

**PURCELLVILLE PLANNING COMMISSION MEETING
THURSDAY, OCTOBER 1, 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 and via GoTo Meeting 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
Diana Hays, Town Clerk/Executive Assistant
Heather Spadaccini, Finance Clerk

CALL TO ORDER:

Chairman Paciulli called the meeting to order at 7:08 P.M. The Pledge of Allegiance followed.

AGENDA AMENDMENTS: (Planning Commission and Staff):

Council member Milan stated his paper is not ready for review at this time.

COMMISSIONER DISCLOSURES:

Council member Milan stated at the last Council meeting it was noted the Town Manager was working on an RFP for the Zoning Ordinance, and does not recall that direction being given from Council. After speaking with the Town Manager, Council member Milan directed the Town Manager to stop working on the RFP for the Zoning Ordinance. Council member Milan added he did not get the opportunity to present to Council the Commissioners process for the gap analysis due to a disruption in the Council meeting that caused a lot of business from being completed.

Chairman Paciulli stated the RFP for the Zoning Ordinance was an important next step, and Council member Milan asked how long it would be until the Commission is ready for a consultant. Chairman Paciulli stated the Comprehensive Plan is ready to be provided to a consultant. Council member Milan stated he didn't believe the final of the Plan had been received and that the priority for over a year has been nutrient credits, and once there is enough

information to provide to a consultant, that can be worked on, and that no one knows when the Comp Plan will be completed. Chairman Paciulli talked about the current version of the Plan being far enough long to get a proposal. Commissioner Forbes talked about the timeline for a consultant, and feels the sooner a consultant can be lined up, the better, as it will take time to go through the process. In the meantime, the Commissioners were to work on their gap analysis, and does not see why staff would be asked to wait on getting a consultant. Commissioner Ogelman talked about making sure the Commission can isolate the specific functions the consultant will engage in, and feels the gap analysis will help with this. Mr. Conlon reviewed the timeline for an RFP as well as the budget for the consultant, which would likely not be enough for the entire project. Further discussion took place on the timing of hiring the consultant.

Council member Milan talked about the “state of emergency” and does not feel the town is in a “state of emergency” as he knows it since the town is operational, and talked again about when the final Comprehensive Plan might be ready.

Commissioner Kowalski talked more about the role of the consultant. Commissioner Bennett stated when an RFP is written, is not sure how specific it is, and the last couple of meetings feels there was agreement that someone is needed to write the regulations. Commissioner Bennett added that Sally Hankins had talked about an aspect of pictures and feels time should not be wasted on that.

CITIZEN COMMENTS: (First Opportunity)

None

DISCUSSION ITEMS:

a. West End Final Version for Discussion and Action to Move to Senior Planner

Commissioner Neham stated since the last meeting he has made a few edits to the document including a sample of the Great Falls shopping center into an appendix and has rewritten the gap analysis section, which was emailed to the Commissioners. Commissioner Neham stated another update was sent about the recommendations just prior to the meeting, and asked if the Commissioners had questions. He added that the recommendations just read differently in the update.

At the request of Commissioner Ogelman, Commissioner Neham reviewed the recommendations to see if there was a consensus. Commissioner Neham stated the first recommendation is unchanged. Commissioner Neham stated the second recommendation changed and now reads “Apply combinations of use-based and form-based zoning methods to modify the zoning ordinances for the West End Focus Area. The West End Focus Area is one of the first to make its way through the zoning ordinance updating process, it may serve as a guideline for applying the form-based approach to other areas. The third recommendation has been modified to read “Enforce historical protections given to the historic properties at 611 and 621 West Main Street”. The last recommendation is unchanged.

Commissioner Ogelman thanked Commissioner Neham and stated this is what will be voted on.

Commissioner Kowalski asked if, after voting and changes are introduced into the zoning ordinance, a public hearing is required. Andy Conlon stated that any amendment to the zoning ordinance would require a public hearing by the Planning Commission and by the Town Council before adoption by Council. Commissioner Kowalski asked if the changes would be done all at once or zone by zone. Andy Conlon stated he believes there will be multiple public hearings and would be grouping items together. Commissioner Kowalski stated we should add a few extra weeks to the overall timeline due to the public hearings and not voting the same night as the hearing. Mr. Conlon explained the public hearing advertising process.

Chairman Paciulli stated there is a chance that parts of zoning ordinance amendments could be heard if they stood alone and if the Planning Commission felt like it was important to move them forward. Mr. Conlon agreed.

Commissioner Neham asked if the West End Gap Analysis gets approved and moved to Planning staff, does not know whether the staff time includes making an attempt at writing a legal document that corresponds to the changes and that would happen before the consultant arrives, and asked what happens when there is no consultant who might contribute something important to that process. Andy Conlon stated staff will start drafting amendments possibly before a consultant is retained and would have to see how it works out. Mr. Conlon stated the Planning Commission would remain very involved in the process and staff would be following input from the Commissioners how to package amendments, whether they are ready to move forward to public hearing and what items would be included in a single advertisement versus those that would be held for later. Commissioner Ogelman stated when Commissioner Neham presented the project plan, there is the potential that the Town Council and Planning Commission could hold a joint public hearing if there is a reason to try to expedite things.

Commissioner Ogelman added that he thinks because we are going one district at a time are trying to push these through the process, can learn lessons and see what happens and looks like it is something that Mr. Conlon has clear direction on to draft the ordinance on and feels the process is good. Mr. Ogelman stated if we see a consultant is not needed then that is ok too and feels the process is working as it should.

Council member Milan asked that once approved if it goes to Town Council, to Planning staff or to the consultant, and if it is moved forward to staff if there is a reason why we can't provide to Council shortly after. Commissioner Ogelman stated he feels things keep moving through different parts of the process and if something gets stressed, issues are dealt with as they come up. Commissioner Ogelman stated he feels there is no reason they can't be in different stages and talked about areas generating out to other areas but can deal with the West End part of the ordinance if that is what they have to work with.

Mr. Conlon stated the Planning Commission are the advisors to the Town Council, who have empowered the Commission to draft the revisions and direct the consultant, as needed. Mr. Conlon added that the Commissioners and staff will determine when items are ready for public hearing, and that there is a possibility of having joint public hearings.

Chairman Paciulli stated he is concerned that items approved by the Commission are not framed in any way, and suggested that the group of reviews goes through the Commission and then

decide if appropriate to send to Council. Commissioner Ogelman stated that once voted by the Planning Commission it does not go to Council but to Mr. Conlon to try to turn the recommendations into an ordinance, and Mr. Conlon may need additional guidance. Commissioner Ogelman added that it is after that when the consultant would be able to provide input, and that the items will not go to Council until the Commission and staff agrees they are ready, and do not have to wait for everything to catch up to do that.

Chairman Paciulli stated he believes they may learn from the process and discussions and decide to tweak it. Commissioner Ogelman clarified that if the Commissioners agree with Ed's recommendations that the item would go to Andy for action and if it goes to Council that the Commissioners have done what they need to. Commissioner Ogelman added that not everything has to be finished before putting it over because if there were any threats and the model was nothing could be moved until everything was finished then the threats could not be addressed.

Commissioner Neham made a motion to move the West End Area Focus Area Gap Analysis dated October 1, 2020 to the town staff for further action. The motion was seconded by Commissioner Forbes.

Motion:	Chairman Neham
Second:	Commissioner Forbes
Carried:	7-0

Paciulli:	Aye
Forbes:	Aye
Milan:	Aye
Neham:	Aye
Ogelman:	Aye
Bennett:	Aye
Kowalski:	Aye

b. Downtown South Paper

This item was deferred via agenda amendment.

c. East Main Paper

Commissioner Ogelman stated he gave his recommendations in the front of his paper and would not provide details unless asked. Commissioner Ogelman added there are significant gaps between the newly adopted Comprehensive Plan and the zoning ordinance, mostly regarding form and community design issues, architectural design, safety, etc. Commissioner Ogelman added he did not see many gaps in the existing uses and the uses in the newly adopted Comprehensive Plan. Commissioner Ogelman stated he has some general recommendations that may apply to other focus areas and some that are specific to the East Main focus area. He stated his recommendations are as follows:

1. Need to incorporate into the Zoning Ordinance detailed community design rules on historic preservation, scale, architecture, setbacks, open-to-built-space ration, impervious

surface ratio, floor area ratio, and density that regulate our desire to maintain small town charm.

2. Create focus-area/land-use-district community design thresholds, below which development and redevelopment may occur by-right and above which development or redevelopment must go through a public special exception process. Commissioner Ogelman added there would be a process incorporating public views.
3. Pass a historic overlay ordinance to prevent demolition of historically contributing structures and facilitate Certified Local Government program entry. Commissioner Ogelman added he does not believe Council direction is needed as this is part of the comprehensive plan process.
4. Given the Town's designation as a Tree City USA Community by the Arbor Day Foundation, in corporation with USDA Forest Service and the National Association of State Foresters incorporate into the zoning ordinance protection for healthy old-growth trees against damage and destruction during by-right development and redevelopment. Commissioner Ogelman stated he feels something should be incorporated into the zoning ordinance some protection against healthy old growth trees against damage and destruction during by-right development and redevelopment, and referenced the Catocin Corner project.

Commissioner Ogelman mentioned his East Main Focus Area Specific Recommendations as follows:

1. Enforce neighborhood scale commercial community design parameters reflecting the Comprehensive Plan, by bounding scale, impervious surfaces/green infrastructure, architectural traits, floor area ratio, open space ratio, parking and uses to those consistent with existing development to the south of Main Street, west of Maple Avenue and areas 2, 3, 4 and 9 (i.e. Area to Sustain) based on the median, mean, mode or other thresholds.
2. Allow by-right development or redevelopment below/within agreed parameters reflective of the areas to sustain and model for neighborhood scale commercial areas. Require a public special use/exception process for appeals to develop or redevelop at community design traits beyond the threshold for the expressly desired tendency reflected in the newly adopted Comprehensive Plan.
3. Allow by-right development or redevelopment below/within the parameters for small town commercial medium scale. Require a public special use/exception process for appeals to develop or redevelop at community design levels that exceed the thresholds, such as 35,000 sq ft maximum reflected in the newly adopted Comprehensive Plan.
4. Include all remaining recognized historic buildings in the East Main Focus Area into a new historic overlay district included in the Zoning Ordinance. Commissioner Ogelman added that in the process of looking at those found that there were buildings included where the Rite Aid building is now that had historic value and were torn down. Commissioner Ogelman referenced the Subway on Main and Maple and the structure that had character and old trees that is no longer there, and this does not seem like what the Comprehensive Plan is saying and it wants to preserve those areas.
5. Require a maximum impervious surface threshold in line with the green infrastructure that a developer can achieve through porous pavements, green roofs, infiltration basins,

bioswales, rain gardens, or other natural/decentralized stormwater management features. Commissioner Ogelman talked about using the thresholds in the small town handbook to have a consistent standard and be able to let the developer/redeveloper achieve that. He added that the consequence to not having that is large parking lots and little green space.

6. Retain existing uses defined for the commercial land use designation.
7. Use similar scale buildings and use-types to transition from surrounding neighborhoods, with the anchor for such transitions being the smaller scale buildings. Commissioner Ogelman stated when we use similar scale buildings and use types to transition from surrounding neighborhoods we should anchor those in the thresholds so the transitions are based on the smaller scale buildings.
8. We need to consider impervious surface ratio to achieve green infrastructure goals and to capture our citizens' desire to protect or recapture open and green spaces. Commissioner Ogelman talked about East Main where everyone wants to preserve, across from The Dollar Tree and west of Maple.

Chairman Paciulli stated that some of things discussed are design engineering and in the past when he brought these brought up was told they go to the County, and the town only approves the zoning ordinance items. Commissioner Ogelman stated all of the ratios mentioned are design guidelines for form-based zoning/parameters, and added he sent out two items on how to do form-based zoning in a small historic town and what stood out is that you do not get pure Euclidean zoning and pure form based zoning and most is a form of a hybrid. Commissioner Ogelman stated he mapped out the thresholds on his document based on the Loudoun County records for size of buildings, lot size, square feet, etc. Chairman Paciulli stated he is referencing pervious areas, detention/retention and some of those details and wants to know if there is an issue with it staff-wise or if adjustments can be made. Mr. Conlon stated he would speak with Ms. Lehnig and report back to the Planning Commission with how staff sees those incentives built into land use regulations, maybe beyond the zoning ordinance and into the facilities standards manual. Mr. Conlon summarized that Commissioner Ogelman would like to see the mechanisms to encourage things such as the Town Hall parking lot where there is a reduction of an impervious surface, the pervious tiles in the center of the parking lot, etc. and can find ways to build those into the regulations creating incentives so that would be a by-right and a development that chooses not to incorporate may go through a special use process. Chairman Paciulli agreed and just wanted to make sure that the Commissioners know he has noticed the town looks at one set of areas and used to say the County did the rest.

Commissioner Neham stated the next step is to take the next two weeks or until the next meeting to review in better detail the document, and at the next meeting be prepared to discuss concerns, and then vote to move it forward to staff. Commissioner Neham stated the points brought up would be dealt with by Commissioner Ogelman and reviewed at the next meeting. Commissioner Ogelman stated after the vote, if passed, the document would go to Andy Conlon, and that he would spend the next two weeks trying to get answers, and would include those into the document. Commissioner Ogelman requested the Commissioners email him with any questions or comments so he could incorporate those into the next meeting. Commissioner Neham requested that questions be copied to all Commissioners.

d. Proposed Timeline for Planning Commission Work

Commissioner Neham said he had put together the schedule for upcoming papers with the next agenda included Council member Milan and Downtown South, Chairman Paciulli and Hirst East, and Commissioner Kowalski on Downtown North. The next meeting agenda would also include the final paper for East Main and would include a vote. Chairman Paciulli stated Commissioner Ogelman's final presentation would be on the agenda as well, and the three presentations and the following meeting would be final discussions with a vote on the previous three along with presentations from Commissioner Forbes on the East End and Commissioner Bennett on Hirst West. The subsequent meeting would be final review of those and a vote.

Commissioner Neham asked if the committees would also be on recess in November. Andy Conlon stated his expectation is that there will be no meetings during November. Commissioner Neham asked if they could appeal to Town Council and the concern with the timing and delay of the project. Council member Milan stated he could bring this up at the next Town Council meeting.

e. Consultant for Zoning Ordinance Rewrite

Council member Milan asked the Commission if he should go to Council and have the Town Manager continue with his efforts or wait until after recess. Chairman Paciulli stated his opinion is the consultant hiring process needs to move forward. Council member Milan stated the RFP for nutrient credits needs done first, and Chairman Paciulli understood. Council member Milan stated those are the priorities.

Commissioner Neham asked the status of the final Comprehensive Plan. Mr. Conlon had no update and added he has written to the consultant and has not received a response, other than a small invoice.

Commissioner Ogelman stated the changes were minimal and the final document should look very similar to the version they have now and that this should not prevent the Commissioners from moving forward. Chairman Paciulli agreed. Council member Milan stated he cannot see paying someone for poor performance for such a simple process, and hopes the consultant for the zoning ordinance performs better.

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

Council member Milan stated Council generally agrees that the RFP for nutrient credits is a priority followed by the consultant for the zoning ordinance as second priority, and the Commissioners would move forward with their gap analyses.

CITIZENS COMMENTS: (Second Opportunity)

None

CHAIRMAN'S COMMENTS:

None

PLANNING COMMISSIONERS' COMMENTS:

Commissioner Ogelman stated he feels the process is going well and is happy to put together some talking points on what they want the Council to do, and would share the document with the Commissioners for their comments.

Commissioner Bennett stated usually the election for Chairman takes place at the first meeting in November.

Chairman Milan stated he would ask the Town Council if the Planning Commission could meet in November even with the Town Council on recess.

Commissioner Ogelman asked Mr. Conlon, on the historic district idea, if there is any reason the Commission needs to go to Council for permission or can just go through the process since it is in the Comprehensive Plan. Mr. Conlon stated he feels the Planning Commission can be working on the Certified Local Government, but probably will still want to go to Council for formal initiation of an ordinance amendment. Mr. Conlon added he would talk with Town staff further about this process, which is separate from the zoning ordinance. Commissioner Ogelman stated it sounds like that should be articulated clearly to the staff and that this is a big threat and need them to be on board with the Commission. Andy Conlon stated the reason this is not part of the zoning ordinance amendment is that it is a separate designation with minor fiscal impacts/fee to the state. Commissioner Ogelman asked if things are being done the right way procedurally with forming a historic district and Mr. Conlon confirmed.

APPROVAL OF MINUTES:

- a. September 3, 2020 Planning Commission Meeting**
- b. September 17, 2020 Planning Commission Meeting**

Council member Milan made a motion to approve the minutes from the September 3, 2020 Planning Commission Meeting. The motion was seconded by Commissioner Ogelman and carried 7-0.

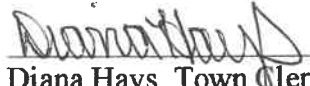
Commissioner Kowalski made a motion to approve the minutes from the September 17, 2020 Planning Commission Meeting. The motion was seconded by Commissioner Bennett and carried 7-0.

ADJOURNMENT:

With no further business, Commissioner Ogelman made a motion to adjourn the meeting at 8:45 PM. The motion was seconded by Council member Milan and carried 7-0.



Chip Paciulli, Chairman



Diana Hays, Town Clerk

