

**PURCELLVILLE PLANNING COMMISSION MEETING
THURSDAY, SEPTEMBER 17, 2020, 7:00 P.M.
TOWN HALL COUNCIL CHAMBERS/VIRTUAL**

The meeting of the Purcellville Planning Commission convened at 7:00 P.M. in Council Chambers with the following in attendance:

PRESENT VIA REMOTE PARTICIPATION:

Chip Paciulli, Chairman Planning Commission
Nedim Ogelman, Commissioner
Nan Forbes, Commissioner
Stanley Milan, Town Council Liaison
Stosh Kowalski, Commissioner
Ed Neham, Commissioner

PRESENT IN PERSON:

Boo Bennett, Commissioner

STAFF PRESENT:

Andrew Conlon, Senior Planner
Dale Lehnig, Director of Engineering, Planning, Development
Diana Hays, Town Clerk/Executive Assistant

CALL TO ORDER:

Chairman Paciulli called the meeting to order at 7:00 P.M. The Pledge of Allegiance followed.

AGENDA AMENDMENTS (Planning Commission and Staff):

Chairman Paciulli stated that there are two Agenda Amendments. He stated that one is Stan Milan who would like to talk about the C-4 Downtown South Areas. He stated that Nedim and Ed want to talk about the Historic Districts, and those will be Items (b) and (c) under the Discussion Items.

COMMISSIONER DISCLOSURES:

None

CITIZEN COMMENTS: (First Opportunity)

None

DISCUSSION ITEMS:

a. Approach to West End Focus Area Gap Analysis

Commissioner Neham stated that since the last time you saw this document he updated it. Commissioner Neham stated that he talked to Andy Conlon and to some of the other Commissioners and they agreed this is good outline to follow.

Commissioner Neham stated that he would suggest that the underlined headers in this document represent the bullet outline. It starts with "Overall Recommendations, Assessment," and in his case, "Gateway Considerations." If you don't have "Gateway Considerations," you can either include that and say that there are none or not. Then he covers what the Comprehensive Plan says for his Focus Area, and the Zoning Ordinances that apply or seem to apply for his Focus Area. He stuck in an extra piece here called "Vioneering." He was just thinking what would he do with the West End if he could do anything with it at all. One of the ideas that suggested itself, it was kind of a shopping center that would serve both the area of Town that it is in, which is a Gateway, but it is also surrounded by a fair amount of residences. Also, possibly some Round Hill people would be interested in coming there. He then thought about a shopping center that he knows in Great Falls. The idea was it has a lot of open space, and a lot of trees, off-street parking, walkability, fields for kids to run around in, and stuff like that. If you have an area in your Focus Area, you could always suggest something like that. That's about what his document contains. He asked Mr. Conlon if he had anything to add and Mr. Conlon declined.

Commissioner Neham stated that the significant thing about the West End that he found is that there are three houses on that property that are of historical significance, or consequence. They are all covered by the Historic Corridor Overlay District, which is a concern. They will get more coverage under that Historic Corridor Overlay District than they will if they were just under the Historical District that currently exists. If you have historic properties in your area, you might want to make sure that you know that they are there and maybe call them out.

Commissioner Neham stated the other thing he didn't have really is vacant land. If there is any vacant land in your Focus Area, you might also call that out as well, and added that he has some information on vacant land.

b. C-4 Downtown South Area:

Council member Milan stated that he wanted to bring up the Architectural Review Meeting and that the items that the Planning Commission is looking at will indirectly or directly affect what the Architectural Review Board will have to deal with. The reason that he says that is that Commissioner Neham mentioned that the three buildings that Chapman wanted to destroy on Hatcher were not directly considered historical buildings, but they are historical looking buildings. Since we have not designated any area as historical, we need to look at that for the C-4 District and the 21st Street area. The architect design building for that apartment does not fit the look and feel for that area at all, and there are a lot of questions on the final product. He stated what there was no site plan, and it looked like it would fit more into One Loudoun or Ashburn Town Center Area. He suspects that this will be the first volley for turning that old historic area into a modernized One Loudoun area and that we want to preserve that to make sure it is historic in nature, look, and feel.

Council member Milan stated that he looked at some of the apartments that are in that area and they are only two stories, and maybe two or three apartments in those structures. He is still having a problem defining what an apartment is, and what an apartment building is, multi-family, and we know it is designated for Mixed Use. He stated that those things need clarified.

Chairman Paciulli stated that he wrote a note to the Town Staff referencing the site, when you refer to a "Site Plan." And the fact that unless there is dramatic coordination with adjacent property owners on easements and things like that, that they can't build what they proposed.

Commissioner Forbes inquired of Chairman Paciulli if he could explain in more detail what he just said about why can't they build what they propose because of what.

Chairman Paciulli stated that he had to make some assumptions. He stated that if you look at the property there and drainage from the left side of the property, there is that small house that will require some type of easement from those folks to be able to put an inlet because water will back up on that property, and does not feel they don't have permission to do that. If you look at the flat part of the Site Plan itself, the way that it is proposed, the front is level with the back. If you take the curb elevation and you project it to the back of the proposed buildings, the elevation above the ground that is there. He added that two of the adjacent properties are the townhouses and one looks like a name on it such that maybe they have access to it and the other one is the Eagles property. Along, the WO&D, the topography drops off from the WO&D and down and doesn't know where the property line is. If you look at the fence, it's 12, 15 feet below the WO&D. Chairman Paciulli stated if they grade that site that elevation is close to being level with the proposed elevation there has to be close to the elevation of the roadway out there. What that says is they have to level it off between the building, in front of the proposed building and the trail. Because just a few feet off the trail it drops. He looked at the Zoning Ordinance in all these different spots and he couldn't identify anything. When he just looked generally at the site topography, are they going to put in a 15 foot wall on the back line of their property between there and the Eagles place? They may have worked out an agreement to be able to level it off from there.

Council member Milan stated that he went by there yesterday, and now that he mentions that he fully understands what he is talking about. He stated that going west on the W&OD Trail to the right where the post office is, and behind the post office it is about a 15 foot drop. He stated that to the right it is about another two foot drop from the WO&D Trail to that parking lot.

Council member Milan stated it is just a 150 foot front line, and that whatever we do as a Planning Commission will indirectly or directly affect the Architecture Review Board, and zoning, and following the Comp Plan.

Commissioner Ogelman stated there is something that he wanted to say with respect to Ed's West End Plan and to the South Main Plan. One consistent thing that comes up to him with these is we are talking less about uses per se, and much more about scale, scope, things like sort of green space, to open space, to building ratios, things like that. He thinks that is correct because he thinks that is what is focused on in the Comprehensive Plan as well. The point he wanted to make related to that is, what came to his mind with these areas, is he wonder if we could put into the Comprehensive Plan something that takes the median height of different areas. That's one observation he saw from both of those areas.

Commissioner Ogelman stated that the other thing that struck him is in Downtown South and that there's a significant difference in the character of the 21st Street Corridor and say the Hatcher area. The difference mainly is one of the areas is more vertical Mixed Use. The Hatcher area is much more horizontal Mixed Use. That is to say, you might have a house and then an office that is in a building that use to be a house, and then sort of like that. He stated that going forward, he would like to think about from these two first Gap Analysis that we've seen, that seems like a gap in our zoning that is reflected in our Comprehensive Plan.

Commissioner Ogelman stated that the other thing that he wanted to mention was he recalls that the Board of Architectural Review basically rejected a developer plan to tear down, to demolish a historically contributing home. That was exactly seven years ago today. The BAR got together, there was a request for the 82nd Street area, the bar property and the house there to demolish that house to create a new development. They pointed out that the Design Guidelines say that there must be a compelling reason to demolish or relocate a significant historic structure. They mentioned the scale and character of the neighborhood as one of those sorts of hurdles that needed to be overcome. They had a consensus decision then after looking at all of these things, that the demolition of this historic house was not supported by the Design Guidelines. There is nothing that made it specific to the Historic Corridor Overlay District. It just said, "Historic structures in our Town."

Commissioner Ogelman stated that he doesn't see why we don't have a Zoning Regulation governing the Historic District that the Virginia Department of Historic Resources has overlaid over part of our Town. It is definitely a District that is overlaid over our Town. We just haven't passed any legislation backing that.

Commissioner Ogelman stated but on the other hand, the Historic Corridor Overlay District, not all the buildings in that Historic Corridor Overlay District have anything to do with historical structures at all. That Catoctin corner development is in the Historic Corridor Overlay District. The Giant is in the Historic Corridor Overlay District. That is a District that is not necessarily focused on historical structures anyway. He believes that there is not just some discussion that needs to be had about whether they can build a new structure. There needs to be discussion about whether they can demolish those buildings in the first place.

Commissioner Forbes inquired what would be the mechanism for putting in either a zoning (*inaudible*) or a Historic District, or some other sort of designation that would permit the kind of overview before there is destruction of an old property. She asked the next step to achieve the goal.

Mr. Conlon stated that currently the Town has two historic related Zoning Overlay Districts - the "Historic Corridor Overlay Zoning District." That consists of all of the properties that front on basically five roadways that are entrance corridors to the Town. It's Main Street from east to west in the entire Town. He added that 287 Berlin Pike; 21st /23rd Street through the Historic District right on through the exit out the northern end of Town. And then 32nd Street down to where it becomes Silcott Springs Road.

Mr. Conlon stated that as Commissioner Ogelman mentioned, not all the structures within those Corridors are historic. Once more, it is every single parcel that fronts on those roadways, the full depth of those parcels. So, we get situations like the W&OD Trail fronts on 21st Street. Its parcel runs all the way to Hatcher Avenue, which is all within the Historic District. He stated not a single structure at all.

As we all know, the three properties that are subject to the Demolition Permit on Hatcher Avenue, are not in that District because they don't front on one of those five streets in Town.

Mr. Conlon stated that the other District that's currently in existence, less well-known because it's not mapped, it's merely mentioned in text in our Ordinances, and that is the "Non-Residential Structures Overlay District. The Board of Architectural Review has review authority over all non-residential structures in the Town. When buildings are built out in the Mayfair Industrial Park, they are clearly not historic and they are not in any historic corridor, but they are still subject to BAR review.

Mr. Conlon stated that tonight, he thinks we are talking about a third category that has not been adopted as a Zoning District at this point, and that might consist of those properties that were deemed contributing structures to the Virginia Department of Historic Resources, Purcellville Historic District. They were deemed contributing structures, but they are not under the Corridor Zoning District. If that were in place today, and again, it has not even been drafted much less adopted, but if that were in place today, the three properties on Hatcher which are considered contributing structures, would be included in that possible Zoning District.

Commissioner Forbes stated so if this Commission expressed an interest in seeing those types of structures included in that kind of District, presumably that's a conversation we need to have. She stated that if we all raise our hands and say, "That's a really good idea. Let's do that," asked what do we do next in order to achieve that goal.

Commissioner Neham stated that we've already established a plan for this. If we follow the agenda, we will get there immediately.

Chairman Paciulli asked Commissioner Neham to restate what he just said. Commissioner Neham stated that we will be talking about basically steps, and next steps to establish the kind of control you would like to see over historic places in a few minutes when we get to the next agenda topic. However, since he has more, he would like to point out that he thinks Stan said what he started, and maybe he misspoke, but he's not sure. He stated that the properties at the end of Hatcher that are being discussed as demolition possibilities were not historic properties, but they are. They are in the Purcellville Historic District. They are contributing structures or properties to that District, and asked Mr. Conlon for confirmation.

Mr. Conlon confirmed. Commissioner Kowalski asked if we talking about putting in a District that will prevent those houses that are currently in the process of being requested to be demolished from that happening, and the reason he brings that up is he also read the language that was sent down about the Board of Architectural Review preventing demolition seven years ago. He would be interested in having Sally Hankins, Town Attorney, take a look at this whole topic and provide a legal review on this on a number of cases. One of which is, if we are talking about stopping those three houses from being demolished by putting them in the Historic Overlay District or any of the number of the things that we are talking about, is there some kind of legal thing that prevents us because they already applied and started to do this by-right, and is it retroactively effective on them, or something that can only be done for future efforts

Commissioner Forbes stated that she wanted to go backwards a little bit, and she was looking at Ed's document that was attached about the approach to the West End, and the work he did and the

suggestions he made with regard to sort of what the look and feel of the West End should be. She stated it seemed like we skipped past that really fast, and doesn't know if that's because we are going to come back to it, or whether we need to go back to it in order to comment on it, observe whether we agree or disagree, and decide that we like it. Say "Yes, let's get some zoning that conforms to that idea." We moved past that really quickly. She isn't sure whether it is coming up later. She asked the next step with regard to what Commissioner Neham has done.

Commissioner Neham stated that this is presented only as an example of what could be done in a property of that size. that would have the look, feel and scale of the community in which it sits. He stated that because it was convenient and because it existed, it's real, it's not imaginary, and he thought it would be a good idea to show this as a possibility and that it is not a recommendation.

Commissioner Forbes stated that it only answers her question to a point and to the extent that it is an example and you provided it to us, her question is what are we to do with the data that Commissioner Neham provided.

Commissioner Neham stated this is just the West End, and if it was looking at a different Focus Area in Town he may not have come up with this or anything like it. It may not have even appealed to him or occurred to him that one could do something like this.

Council member Milan stated that he agrees with Commissioner Forbes about this, and some of the concepts that you have in this you say we can use as a standard for our review in other areas. He asked if it is possible to extract some of those from that or if it is only an example for the West End. Commissioner Neham stated that you certainly could extract from it and you can remove this from anything that you are doing.

Council member Milan stated that we were trying to come up with a standard for all of us to use as we review our areas.

Commissioner Neham stated that when he started talking about this he said to consider the underlined headers in this document as a bullet outline. He said that if this outline didn't fit then don't use them.

Council member Milan agreed and that Commissioner Forbes is asking if we are going to use the bullet high points as the outline for other areas. Commissioner Neham confirmed and added that if you do not like it you do not have to use it.

Commissioner Forbes stated that she understood that this was a format that has been suggested for us to use as we look at our respective areas. But independent of the format issue, she is also looking at the substance of it. On the assumption that it is being provided to us, not just as an example of a format, but also as an example of substance, when do we evaluate, talk about, and/or adopt the recommendations in the substance of it. She asked if that is something we are doing today, or if it is being kicked down the road to another day.

Commissioner Ogelman stated that his take on what Commissioner Neham presented, he thinks, is a little bit more, and takes those four recommendation bullets at the top as the results of the Gap Analysis. Unless people disagree with those, it says: "Introduce regulatory language into the Zoning Ordinance reflecting the form, scale and uses that the Town would like to be applied on the West End Focus Area

as a neighborhood scale Mixed Use.” That to him for example says, whatever the mix of uses that we are going to allow, however we combine those, we are saying that our new Zoning Ordinance is going to impose the kinds of limits that are discussed in that small Town Planning Handbook when you have more flexible uses. He stated having things like green space to building ratios that we come up with, and adhere to and enforce. He stated height restrictions, design restrictions, not just Design Guidelines, but regulations about what things look like. He noted the parking lots need to be not on the main road frontage of the buildings and that most people would disagree with that. He thinks we need to have a discussion if people are disagreeing with that. If they are not disagreeing with it, his position is he agrees with those things and that’s what should dictate the zoning for that area.

Chairman Paciulli stated that the way that he looks at a Zoning Ordinance is that its setbacks. The way that he was going to look at his area is if there are streams there. He wants streams, slopes and trees addressed. He stated that to him a Zoning Ordinance gives you some of those guidelines that you have to adhere to, and also gives you ways to possibly propose different things in what the Zoning Ordinance says and a procedure to which to go by that. Chairman Paciulli added he is still struggling with the productiveness of what we are actually doing right now.

Commissioner Forbes stated that her thought is if we like what Ed has come up with, do we need to discuss it in order to flush it out. If we like it and decide we like it, do we need to vote to say we like it, and actually make it a more formal decision of this Commission to forward those recommendations to Staff, and/or the Consultant in order to come up with zoning for that area that is consistent with its report. We haven’t done that, and should not just leave the report sit.

Chairman Paciulli stated that we also left Council member Milan’s area of his presentation in limbo.

Commissioner Ogelman stated that he likes what Commissioner Forbes just said, and he thinks it would give clarity for us to go through and have a roll call vote and say do we agree with, at the minimum the recommendations of the Gap Analysis, and to also do this with Council member Milan’s

Commissioner Kowalski stated that with Ed though, the four bullets, the second bullet actually isn’t just a straight recommendation, but it’s a tasking that we would have to resolve before we voted on it he thinks. And determine whether the form base code approach will be used in the West End Focus Area. It is not as simple as putting forward a Motion that says do we support the four bullets, because one of them needs an answer before we do that. Commissioner Kowalski stated that he isn’t necessarily saying that we should be able to resolve the second bullet tonight, and that maybe the answer is that we have someone come back and give recommendations too. All four of those bullets can’t just simply be voted on and approved tonight. He stated at least one of them needs some more work.

Commissioner Ogelman stated that he agrees with that and that what Commissioner Kowalski stated is that we should make sure when we have recommendations that we go on one side or the other with that and debate whether that one side makes sense or not. He stated that he guesses we are doing more than just Gap Analysis. And then going forward, the lesson learned for him is when he is doing this, he needs to make sure that all of what he says is recommendations or things that he thinks needs to be put in the Zoning Ordinance, and picks one or the other.

Chairman Paciulli stated that you have a wide variety of details that are in the Zoning Ordinance. You also have streams and trees and those kinds of details that we can’t ignore. Setbacks, but some way to

identify with Commissioner Neham's or his, on how to you identify what the size of the footprint of the building can be.

Commissioner Ogelman stated that they actually put rules and that there are ratios in that Small Town Planning Handbook exactly about this issue. They basically say what is good practice for amount of building relative to impervious surface, relative to open space. Just like we use for height to length ratio and things like that. He doesn't know that we have to come up with the technical details for that right now. His understanding is that what we are trying to do at this stage is this Gap Analysis. He stated for each of those areas say what we each think as we are going through are the most important things to bring out of this. He thinks that as we each go through these, exactly what you are describing is what is going to happen. You are going to start talking about streams and the topic that you brought up is not going to be limited just to your area.

Commissioner Ogelman stated that he likes what Commissioner Forbes was saying, there's some closure. Even at this conceptual stage, and even to bring out things like what Stosh brought out. Here's some clarity that is going to come out of us forcing ourselves at the end of the day to go on record and say, "Yes, these ideas seem good to me. I vote to support them. Or 'No, that makes me think of something bad. I want to discuss this some more.'" He thinks what Commissioner Forbes was suggesting is a good mechanism for making progress with this, as opposed to this feeling like we are all doing a book report and you don't really have some of the feel for how "we" as a body feel about that.

Council member Milan stated that going back to what Commissioner Neham said this is a report or outline on his specific area. He looked at the high points again, "Recommendations, Assessment, Gateway Considerations, Comprehensive Plan, Zoning, Preliminary Gap Analysis." Those bullet points are what each area that we have responsibility for can address. He stated going back to what Commissioner Forbes said; we can agree to accept those six elements as our foundation for performing our Gap Analysis in each of our areas of responsibility. The information under those titles will be different based on the area that we have. You have streams, trees, and parkways. Commissioner Neham has a mixture of all of that, and Commissioner Kowalski may have a mixture of something else. Those six topics, if agreed on, is what Commissioner Neham was saying, is a formula that we all can use so that we all can be on the same page when we do reviews.

Chairman Paciulli stated he thought we were going to listen to each person's analysis of their area. Once that was completed and we have all the different thoughts on the table, then he thought that we would productively identify what was just stated.

Council member Milan stated that he agreed, and he looked at it as to what can go in there looking at the Ordinance and compared the two, which is different than what the Comprehensive Plan says. He stated with this outline, he can go back and do a more detailed analysis of his area of responsibility using these topics as a guideline and comparing it to the Comprehensive Plan and the Ordinances which will make it more finite.

Chairman Paciulli stated that he agrees with that. Commissioner Neham stated that he opened up the document from a few weeks ago called "An Approach to Updating our Zoning Ordinance." "The Senior Planner supported by the Staff will perform the Gap Analysis for each item in priority order." He stated that an item is like a Focus Area. The Senior Planner in this case is Andy Conlon, and supported by the Staff is not the Planning Commission. Each zone would have a Planning Commissioner in charge of it.

We would gather some information. Work with the Senior Planner and the Staff who would be the primary people at this time we thought, to develop the Zoning Ordinance information. It was unclear exactly what, and how a Gap Analysis would be performed. It says, "Senior Planner supported by the Staff will perform the Gap Analysis for each item." What he did when he was doing his paper, it is called a "Preliminary Gap Analysis" and identifying some of the areas where he thought there would be a gap. Commissioner Neham stated but not getting into the nuts and bolts of the Zoning Ordinance which almost none of us on the Planning Commission have any real conception of how that stuff works and interacts.

Commissioner Neham stated he doesn't really feel competent, at this point, to do some of the work that Chairman Paciulli is implying. He added that it would take him a certain amount of time to figure out what it says about setbacks, and he could see what the Zoning Ordinances says.

Chairman Paciulli stated that Staff is not available as they are busy with projects. He added he doesn't know where the Consultant is in that process.

Commissioner Forbes stated that she had an opportunity to talk with the Town Manager this afternoon and the issue came up where are we in terms of getting a Consultant. She understood him to tell her that it was something like it was a 60 to 90 day process because it has to be advertised and it takes a certain amount of time to advertise it and get the applications and evaluate them. Commissioner Forbes stated it seems to her that we are on the right track individually doing the kind of preliminary concept plan of the nature that Commissioner Neham has outlined. Commissioner Forbes stated that if we are doing that while staff is getting a Consultant onboard, she also understands that Staff has limitations in terms of the amount of time they can give us.

Commissioner Ogelman stated that he thinks that we are doing exactly what we should be doing, and doesn't think if we had a consultant lined up today, that we would be in a position to direct the consultant in a constructive way. As the Planning Commission, he thinks that is what we need to be in a position to do, and that what we are doing now, if it takes 90 days or 60 days, this is the most efficient thing we can do.

Commissioner Ogelman stated that he doesn't want to hire a consultant just to hire a consultant and more to have the consultant tell him what the values of the citizens are with respect to these areas. The Comprehensive Plan is a broad enough document that it's not really doing a deep dive or thinking about how those different community design issues and the issues that cut across all the different Focus Areas relate to those specific Focus Areas. He added that what Commissioner Neham has done in this report, he has gone and looked up which properties are historic in there, and made a determination they should not be torn down. There could be something in the Zoning Ordinance that preserves those. In other areas he has pointed out that size, scale, those things matter. He has gone over all the different Uses that would be in a neighborhood scale mixture place as a starting point for that. He stated but at another point we should have an understanding that we all on the Planning Commission agree that's the general outline or recommendations for that area. Commissioner Ogelman added that for Commissioner Neham's, the citizens wanted a Neighborhood Scale Mixed Use. Articulating what that means for that area, and what it means that it is a Gateway. What it means that it has historical structures.

Commissioner Ogelman stated that he thinks we should vote on some of these things at some point to demonstrate that we have consensus, or if somebody has an issue with it that they bring that to the floor so we can discuss it.

Chairman Paciulli stated that if it is okay, he would not like to do that tonight and to allow time for the Commissioners to digest the information.

Commissioner Kowalski stated that he agrees with Commissioner Ogelman, and he would like to point out that he thinks we shouldn't get back to it later, and feels a timeline is needed and to stick to it. Otherwise, this is the kind of thing that could drag out indefinitely.

Chairman Paciulli stated that his new thought on that, he is concerned about doing it tonight or for the next couple of meetings as he would like to get some of this underneath our belts. Chairman Paciulli stated that he has learned from tonight what to look in the area coming up for him.

Commissioner Neham stated that he thinks he could improve this document by taking his visionary section and making it an appendage which takes it out of the main body. He thinks that would help the flow and remove a little of the consternation.

Commissioner Neham stated that his Gap Analysis, right now it is called "Preliminary Gap Analysis." and would like to make some edits for the next meeting, which would be the first week in October.

Council member Milan stated that he is agreeing with what Commissioner Neham is saying and he wants to go back to this is a design for his specific area. Council member Milan stated f we can adapt what he has used as his main outline for the next reviews, and then as we gather more information along the line to present to a consultant, then it will be similar analysis from us to the consultant where they won't be looking at different things and trying to corral it into one specific area to report on. He added that if we have similar outlines that we are following, depending on your area that you can provide, it will make it easier for them to produce a final product for us so we have the same basic look and feel to the document that we present to them.

Commissioner Ogelman stated that he liked what Commissioner Kowalski was saying about used to discipline and structure us to move forward., and is willing about us trying to make the perfect enemy of the good here and by going back and reviewing these things multiple times. Maybe a balance would be to present it at one meeting, and then consider voting on it, or vote to see if we agree, or if someone has issues that they raise at a subsequent meeting as that gives a whole two weeks between when something is presented and when people are asked to give their opinions on it.

Motion by Commissioner Ogelman, Second by Commissioner Bennett, that Going Forward with our Planning Commissioner Gap Analysis, we Present at One Commission Meeting, and then we Vote to See if we Support That Gap Analysis or that Document to go Forward to the Consultant or the Staff, or whoever is Going to do the Actual Zoning, at the Subsequent Planning Commission Meeting.

Commissioner Ogelman stated that means that we could have a presentation of two new ones and vote on and discuss two other ones.

Chairman Paciulli stated let's say that he wrote one that was very similar to what Commissioner Neham did format wise, and there were enough comments you want to revise it. Commissioner Ogelman stated you do not have to agree with the area.

Commissioner Neham stated he would like to think that we could take his if it was ready, and see if Council member Milan's was ready, and if not, not, and take his and push this through the entire system as we see it right now as a test case. At the next meeting, he would want to present what he thinks is his final attempt at this and have it reviewed by the Planning Commission. He stated that because we have already seen it a couple of times there may not be any reason to take another two weeks and think about it. He added that at some point the Commissioners are going to have to vote on it.

Council member Milan stated that he agrees with what Commissioner Neham is saying and to use this as an example. He stated that in the interim between now and the next meeting, he could work on his to see if he can get it in the same order following the bullets that he outlined to present as well to see if we can push that through as well.

Council member Milan stated that he thought that we were voting to go forward with the Gap Analysis to present to the Consultants.

Commissioner Ogelman stated that what he was saying was that Commissioner Neham has already presented and he wants to make some changes. And that even if someone didn't want to make changes, that we wouldn't vote the same night that it was presented and would allow ourselves another two weeks. And then what we would be voting to say eventually is do we have consensus that this vision, these gaps are the ones that we should focus on for that area. If Andy doesn't have time, it needs to wait until we have the resources to give it to somebody. At that point, we are saying that we want somebody with the technical expertise to turn what we've discovered from this Focus Area into a Zoning Ordinance.

Chairman Paciulli stated that he thinks he heard Ed say that he wants to make some adjustments to what he presented. Commissioner Neham confirmed, and will have that at the next meeting.

Commissioner Kowalski stated that he likes Commissioner Neham's plan with the exception we know that there are some sections of Town that are going to be more complex and more controversial than others. Maybe for those, we just do one that week so that we can properly project the discussion is going to be longer and more tense on that.

Commissioner Neham stated that we do have a Motion on the table. Chairman Paciulli stated that he doesn't know. That's what he is asking. Mr. Kowalski stated that it was never completed. Commissioner Ogelman stated that we had discussion after. Commissioner Kowalski stated that we need the Motion completed to close it out.

Motion by Commissioner Ogelman, Second by Commissioner Bennett, that we Approach Our Seven Focus Areas in the Order that they were Described, by Presenting the Initial Report at One Planning Commission Meeting, and Vote on it at the Subsequent Planning Commission Meeting.

Voice Vote: All Ayes

Motion Carried: 7-0

c. Historic Districts

Commissioner Neham inquired of Mr. Conlon whether or not he has the ability to show the chart so that everyone could see it. Mr. Conlon stated that Diana Hays would be showing it. Commissioner Neham stated we have been talking about preserving historic places in Town, and if we start losing them, we will lose the look and feel of our Town that a lot of people want it to have. Commissioner Neham stated he noticed in the Design Guidelines for Purcellville that was published in December of 2006, the front page has a picture of the Cole Farm, and that within four years it was gone and that someone picked this out as the single, historic property in Town that was worthy putting on the cover of a document. The document wasn't anything about how to destroy houses but was about Design Guidelines and preservation.

Commissioner Neham stated that even with the discussion about Hatcher Avenue and what may be going on there, and what protections buildings do and don't have, we again, come to the realization that we haven't protected the structures that we wanted to protect. The idea is that we have an existing Historic Corridor Overlay District as Andy discussed. There is an image of the Historic District on Page 88 of the Comp Plan right now, and there are a lot of areas in Town that are contiguous or semi-contiguous. There is a Department of Historic Resources that has also identified many historic properties in Town. The difference between the corridor and what gets protected there and the other parts that aren't, is that there are certain protections. If you want to demolish a structure in the Historic Corridor you have to go through a number of steps just to get the Demolition Permit at all. There are some hoops to jump through., and that Mr. Conlon could share more details, if needed.

Commissioner Ogelman stated what we want to do is go to tackle this threat to a key part of the Visions and Values encompassed in our Comprehensive Plan. Throughout the Comprehensive Plan that focus on the small Town character and feel of the Town is very tightly linked with the historic structures. There is a whole Historic Resources section in the Comprehensive Plan. It has multiple recommendations, but the top two recommendations in the Comprehensive Plan on Page 87, are to: 1. "Consider amending the Town's Historic Zoning Overlay District to be more inclusive of all historically contributing structures, even in non-contiguous areas, and entertain recommendations from relevant entities to expand recognition of historic assets within the Town." The second one is: "To consider becoming a Certified Local Government." If the Town became a Certified Local Government, the steps to do that would be to create this Historic District that protects the historic structures. There are a couple of other requirements that he thinks we are probably quite close to accomplishing. He stated but being a Certified Local Government has a lot of good benefits; probably the most important being the Certified Local Government program has grants and resources for fixing up different buildings. He stated that Andy Conlon had mentioned that they could probably use that money to shore up that American Legion building on 21st Street, or The White Palace building. Also, it would potentially help with money to actually generate a new set of Design Rules or Guidelines.

Commissioner Ogelman stated that given those recent events and how these historic structures are vulnerable to demolition, the goal is for us to initiate a process that will legislate a Historic Zoning District based on existing registries for these historic properties that would prevent the destruction of those assets, and help us get that Certified Local Government status. He added our role in this process as the Planning Commission, we are the appropriate body for initially deliberating on this and then initiating the effort to mitigate this threat. The action that we had thought of was we need to ask Stan as the liaison, to request from Town Council at its next meeting, that they initiate and authorize us working

on creating this Historic Overlay effort, and/or subsequently ask the Town Staff prepare draft legislation protecting Purcellville's historic structures for our review, and do so by the next meeting that we need to have subsequent to the Town Council's Meeting, or as soon after that as we could.

Commissioner Ogelman stated that the idea would be for the Planning Commission to take this draft legislation that the staff produces to hold a Joint Town Council/Planning Commission Public Hearing, and then have us vote and have the Town Council vote on creating this legislation that we create an actual Historic Zoning District. The idea is that we should ask Council member Milan to do this at the Town Council meeting on Tuesday.

Chairman Paciulli stated that he has no real information or data but there was an effort to possibly make the historic houses in some sort of a he doesn't know what category, a zoning category. Commissioner Forbes stated that she doesn't recall that but that it is a good idea-that's what Public Hearings are for.

Commissioner Ogelman stated that he agrees completely and that it is such a crucial part of the Comprehensive Plan that if we don't push this out to the public, we would not be following one of the key components of the Comprehensive Plan. He added they might think that people feel like it is too invasive, and that there needs to be some kind of public discussion about what the sweet spot is, rather than forcing some model or another model and seeing if people think it is too stringent or not.

Commissioner Neham stated that there are a number of features that we need to make sure that we are considering as we go forward with this so that we don't appear to be one of those horrible HOA's you hear about that try to control everything. The main idea is to preserve the structures the best we can.

Commissioner Forbes inquired if the Commission has to ask the Town Council to consider becoming a Certified Local Government, or if that is something the Town Council can do on its own initiative. Commissioner Ogelman stated that it makes sense to come from the Planning Commission because we are the people who are trying to convert the Comprehensive Plan visions into legislation. We need the Town Council liaison to direct us to do this because we don't have the ability of our own to initiate this and make it happen.

Motion by Commissioner Forbes, Second by Commissioner Bennett that we ask our Council Liaison to Take Whatever Steps are Necessary for us to begin the process of being a Certified Local Government. And Second, can we ask the Town Council to Consider Authorizing Us to Look into (inaudible) Regarding Protecting Historic Structures Viewed to be a Historic Overlay District.

Council member Milan stated that he would love to present that to the Town Council at the next meeting on Tuesday, and just wants to give you what you want him to ask for. He stated that what he wrote down is we want to initiate a Certified Local Government. It has benefits that will afford the Town money for fixing up structures, and generate guidelines for Historic Districts. We want the Town Council to authorize the initiation to pursue the Certified Local Government initiative, and also to task the Staff to prepare a Historical Overlay Ordinance for the legislation to govern this Certified Local Government.

Commissioner Forbes inquired what is her Motion and asked if a vote is needed. Chairman Paciulli stated discussion. Council member Milan stated this is discussion on what he just said.

Commissioner Ogelman stated that he will volunteer to help put together some talking points for it and will try to share by Saturday.

Chairman Paciulli stated that it has been moved and seconded.

Voice Vote: All Ayes

Motion Carried: 7-0

COUNCIL REPRESENTATIVES REPORT : (Matters of concern to the Planning Commission)

Council member Milan stated that Council discussed Carbon Credits, and are going to have a meeting on the Budget. There are some line items in the Budget that we need to review, and we are going to have final approval for that at the next Town Council Meeting. Council member Milan mentioned the Chapman's presentation and that there was a lot of discussion on generating revenue for the Town because the potential of the Aberdeen property and the Nutrient Credits is in the millions of dollars. They want to get a line of credit for \$3,000,000.00 that can be used for the Capital Improvement Plan. Once you start borrowing money you find other needs to use it for and that the problem is the \$3,000,000.00 will become due in 2023. Whatever we borrow on that line of credit will become due in 2023, at that same time we have a balloon payment of \$1.5 million on the current debt for the Wastewater Treatment Plant. There is also discussion about getting the police station and acquiring the land. That's another \$10,000,000.00 to \$12,000,000.00. He stated by the end of the whole discussion, 2023 the Town will look at maybe a \$60,000,000.00 total debt for all debt. Council member Milan stated that too much debt is not good and that the Town is sitting in a good position because it has good credit. The ability to repay the debt is good because of the tax structure and the median income in the area which is a good and bad mixture, which is why we are getting a lot of unsolicited proposals for acquiring some of our assets, and we have to address those things.

Council member Milan asked Andy Conlon if the Comprehensive Plan had been finalized yet. Mr. Conlon stated it has not, and the Town has not received that final copy. After it is received by the Town it will need our proofreading. Council member Milan inquired of Mr. Conlon whether or not there is a projected time to receive it and that it has been a month and a half now. Mr. Conlon stated that he has not checked recently but would check with the Consultant and let the Commission know by an email.

CITIZENS COMMENTS: (Second Opportunity)

None

CHAIRMAN'S COMMENTS:

Chairman Paciulli stated that he heard what Andy Conlon said about hiring a Consultant and requested that Andy Conlon provide a written timeline by email for the process for obtaining a consultant for the rewrites.

Mr. Conlon confirmed he would prepare a memo that lays out that process of Consultant, and stated we are looking at two tracks at this point. One is the overall Zoning Ordinance rewrite, a very large project that will require an RFP. The other is a possible small demonstration project where we would just try to

do a simulation of one Focus Area, and right now staff felt that the Downtown South might be the most appropriate Focus Area. He stated just do a simulation of what it could look like, and basically that Gap Analysis, what it would take to create Ordinances that would encourage that sort of development.

Council member Milan inquired of Mr. Conlon's comment about "a simulation," and asked what would be used to simulate. Council member Milan stated he would not want to waste that time doing a simulation when they can take something that Ed has already prepared and use that, or either one of us.

Mr. Conlon stated that what he is envisioning is using the Comprehensive Plan, using the work that Commission is doing right now, inputting that into a simulation that would be a graphic sort of thing. It would be a picture of what the streetscapes could look like and what sorts of regulations would be required in order to achieve that.

Commissioner Neham disagreed with the simulation approach and stated he doesn't want to spend money on cartoons. Council member Milan stated that if they are proficient in doing their job, they could turn whatever we present to them into a finished product. stated like Commissioner Neham said, he doesn't want a cartoon or caricatures that aren't looking and feeling like what we want. Then they have to go back and rework what they've done to make it official. That's a waste of time and money.

Commissioner Ogelman stated that he agrees with Council member Milan and Commissioner Neham, and that if we are hiring somebody, let's get them actually drafting an Ordinance for that area.

PLANNING COMMISSIONERS' COMMENTS:

None

APPROVAL OF MINUTES:

None

ADJOURNMENT:

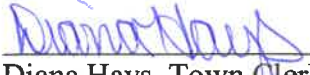
Motion by Commissioner Ogelman, Second by Commissioner Forbes to Adjourn the Planning Commission Meeting for September 3rd, 2020 at 9:03 P.M.

Voice Vote: All Ayes

Motion Carried: 7-0

Respectfully submitted by Faith Stine.


Chip Paculli, Chairman


Diana Hays, Town Clerk

