley, MPA, MHP
Director of Planning and Economic Development



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