



**PLANNING COMMISSION  
REGULAR MEETING AGENDA**

February 7, 2019

6:00 p.m.

- 1) **Call to Order** – Chairman Tip Stinnette
- 2) **Pledge of Allegiance**
- 3) **Agenda Amendments** (Planning Commission and Staff)
- 4) **Commissioner Disclosures**
- 5) **Public Hearings**
  - a) None Scheduled
- 6) **Presentations**
  - a) None Scheduled
- 7) **Discussion Items**
  - a) None Scheduled
- 8) **Action Items**
  - a) None Scheduled

*Note: Any Discussion Item may be added as an Action Item during the meeting by motion of the Planning Commission.*
- 9) **Information Items**
  - a) None Scheduled
- 10) **Citizen Comments** – All citizens who wish to speak about an item or issue that is not listed for a public hearing will be given an opportunity to speak (3 minute limit per speaker).
- 11) **Council Representative's Report**
- 12) **Chairman's Comments**
- 13) **Planning Commissioners' Comments**
- 14) **Approval of Minutes**
  - a) October 4, 2018 Regular Meeting
  - b) October 18, 2018 Regular Meeting

- c) October 18, 2018 Work Session
- d) October 25, 2018 Work Session & Special Meeting
- e) November 1, 2018 Work Session
- f) November 29, 2018 Regular Meeting
- g) December 6, 2018 Regular Meeting
- h) December 20, 2018 Regular Meeting
- i) January 3, 2019 Regular Meeting

## 15) Adjournment

**If you require any type of reasonable accommodation as a result of physical, sensory or mental disability in order to participate in this meeting OR if you would like an expanded copy of this agenda, please contact Stefanie Longerbeam at (540) 338-2304 at least three days in advance of the meeting. Expanded copies of the agenda may not be available the night of the meeting, please request a copy in advance.**

USE OF ELECTRONIC DEVICES DURING MEETINGS For the comfort and consideration of others, all cellular phones must be turned off and cannot be used in the Council Chambers. Pagers must be set on silent or vibrate mode. This is requested because of potential interference with our recording devices and the transmittal of our hearing impaired broadcast.

**MINUTES**  
**PLANNING COMMISSION REGULAR MEETING**  
**OCTOBER 4, 2018 7:00PM**  
**TOWN HALL COUNCIL CHAMBER**

PRESENT: Tip Stinnette, Chairman/Town Council Member  
EJ Van Istendal, Vice Chairman/Planning Commissioner  
Theresa Stein, Planning Commissioner  
Mary Frances Bennett, Planning Commissioner  
Ed Neham, Planning Commissioner  
Chip Paciulli, Planning Commissioner  
Nan Forbes, Planning Commissioner

ABSENT: Andy Conlon, Senior Planner

STAFF: Patrick Sullivan, Director of Community Development

**CALL TO ORDER OF REGULAR MEETING:**

Tip Stinnette, Chairman, called the Planning Commission Meeting to order at 7:01 PM. The Pledge of Allegiance followed.

**AGENDA AMENDMENTS:**

None

**COMMISSIONER DISCLOSURES:**

None

**PUBLIC HEARINGS:**

None

**PRESENTATIONS:**

None

**DISCUSSION ITEMS:**

a) **Zoning Ordinance Amendments:**

Chairman Stinnette thanked Commissioner Neham and Commissioner Paciulli for all their hard work they've done highlighting areas that need to be revised in the zoning ordinance. It revealed a potential strategy for the planning commission in terms of how best to update the ZO. Chairman Stinnette started reviewing Appendix A and out of 478 lines, there were 15 items that you recommended we take a look at. He recommended that we postpone reviewing Appendix A at this time.

Chairman Stinnette started reviewing the Municode volume Commissioner's Neham and Paciulli put together and was struck by Article 7 Landscaping/Buffering and Article 14 Stream/Creek sections and the large number of recommended updates. He

would like to work with Council Member Ted Greenly along with the Tree and Environmental Committee to have them review those Articles and come back to us with update recommendations.

Commissioner Paciulli stated they tried that approach a couple of years ago and we are still where we are. I'm not sure if that group is any stronger than it is. I have opinions on those areas.

Chairman Stinnette responded his plan would be to detail one of us on this commission to the Tree and Environmental Committee to help and guide them through this. The other two Articles we need to immediately focus on are Article 4, which deals with the District, Transitional X and Commercial Agricultural Designations and Article 14A, which deals with the Historical Corridor Overlay District. There are going to be things that are directly or indirectly impacted by what we have written in the comprehensive plan. There are going to be things that we will need to address. We will have to come up with a plan that will address those changes.

Commissioner Stein stated typically when there is an ordinance rewrite, the staff will use their best professional judgement to come up with changes that will be in line with the comprehensive plan. Are you suggesting that the planning commission do that in advance of staff's work? What is the progression?

Chairman Stinnette addressed Commissioner Stein question by saying she is correct that is the normal way the municipality does things. The planning commission doesn't do the initial heavy lifting the, staff would do that. One of the items that isn't listed on our agenda is to discuss staff providing us with a list of all the projects community development is working on the next time we meet.

Chairman Stinnette stated the commissioners would review each Zoning Ordinance Article separately and determine the changes that need to be made. We would then give that product to staff and have staff come up with the appropriate language and incorporate what the commissioners are thinking.

**b) Comprehensive Plan Critical Path Update:**

Chairman Stinnette referenced an email from the consultant. According to our consultant, on September 25<sup>th</sup>, they began the comprehensive review and proof reading. They are having an objective 3<sup>rd</sup> party, who has not previously seen the plan, review to make sure we get a clear readable and consistent plan back to the Town. On October 1<sup>st</sup>, they expect to have the comprehensive review and proofing completed. October 9<sup>th</sup> -11<sup>th</sup>, they will be making edits to maps and narrative based on the comprehensive review and proofing. On or about October 12<sup>th</sup>, the consultant will deliver Version 5.0 to the Town for review.

**c) Status of Pending Applications:**

Chairman Stinnette asked the Community Development Department to provide Planning Commission with a work load report. One of the items is Warner Brook application and I believe the Town Manager stated the Town Council would like to have that as a discussion item at their October 9<sup>th</sup> meeting. Awhile back Warner Brook submitted an application for annexation. Staff looked at the package and went back to the applicant with some comments and the applicant responded to the Town's comments. The applicant came before the Town Council and chastised the previous

Council for not acting promptly on their application. During the election season, the applicant decided to put their application on hold until the Town completed their water resources plan update. Once the Council heard about their plan to put the application on hold, they disagreed and wanted to discuss the application and ultimately get Council on the record.

**d) Western Loudoun Sports Plex:**

Chairman Stinnette indicated there is a parcel of land that is located North side of Business Route 7 and abuts to the Town. That land owner went to the County and started a discussion about the development of a sports plex on that portion of land. Patrick Sullivan, Director of Community Development, attended the meeting with the County. Their site plan was not in conformance with a lot of the County's standards from water to lighting.

**e) Tracking County Meetings:**

Chairman Stinnette would like to have Loudoun County meeting calendar on [www.planpurcellville.com](http://www.planpurcellville.com) therefor the commissioners can take a look for upcoming meetings.

**f) Inquiry re. Hirst Road "Dirt Lot":**

The Town received an inquiry from a citizen regarding the dirt lot located on Hirst Road. The concern was about the environmental and future planning impact of the gravel and dirt moving activities. After looking into the inquiry and questions the citizen had, it was determined that Loudoun County Erosion and Sediment Control Division is responsible for the oversight and changes. The source of the gravel or dirt has to be from a permitted sight approved by the County. In this case, the dirt is from the western side of the site. Loudoun County Erosion and Sediment Control Division is responsible for environmental impacts. The County has an inspector that goes from site to site to make sure the permit holder is following regulations. Ultimately, the County answers to the department of D&Q if there are any environmental impacts. Loudoun County Erosion and Sediment Control Division is the controlling agency that authorizes and inspects the work including environmental impacts. Nothing is being built at this time. The grading permit was issued around March 2013, the permit is renewed every three years. The site is in the C-1 office commercial zoning district.

Commissioner Paciulli is concerned and feels like it's not the County's responsibility to enforce all the different zoning requirements that would apply to that site. Which include floodplains and environmental qualities etc. He believes the Town should review the process that's in place.

Chairman Stinnette asked when the permit is renewed in March of 2019 that the Town be involved in the renewal process.

**g) Cell Tower:**

Chairman Stinnette stated our cell services have been impacted by the work being completed on the Town's water tower. To prepare for painting, the Town had to take down the four carrier antennas. When we did that, there was a noticeable drop in service in the Hirst area. After an inspection of the water tower, it's going to require

reinforced struts to hold the antennas. In the meantime, the Town will not be painting the water tower because we have to research the strut issue before painting. It's going to be 3-4 months before we get the water tower back up and running with the cell antennas. There was a discussion about the Town doing our own tower and leasing that out to the four carriers. That tower would be sited at the water treatment plant. In order to that, it would have to come through the planning commission to evaluate the sighting and make a change to the ordinance to allow to site the new tower. The Town will own the tower and will lease the tower to the service provider.

**ACTION ITEMS:**

None

**INFORMATION ITEMS:**

None

**CITIZEN COMMENTS:**

Patricia A. DiPalma Kipfer, 38038 W Colonial Hwy

Copy of Citizen Comments submitted to be attached for the record to the official minutes of this meeting,

Good Evening Chairman Stinnette and Planning Commissioners I'm here tonight to speak on Agenda ITEM 14. Approval of Minutes.

The itemized list is accurate. However, I think the description of the July 19, 2018 Regular Meeting should include in parenthesis "Public Hearing".

The "approval" of attached minutes that say absolutely nothing more than what was in each agenda is meaningless. Minutes without substance should not be approved. Meeting minutes without applicable attachments should also not be approved. I think there should also be a reference made in the written minutes noting the existence of an "audio recording" of each meeting so the public can listen to the actual proceedings if more detail than which is included in the written copy is desired.

I would like to note corrections to the following:

July 19 Minutes: Correct the designation in the upper right corner of pages of the attached document from "June 21, 2018" to "July 19, 2018"

August 9, 2018 Work Session Minutes: The printed minutes reflect nothing more than what was in the agenda. There should be at a minimum a summarization of the important portions of the dialogue & discussions; and the reporting of decisions/determinations made during the meeting. For example, there was a decision made by the PC during the meeting to move the "Glossary" from the "supplemental" documents section of the plan into the Jillian plan.

August 16, 2018 Regular Meeting Minutes: My written submitted citizen comments that I requested be attached to the official minutes and were actually read "into the record by the Chairman Stinnette" are not attached, or, acknowledged within, the printed minutes. This is despite the fact Chairman Stinnette directed they be attached to the "regular" meeting minutes.

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August 16, 2018 Work Session Minutes: The printed minutes reflect nothing more than what was in the agenda. This meeting had extensive and meaningful discussions regarding the East End proposed land use designation & descriptive text, as well as the Land Use Descriptions for "Ag/Commercial and the new "Rural Transition" land use designation to include descriptions on page 46(?) Of the plan. Further, this new designation would require new legend color coding to the East End Map; the 2018 Land Use Map; and narratives which were in fact voted upon and approved by the PC. The printed minutes are silent. This is NOT being transparent to the citizens.

August 30, 2018 Work Session Minutes: The agenda has two copies of the work session minutes. Again, the printed minutes reflect nothing more than what was in the agenda. There should be at a minimum a summarization of the portions of the dialogue & discussions and resulting actions from the meeting.

The following is an excerpt from Robert's Rules which I will not read but may be used as a guideline for future references if desired.

### **COUNCIL REPRESENTATIVE'S REPORT:**

Chairman Stinnette stated the Town has reached an agreement with Loudoun County to maintain the ballfields over at Firemen Fields Park for the next six months. We are continuing the discussion with SAE on the management of the Tabernacle facility and received an agreement from SAE until the end of the year.

Chairman Stinnette indicated the Town Council discussed that our town lawyer currently reports to the Town Manager, however, the Town Council thought the town lawyer should report directly to the Town Council. After discussion, the Town Council discovered that the Town code and charter are not necessarily lining up. Therefore, we've asked staff and maybe an external lawyer to review our code and charter and determine what needs to be changed to be in compliance with Commonwealth requirements.

### **PLANNING COMMISSIONER'S COMMENTS:**

None

### **CHAIRMAN'S COMMENTS:**

None

### **APPROVAL OF MINUTES:**

- a. July 19, 2018 Regular Meeting
- b. July 26, 2018 Work Session Meeting
- c. August 2, 2018 Regular Meeting
- d. August 9, 2018 Work Session Meeting
- e. August 16, 2018 Regular Meeting

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- f. August 16, 2018 Work Session Meeting
- g. August 30, 2018 Regular Meeting
- h. September 6, 2018 Regular Meeting

Chairman Stinnette deferred action on the minute. He asked that staff worked on the minutes to add more details.

**ADJOURNMENT:**

With no further business, Chairman Stinnette made a motion to adjourn the meeting at 8:50PM.

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Tip Stinnette, Chairman

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Stefanie Longerbeam, Recorder

**MINUTES  
PLANNING COMMISSION REGULAR MEETING  
OCTOBER 18, 2018 7:00PM  
TOWN HALL COUNCIL CHAMBER**

PRESENT: Tip Stinnette, Chairman/Town Council Member  
EJ Van Istendal, Vice Chairman/Planning Commissioner  
Theresa Stein, Planning Commissioner  
Mary Frances Bennett, Planning Commissioner  
Ed Neham, Planning Commissioner  
Chip Paciulli, Planning Commissioner  
Nan Forbes, Planning Commissioner

ABSENT:

STAFF: Patrick Sullivan, Director of Community Development  
Andy Conlon, Senior Planner

**CALL TO ORDER OF REGULAR MEETING:**

Tip Stinnette, Chairman, called the Planning Commission Meeting to order at 7:01 PM. The Pledge of Allegiance followed.

**AGENDA AMENDMENTS:**

None

**COMMISSIONER DISCLOSURES:**

None

**PUBLIC HEARINGS:**

- a) RZ17-01 Purcellville Gateway
- b) PCA17-01 Purcellville Gateway
- c) SUP17-03 Purcellville Gateway

Chairman Stinnette opened up the public hearing for item 5A, which is RZ17-01. The purpose of this hearing is to hear comments regarding the request by NSHE, Fool Hollow Lake, LLC, for a zoning map amendment from R3 Duplex Residential District to MC, Mixed Commercial District. The property where the proposed child care center is being sited is currently residential, duplex residential. The applicant is proposing is to turn it into mixed commercial use, or MC in the mixed commercial district.

The acreage is .81 acres, portions of approximately a three acre parcel within the Purcellville Gateway Shopping Center Development, further identified as Loudoun County Parcel Identification Number 453373441. Located in the northwest quadrant of

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the intersection of East Main Street and Berlin Turnpike at 105 Purcellville Gateway Drive. The supplemental proffer statement asserts, if you go back to the original proffer for the original site plan that did assert that the owner wishes to establish a child care center.

The applicant wants to basically revise a monetary contribution associated with transportation improvements. Under the original development, there was a proffer to basically underwrite a study and a stoplight there at the intersection. The applicant is asking to amend that proffer, and rather than pay some sum in the future, they would want to amend it to pay a sum in the present. It's somewhat different because the property's already subject to previously improved proffers. And therefore staff has directed the applicant to file a separate proffer amendment application. There's a somewhat artificial separation between the re-zoning and the proffer amendment application. The re-zoning request is for a rather narrow .81 acre land, approximately 30 feet wide at its narrowest. Currently zoned in proffer R3, Duplex Residential District to become proffer MC, Mixed Commercial District.

For the child care center, that is a reduction of land area zoned and utilized for a residential zone, the impact of the proposed child care center on land currently utilized is landscaped open space, so that the additional commercial use would be closer to existing residential uses. The second application is proffer amendment to the Purcellville Gateway. Staff considers any proffers considered in this application amendment to be supplemental to the previously approved application.

Phil Bishop, Vice President of Echo Realty, owners of the property. I'll be making general comments not specific to the uses that were proposed and already, mentioned. Our land use planner, Christine Gleckner, with Walsh Colucci Lubeley & Walsh PC will go through the details. Also, Erin Witt with the Goddard School is here to present some of the operations and questions that were raised when we were here previously back in August. Since that time, we went back, looked at some enhancements specifically to traffic and safety, which again we'll be presenting in detail. A little bit about Echo Realty, we're headquartered in Pittsburgh, Pennsylvania. Have been around since 2000. We have offices in Indianapolis and Washington, D.C. as well. We are owners, operators and managers of primarily grocery anchored shopping centers. The majority of properties we've owned for over fifteen to twenty years. When we bought this asset, we looked at it really long and hard. We were successful when we were able to purchase it. And we hopefully will have it within our portfolio for a number of years to come. As an example, you may have noticed since 2015 when we purchased some of the new tenants that we've been able to bring in, the UPS space, Pet Value expansion, SunTrust Bank, Mathnasium and then most recently MOD Pizza. With the closing of WK Pizza, we're actively seeking a new tenant to go into that space. Again, a quality tenant that will enhance the shopping experience for the community that we're in. Just as a little background, we started this process trying to think of ways to enhance the center about a year and a half ago. Shortly after we bought it in 2015, we came with the idea of the daycare center, which we feel is the best use, as Erin will talk about a little bit later. It really fits well within the center from an additional houses in the future will be approximately another \$50,000 in taxes that would come into Purcellville. We have all of our experts here tonight, traffic engineers, civil engineers, land use planners that can answer any of your questions after our presentation.

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Christine Gleckner and I are land use planners with Walsh Colucci Lubeley & Walsh PC, representing the application this evening. I just wanted to start out a little bit with the parcel background. Our presentation is for all three applications. These three applications involve the two parcels that are shown on the vicinity map in front of you.

The re-zoning parcel is the one with the last four digits of 3441, where a portion of the R3 will be re-zoned to MC. I want to point out that the aerial photography that the county mapping system uses to show homeowners will only have responsibility for their individual lots. So that was part of the thinking behind where we drew the re-zoning line. And then the Harris Teeter expansion is also shown as the rectangular building added to the north side of the Harris Teeter store. Part of that will involve removal of some parking spaces that are currently where that expansion will go, and additional spaces added to the north. But again, we're maintaining the buffer as is required by the zoning ordinance. This exhibit shows kind of the more legal view of the re-zoning area. And that diagonal line area is the .81 acres that would go from R3 to MC. And then there's the crosshatched area, which is currently zoned MC, and those two areas combined will form the child care center site.

The child care center is a permitted use in the MC District. So once the zoning occurs, they'll just be able to go straight to site plan and get that approved. We did want to point out as an expansion of a commercial use, particularly one adjacent to an existing residential area, we think a child care center is a compatible one, largely due to its hours. They operate Monday through Fridays, 6:00 or 6:30 a.m. to 6:00 or 6:30 p.m., maybe 7:00 p.m. So it's not late hours like some commercial uses can be, and certainly no weekend hours, no kind of night life. And when we met with some of the residents, they liked that idea that there wasn't going to be night time activities or that type of thing. The rest of my comments are going to address the items we heard at the work session we attended with you back in August. And so we did hear concerns about the child care center circulation. And we have revised the circulation where we have our one way in and one way out driveway pattern. So it will be a one way pattern. The designated drop-off and pick-up spaces are on the west side, adjacent to the sidewalk. So parents will park their cars, get their children, and walk along the sidewalk to the building entrance. And we also heard concerns about Chick-fil-A parking traffic might be able to intermingle. And we're highlighting a six inch header curb between the Goddard child care center and the Chick-fil-A parking areas to separate that traffic. The next concern we heard at the work session was the traffic safety and concern with through the center roadway. We took a hard look at that and we had already added stop signs at the four-way intersection of the driveways per staff comments. Then after the planning commission work session, we went back and we added a raised crosswalk. We added a raised crosswalk in that main drive aisle where that pedestrian path/sidewalk goes through the parking lot. Then we added a number of stop signs at the ends of drive aisles and along that through drive aisle. Again, these are features that will slow down traffic, will discourage through traffic if it's not a clear shot through, and give pedestrian crossings through the shopping center priority through that raised cross walk area.

And finally, we have the proposed subdivision layout. It's the six lots, same number of lots

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that were approved in the prior zoning approval for the property. We've held the pre-application meeting with staff on this purposed subdivision layout, and no issues were identified with this. However, of course we were advised to wait until the zoning is approved before pursuing the actual subdivision application but this is the layout and you know, again, we have to go through the review process, but we believe that this will work. That's addressing some of the technical issues with the application. I'd like to ask Erin Witt to come up now to talk about the Goddard Child Care Center and their operations.

Erin Witt, I work for Goddard Systems. We are the franchising company for the Goddard Schools. We're in our 30th year of operation this year. And by the end of this year, we will open our 500th school nationwide. Each of our franchise locations is individually owned and operated. We require that a franchisee is on site at every school. They do have corporate representatives, like myself, through the entire process. We handle them from when they buy the franchise license up through operating their school. And if they eventually either want to sell or move on from it, we have people throughout the entire process that help them.

My role at Goddard, I review every site that comes through Goddard as a site development manager. Our franchisee that is here tonight may have looked at ten different sites. I look at each one and give my opinion as to whether or not it will work as a Goddard. And in that I look at a lot of things, be it the safety of the location, can we fit enough parking, can we fit the school, can we fit the required playground areas that we need for state licensing. And a big thing is the safety of the children. About four or five years ago, Goddard changed its position and how we require vehicle protection on all locations. Wherever a vehicle can come within a child, be it on the playground or in the school building, we require vehicle protection that stops a car. It has to stop a car, a 10,000 pound vehicle moving at 5 miles per hour. It's not a huge thing, but you would be surprised at the number of incidents that do occur. Another thing that we do require is six foot fencing around any exit door from the building or to the playgrounds. And that is because we used to require four foot fencing, and in today's day and age, sadly that is not safe enough for kids. So we moved that over to six foot fencing. You may see that on our plans coming forward, we brought up the question how does the site compare to others because it's in a shopping center. I pulled three different sites and I think I looked at five or six different metro areas, if you will, just pulling the number of sites that we had there. Within those five to six areas, I pulled twenty different sites that have this same setup, being a Goddard School as part of a larger shopping center, be it a separate building or part of a larger building.

Another thing to note is that we don't have a queuing line when parents show up to drop off children. We don't have a set start time. Like Christine said, our typical operating hours start somewhere around 7:00 a.m. We see our peak drop-off from about 7:00 to 9:00 a.m. And that really depends on the parents' schedules of when they're going to be dropping their child off. At Goddard, our standard operating procedure is that the parents have to park their car, walk their children in. There's actually two doors that they have to go through. The first door is open to the public. On that and in our floor plan, both the owner's office and the director's office face that, and there's windows facing there. The director or owner will either buzz them through the next door, or there's biometric scanning, be it a handprint, fingerprint or eye scanning. The parents then walk their children to the room, drop all their stuff off, say goodbye and get on their way. Pickup happens at exactly the same in reverse. We see that drop-off and pickup takes

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about five to ten minutes per parent. I know I personally have it down to a science that I'm in and out as fast as I can be with that. Like I said, I looked at numerous locations across the country like this and it's very similar. And that's why we at Goddard approve this site.

**PRESENTATIONS:**

None

**DISCUSSION ITEMS:**

- a) Hirst Road Property-Chairman Stinnette would like to set up a process when they renew their application with the County, that the Town gets informed and get a voice if need be. Also, when the County does an inspection, we should receive a copy of the results.
- b) Loudoun County Community Calendar- Chairman Stinnette would like the County's calendar to be placed on the PlanPurcellville website so we can see what is coming up on their agenda.
- c) Community Development Activities- Chairman Stinnette stated currently Community Development has 10 plus site or development plans they are working through. Community Development is more than just comprehensive planning and zoning ordinance. They have a number of things they process from new business to removal of illegal signs. They also have 8 performance bond releases, reductions or extensions and also processing 10 performance maintenance bonds. They receive 50 to 65 customers weekly at the counter. And they get 150 calls weekly as well. That's a lot of customer service that's kind of right at the point of your face. So that takes up a lot of time. Obviously, Andy is kind of neck deep in the comprehensive plan, and so you can see that estimate is about 80 to 90% of his time.
- d) State of Envision Loudoun- Chairman Stinnette stated Envision Loudoun is going to the planning commission. All the stuff they've gathered so far is going to the planning commission next, and then the planning commission is going to work on it. One of the things they talk about is the greenbelt around the towns and planning commission will be reviewing that.

**ACTION ITEMS:**

None

**INFORMATION ITEMS:**

None

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**CITIZEN COMMENTS:**

**Chairman Stinnette read the following emails into record:**

Andrea Walters, Wexford Place, and Villages at Purcellville HOA- I would like to register my thoughts on the expansion of the Purcellville Gateway shopping plaza. Although it may be too late, I understand it is the topic of a meeting this evening and that other neighbors in my development have commented. I live on the border with Purcellville Gateway, directly next to the Chick-fil-a. Our neighborhood has been subjected to numerous noise ordinance violations, traffic congestion, and even smells over the past few years as this shopping plaza has grown. With the Catoctin Corner shopping area gearing up, and the problematic traffic in the corridor, it can be near impossible to even get in and out of the Kingsbridge area. The Purcellville Gateway shopping plaza is often congested, and anytime a delivery truck comes in during regular hours, they present a major traffic nightmare. Adding more cars and commotion to this shopping area is only going to increase the already existing problems, both inside the shopping plaza and in the surrounding roads. I understand that we are supposed to get a traffic light at the 287/Eastgate intersection, but that won't happen until 2023. If we don't get some control over the explosion of activity in the small area around Business and Bypass 7 and Rte. 287 there are going to soon be public safety impacts, considering the high amount of children in the neighborhoods and the increasing walking traffic. This area is a main ingress/egress spot for the Town, and a corridor crucial for school traffic and public safety access, yet we keep jamming more and more in this small area and pretending the traffic issues and other negative results don't exist. At some point we have to realize that this has become a choke point and a major burden for residents in the area. Here's hoping that we are at that point now.

Justine Smith- I have received the certified letter regarding the Purcellville Gateway and proposed expansion into what is currently a field. I cannot attend the meeting due to work, but wanted to express my concerns. What is being planned here will be disruptive to the neighborhood that I currently live in. Putting a daycare into that field would mean that there is noise from 8am to 6pm from the daycare, on top of the noise that is already occurring from the shopping center. (Not to mention the already large amount of noise that I can hear from my porch that comes from Coaches Comer late at night, which is on the opposite side of the shopping center from me. I have four kids, it's not like a daycare center couldn't be helpful to the community, because we DO need more options. HOWEVER, that spot is the wrong place for it. The shopping center next to PHC makes more sense because it's not up against a neighborhood and has more space. I am against the development of a childcare center directly behind my house. When we initially bought our home in 2007, we were told that there was going to be a "professional building" which included a bank. That plan was altered and there is now a Chick-fil-a in its place. We watched the old farm being torn down and the backhoe go into the building and the mature trees be torn down. The amount of traffic is already out of control on both sides of my neighborhood because of the Purcellville Gateway. It feels like a kick in the teeth to have development for people passing through town, without really considering the needs of the people who live here and are directly impacted by the development. Please stop the building in this particular area of town. The roads can't handle it

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and the community doesn't want it. On your own website, you ask people what they want to see built here. The number one thing listed? A dog park. Purcellville doesn't want more businesses that aren't sustainable here. The old Blockbuster has been vacant for how many years now because rent is so high? People value Purcellville because it is a small town, but the more it gets built up, the less of a small town it is and the less Purcellville it is.

Seth Kneeland- When I moved here in 2007, I was taken by the charming farm house and pond that was behind my property. It was so lovely that it even was the picture that greeted you upon login to the Purcellville community website. That picture and farm are now gone. When the wind blows in from the east, which thankfully isn't often, I smell burnt fryer grease. I used to hear crickets and frogs at night, I assume they all died under the parking lot that is there now. Most nights now I hear loud drunken laughing, revving motor cycle engines and thumping car systems. The pond that was once there is now a cheap concrete homage that had dead leaves and trash floating in it when I took a walk by it last night. I don't want any development behind my house except for more neighbors. I don't want to hear cars and children all day behind my fence. I chose Purcellville because of its small bedroom community feel that was very unique in this area. That feeling is gone. Please reconsider building more commercial buildings in this area or consider updating the Purcellville website home page to an image of desolate and failing strip malls to more accurately reflect what we've become.

**Citizen Presenters:**

Peter Van Dyke, 37792 Remington Drive. And I look at this message, it's going to increase the amount of traffic into the shopping center, both flowing in and out. And currently on Berlin Turnpike 287, the traffic is very, very congested. It's difficult to get out onto East Gate, turn right or turn left in the mornings and the evening. And with this additional expansion of the shopping center, there will be more traffic and greater congestion. So I want to make sure that the Planning Board takes that into consideration as they make their decision. And perhaps staging this after the light has been put in on 287 at East Gate, which I've read about in the paper, and lowering the speed limit on Main Street to 25 miles an hour, as opposed to the current 35 miles an hour, that would alleviate the traffic for the community, but won't address the traffic through the shopping center, because I feel that's been well addressed already.

Muhamed Zaki, I live in 37875 Wexford Place, right behind the Gateway. So same concern as the gentleman here. We are concerned about the traffic. We are already suffering living behind the Gateway, enjoying Chick-fil-A smells, noise. I have beers, bottles, throwing in my backyard from kids over there. So it's, again, it's adding traffic to the area and the noise. You just Google living behind a daycare. You'll find people complaining about the noise and the added traffic. So that would be my concern.

Justine Smith, 37859 Wexford Place. I'm right behind the Gateway. And on the map, it looks like there's plenty of room between where my house is and where this playground area would be,

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and that's just not the case. It looks like a large space and it's really not. My kids go and play frisbee in that field. I have an 18 month old. I have four kids. I understand the need for a daycare center. Purcellville sorely needs a daycare center. But I don't think that that is the correct placement for it, mainly because the traffic in and out of the Gateway is horrible. Trying to make a left to get to 7 out of my neighborhood takes me sometimes ten minutes I'm sitting there waiting for someone to be kind enough to stop so that I can cross over the road just to get to 7. I can see where I need to go, I just can't get there because of the traffic. Sometimes it makes more sense for me to turn right and go down to the traffic circle and turn back around, and that's just not the way this should be. That's not the way the Town of Purcellville should be, that our traffic is bad that we can't even turn out of our neighborhood. And our neighborhood is a relatively large neighborhood. We have a lot of people in it. The noise that we get already, I can hear very clear conversations coming from people standing outside of Coach's Corner at night. And if I can clearly hear them, how much am I going to hear all of the kids playing outside and all of the noise that's coming from the daycare center that's directly behind my house. When I'm trying to get my 18 month old down for a nap and there's kids yelling and screaming outside, how easy am I going to be able to do that? I can hear all the sound from Loudoun Valley High School when they have football games. I don't even need to go to the game. I just sit outside on my porch and I can hear the announcers and the music and the band. I know exactly who scored what. I'm okay with that, because I know that that's far enough away and they're on huge speakers. But putting a daycare center right behind my house is really going to impact me. I work from home. My husband works from home. So we are going to hear it all day long. The people that live directly next to me on the other side of the gully, they have two German shepherds that are loud. And, you know, I cannot imagine how much sound this is going to add to my neighborhood. And it truly makes me want to think about selling my house and leaving, because when I moved in here ten years ago, we had that beautiful farm. I mean, it was the cover of the Purcellville website. That's how beautiful it was. And we were told, oh, we're going to put in a professional building and a bank right behind there. Okay. Now I have a Chick-fil-A. And now we're talking about putting in a daycare center. And I don't think that's very fair to the people who live in that neighborhood, that we were told one thing and now we're getting something else. And that was the first time, and now we're getting something even different. So I really, really hope that this Board will take into consideration what my neighborhood is going through. I never come to these meetings. And I don't because I trust that you all make good decisions, and I live here and I'm willing to take those decisions. But I truly think that this is too important and I encouraged all of my neighbors to write emails and to come to this meeting, because it's really going to impact us. I really hope that you take into consideration what we all have to say and our concerns. I

would love to have a daycare within walking distance of my house, but the shopping center on the other side, right behind Patrick Henry, I think is the perfect spot for the daycare.

You have built-in people. They can walk to work. It's great. You know that that's where a lot of the workers are going to come from anyway. So why not put it over there? It's not backed up to a neighborhood. There's big open space. It's easier to get to. So that's my suggestion.

Lydia Teig, I live at 17448 Aldershot Place, right behind the Greenbelt now that we love to see. We moved into the area about a year ago. Whenever we bought into the neighborhood, it was under the premise that it hadn't been developed in thirty years, and we were looking

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forward to it not being developed during this time that we lived in Purcellville. My concern is also related to traffic, but I realize that's going to be addressed somewhat. Just to give you a brief synopsis of the time we've been in Purcellville, I have children in the Culbert Elementary School. So we frequently use that corridor and the loop going to Hamilton. It used to take me four minutes to get through that section either way, however, I left the neighborhood. Now it takes me about twenty just to get to the school. I realize that's not directly what we're talking about tonight. I definitely want to take the opportunity to let you know that was change in just the one year that I've been in the neighborhood. Next, I was a little concerned, until I came tonight, about how the traffic flow was going to happen. It's a concern going forward. I believe it's Strathmore Drive, which is one house over from my house, that road has been pre-cut for I guess thirty years, however long that neighborhood has been there. We moved from a very busy street in Lansdowne where my kids couldn't ride their bikes. I enjoy living on a quiet street. I did see how there were going to be six houses cut in. I don't have too much of a problem with that, as long as the neighborhood doesn't connect straight into the center, the stores, where Harris Teeter parking traffic isn't going to be coming through.

Hibah Salah, I live on 37875 Wexford Place, right behind the Chick-fil-A. I would like to say I'm a community member of Purcellville. I have several concerns going in as a homeowner in Purcellville. We were sold our house with the understanding that, again, there was going to be, you know, some building that was -- like Justine said, it was either a bank or a business building, quiet. When we bought our house, we also saw that beautiful farm. I understand that Purcellville has a need and desire to grow, but there needs to be supporting factors for that kind of growth. And also an accommodation for community members, i.e. the residents living in that area. I can tell you from now that anybody in this room or on this panel who buys a house overlooking a beautiful farm in the mountains to have escaped, like myself, towns out east, to coming out to a rural area, would like to continue to see that. I know that that's something that a lot of residents in Loudoun County, specifically Western Loudoun are advocating for. I know that you've heard everybody else speak about traffic, noise, smell and invasion of privacy for residents living behind the shopping center. It is now developed. What is done is done. But I do urge you to consider the rural location that we live in, and to try to hold onto that as long as we can, and not to try to over develop every corner of our beautiful rural town of Purcellville. And I really in my four or five years living here, I've have seen it grow and become extremely suburban/urban kind of feel. And that's not really the feel of Purcellville. We pride ourselves on a rural town. I understand that the company owning the land wants to create revenue for the town, but there needs to be some sort of accommodations made for the members and the community. I urge you guys to take that into consideration. Not every single piece of that green land needs to be filled up with some sort of retail revenue making kind of business. Traffic is horrendous in that area. It is only going to add to it much more. And perhaps utilize some of the other areas that are left completely empty and possibly look at those properties for expansion of something else. I do urge you to remember that this is a rural town, and that we who have moved out from eastern areas like Reston, Herndon, Sterling, would like to retain that ruralness in this area. And Purcellville Gateway is a great example of how it exploded. And it will continue to explode if we don't hold ourselves back.

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Ken Lucas, 17425 Aldershot Place. My original thought was the houses were going to go in on Strathmore and that was it. I know we're going to put up the traffic light or something on East Gate to alleviate that. We're going to have four traffic lights or whatever it is now, a three block radius. My thought was if you're going to make a daycare or expand in that area, instead of trying to shove those houses in that same thing, put the daycare and take up some of that lot of the houses. Put a bigger buffer between the rest of the houses already there and the parking lots that are already established there. The Chick-fil-A parking lot is a nightmare to get out of. It's a big expanded thing, and it's one exit out of this thing. Now you're going to have the one exit out of that whole parking lot on the south side of your daycare.

I drive by that area where your entrance and exit's going to be, and it's always busy. It's always jam packed. It's tough to get through. You've got to go really slow because you don't know if a car's going to pull out and when. I just don't see how that would be a great spot for that, with the exit and entrance for the gate there. You know, in the morning and afternoons, it's not going to be where they slowly go out throughout the whole day. The great thing about the grocery store is that you go to the grocery store at the same time you pick up the kids. That's also when the grocery store is really busy. So everything's really busy. So you're at the peak of that traffic going in there for the grocery store. It's already tough to go through that whole grocery store. Then you're adding that more traffic going through there. My thought would be get rid of some of those houses, maybe all the houses, put the daycare in the middle of the lower half where those houses are. Add a lot bigger buffer so you don't have to worry about the kids and the noise and the stuff like that for the neighbors that are already there. You could also rearrange the parking lot there so it's easier for them to get in and out. It's easier for the people that are going to Harris Teeter and anything else. My thought is don't try to cram everything in there. If you want to put the daycare, that's fine. I just don't see all those spots going in the same area. Especially with that exit, the exit out of the daycare. To me it just doesn't make any sense. That's just too tight and too packed to get in and out.

Mr. Bishop of Echo Reality, responded to the citizen comments regarding the traffic. He stated, one of the reasons we are requesting to modify the proffer is because we've sort of kicked that traffic question down the road a number of years, if and when that study was completed. We thought with consultation with our traffic engineer that we would sort of spearhead that and allow the community to make the decisions with the money that we'd be giving now versus later to help the town better make those choices. Maybe on a more global basis. Because, again, some of the initial studies we did may not have the warrants to require certain signals in certain locations. But as I heard this evening about East Gate, now the Town can certainly take those funds and use them elsewhere where they'd benefit and have the greatest impact. So that was our thought behind modifying the proffer and proposing the contribution at this point. We thought it'd be more beneficial to do that at this point in time.

Ms. Witt responded to the noise comment for the playground. She stated, we're not the school with the drop-off. We're not the school with a recess time. Each classroom is given approximately about a half hour on the playground. They rotate through the playground areas. It's one class per playground at a time. It will not be the full school going out there at

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once. Then we also limit the playground hours from about 9:00 to noon, and then from about 3:00 to 5:00. Because from 12:00 to 3:00, they're either eating lunch or taking a nap, as we all cross our fingers and hope. I just wanted to address that.

Also, with the traffic standpoint, we actually see that approximately 25% of our students are siblings. I think it was 134 students or so that will be attending this building. Then on any given day, approximately 10 to 15% are out sick or on vacation, holidays, and those type of things. While it will not eliminate any more traffic coming in, I just wanted to point out that it's not 134 different parents coming in every day for that.

Citizen asked would there be before and after care at the school? Ms. Witt stated it really depends upon what level the local school district provides, if it's a necessary within the community and our franchisee see that it would be better offer benefit to the school. This school does not have an indoor multi-purpose room like some of our larger buildings. We would have to be very careful about the space and the capacity of the building.

Ms. Silah responded to Ms. Witt noise comment by stating, to address the noise altogether, whether the applicant decides to put in a preschool or not, you guys should know that the majority of the community schools hang out at the Chick-fil-A. And the Chick-fil-A is almost like an after school hangout. There's already a lot of children there with their parents. I can tell you like Justine said, I can easily hear conversations and parents disciplining or having a good time with their kids over the fence. I know that there is good intention to try to create a lower sound. I want to also ask the Board, is there a sound ordinance that the Town has, and what does that sound ordinance really cover? I know there is one because, at the beginning when the Chick-fil-A went in, there was concern there, and I had inquired about. Then it was, like, well they're in compliance, so there's really not much you can do. It really just comes down accepting the fact that this is what it is. However, we are urging you guys not to put more of that noise into our private day to day lives. All I would say is to the applicants, to everybody here, to the Board, if this was your property and you were brought before the applicant, and the applicant comes to you and says we're going to build this in your backyard, ask yourselves, really ask yourselves, how would you feel? From going to green to over development, and then to have to endure the noise. There are days where there is lots of frustration on our entire street and cul-de-sac from the amount of noise that we have to take in throughout the day and into the evening. And you were saying, Erin, that they shut down their doors at 7:00, 8:00 o'clock max? The Chick-fil-A is still going on until 10:00, and Friday nights there is a party in that parking lot. Let me tell you, all the high school and middle school kids are out there having themselves a great old time. Sometimes it's a little bit joyful to hear that laughter and, you know, that good time, because well it's my Friday night too and my kids are happy and we're happy. But then there's days when you're sick, and there's days when you're having a hard time in your daily week or whatever. You need a little bit of privacy. I'm not really sure what kind of resolution can be met with this noise. And if this is going to move forward or if it's not going to move, the noise is already there. There's not really much you can do as from the applicant's perspective to minimize that noise, because it's already there. It's only going to increase it, if not by half, then by a hundred percent. I would like to make that, you know, clear to everybody here, that the noise is already very high. And the other thing is also the applicant had mentioned that they had

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visited the residents of the area and asked them questions. I was never visited. Some of my neighbors I had noticed that were also, so I'm not really sure who they met with to discuss some of these future proposals. I'm pretty sure had they met with us, they would have heard much of this. I can tell you the Chick-fil-A did meet with us, and they heard a lot of this and have been trying to be good community neighbors in trying to keep some of that squared away. Again, it's a business. I mean, we can't just ask them to shut their doors down. We have to work together as good neighbors to try to overcome what's come of the Purcellville Gateway. But please understand the noise levels are already at what we would think maximum level.

### **PLANNING COMMISSIONER COMMENTS:**

Commissioner Paciulli questioned the Harris Teeter expansion, are are they losing 24 parking spaces? Mr. Bishop stated there is already parking currently adjacent to the store. To answer the specific parking questions, currently there are 493 spaces provided. When all is said and done, there will be 514. We are gaining 17 spaces. Commissioner Pacuilli asked if there 43 spaces for the childcare center? Mr. Bishop, stated that was correct. When we were here in August, the commissioner's stated they wanted to see that as an exclusive use.

Commissioner Bennett asked about the curb between the Goddard parking lot and the Chick-fil-A...is it just a six inch curb? Mr. Bishop said that was correct, on the original plan it was not previously there and that was a concern from staff...if there was an open parking spot and someone's here not wanting to exit the Chick-fil-A, then they could zip through the parking lot and exit. Raising the curb will prevent that from happening. Commissioner Bennett expressed her concerns regarding the traffic flow there in the shopping center.

Commissioner Paciulli asked Mr. Bishop to explain the proposed traffic light onto business 7. Mr. Bishop stated we are not proposing any traffic light. The previous developer proffered was \$400,000 or a contribution of a signal which was constructed at the main entrances, and if one was warranted in the future at Main Street and Harris Teeter. Another traffic study would have to be completed and determined by VDOT if the signal is warranted. It was mentioned tonight about the East Gate and possibly others, we would proffer the contribution of \$100,000 to be used at the direction of the town to enhance what other traffic problems maybe. Chairman Stinnette stated all we've represented and that staff has represented is what the price ticket for a traffic signal is today. They would pay a share of that and the Town would pay a share of that, under the current proffer.

Commissioner Stein stated she was trying to understand the supplemental proffer statement. I hear that there's going to be change to the original. Then I go and I look at our packet and there's a proffer statement that's red lined. Is that a supplemental or is it a red lined version of the original? Ms. Gleckner stated the red line version in your packet is the supplemental proffer. When we originally filed, we filed a proffer statement that was amending the original, and so we red lined the original proffer. When the Town attorney reviewed that, she came back and said, no, we want to keep the original proffer and then just do a supplemental. We submitted a supplemental proffer. We got some comments from staff on our supplemental proffer and that's the red line showing that we added the things staff requested. But the bottom line is the original

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proffer statement remains in effect. We have supplemental proffers changing a couple things, like the concept plan reference, but the bulk of that original proffer remains in place.

Commissioner Van Istendal stated his concerns were well echoed by the community. You are probably used to places like Tysons. This isn't Tyson and it's a very different model out here. I think that there are very reasonable concerns in the community. I would make an effort to address them.

Commissioner Forbes stated with Harris Teeter being 57,300 square feet, it's my understanding that the comprehensive plan that we're considering is talking about putting maximum of 40,000 square feet per building. Chairman Stinnette spoke and said they would have an approved SUP that predates the development and the comprehensive plan.

Commissioner Forbes indicated that if we draw a line down the middle of that square where the proposed child care center is, you're saying that to the east it's zoning for the child care center then to west it's zoning for R3 duplex residential. Mr. Bishop responded and stated the entire areas here is R3. We are requesting a reduction of that R3 of .83 acres to allow the use for the daycare.

Commissioner Neham stated having the members of the community come up and speak about their concerns relating to traffic and noise, and having heard the applicant address mostly the traffic and not the noise, I would like the applicant to purpose mitigation factors to alleviate the noise that maybe perceived by the surrounding neighbors.

#### **COUNCIL REPRESENTATIVE REPORT:**

Chairman Stinnette reported Council talked about the annexation of Warner Brook into the Town. We're only on step 3 of the annexation process.

#### **CHAIRMAN'S COMMENTS:**

Chairman Stinnette stated Mike Chandler will be coming to Town to discuss the options on amending the Town's zoning ordinance.

#### **APPROVAL OF MINUTES:**

- a) July 19, 2018 Regular Meeting
- b) July 26, 2018 Work Session Meeting
- c) August 2, 2018 Regular Meeting
- d) August 9, 2018 Work Session Meeting
- e) August 16, 2018 Regular Meeting
- f) August 16, 2018 Work Session Meeting
- g) August 30, 2018 Regular Meeting
- h) September 6, 2018 Regular Meeting

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Commissioner Van Istendal made a motion to approve the minutes of the above and waive reading. The motion was seconded by Commission Stein and carried 7-0.

**ADJOURNMENT:**

With no further business, Commissioner Van Istendal made a motion to adjourn the meeting at 9:39PM.

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Tip Stinnette, Chairman

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Stefanie Longerbeam, Recorder

**MINUTES  
PLANNING COMMISSION WORK SESSION  
OCTOBER 18, 2018 7:00 PM  
TOWN HALL COUNCIL CHAMBERS**

**PRESENT:** Tip Stinnette, Chairman  
EJ Van Istendal, Vice Chairman/Planning Commissioner  
Mary Frances Bennett, Planning Commissioner  
Chip Paciulli, Planning Commissioner  
Theresa Stein, Planning Commissioner  
Ed Neham, Planning Commissioner  
Nan Forbes, Planning Commissioner

**ABSENT:**

**STAFF:** Patrick Sullivan, AICP, Director of Community Development

**CALL TO ORDER:**

Chairman Stinnette called the Planning Commission Work Session to order at 9:39 PM.

**COMPREHENSIVE PLAN REVIEW AND DISCUSSION:**

Chairman Stinnette indicated tonight's meeting, we will be discussing the changes on Version 5.0 of the comprehensive plan. He wrote down about 5 micro things that need to be updated from the acknowledgement page to the ag commercial legend on page 35, to page 46 not reflecting Chip's addition the ag commercial thing for the Crooked Run Property. Then page 46 and page 47 need to be bounced against page 72. And then the glossary needs to be part of the basic document. The consultant basically recommended that we present the change matrix along with the latest version of the Comp Plan to the Town Council. This is certainly one way to go, and he would like that to be the focus of the discussion during this Thursday's work session, which will immediately follow the regular meeting.

The other option is clean up version 5, give it back to the consultant, wait for the consultant to send it back to us and put version 6 in front of the Town Council. So those are your two options. Version 5 with the change matrix or Version 6 without a change matrix.

The commissioners voted and decided to go with option 1. Staff will provide the commissioner's with a blank matrix form to complete. Chairman Stinnette asked the commissioners to go through the plan, mark it up and by close of business on Wednesday he would like to get everybody's change matrix inputs so that staff can consolidate them and have it for us on Thursday. Senior Planner, Andy Conlon, will combine all the commissioner comments into one comment matrix. We will go through the inputs as a group and we will decide what items to adopt and forward to

Town Council. Those items will be the only items that are forwarded to the Town Council. Ones we don't agree to as a group will not be forwarded to Town Council.

**ADJOURNMENT:**

With no further business, Commissioner Van Istendal made a motion to adjourn the meeting at 9.51 PM.

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Tip Stinnette, Chairman

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Stefanie Longerbeam, Recorder

**MINUTES**  
**PLANNING COMMISSION SPECIAL MEETING/WORK SESSION**  
**OCTOBER 25, 2018 7:00 PM**  
**TOWN HALL COUNCIL CHAMBERS**

**PRESENT:** Tip Stinnette, Chairman  
Mary Frances Bennett, Planning Commissioner  
Chip Paciulli, Planning Commissioner  
Theresa Stein, Planning Commissioner  
Nan Forbes, Planning Commissioner

**ABSENT:** Ed Neham, Planning Commissioner  
EJ Van Istendal, Vice Chairman/Planning Commissioner

**STAFF:** Patrick Sullivan, AICP, Director of Community Development

**CALL TO ORDER:**

Chairman Stinnette called the Planning Commission Work Session to order at 7:00 PM.

**Cell Tower Ordinance:**

Chairman Stinnette gave a brief overview regarding the Cell Tower. Essentially, the concept is to put up a 200-foot cell tower on the town property in the vicinity of the waste water treatment plant. The idea is the Town would make a zoning ordinance change to allow the construction of the tower. The tower would be constructed on Town property and then we would lease out the tower to various carriers to improve the wireless signal in and around Town specifically in the Hirst area.

Town Manager, David Merkarski, stated they revised the height of the cell tower to 190 feet. The Town has the desire to build this tower to provide higher level cellular service throughout the Town. After reviewing the cell tower ordinance, they realized the regulations to protect the health, safety and welfare of this Town from cellular towers were 100 percent absent. We took this opportunity to revamp the zoning ordinance to be consistent with federal laws and commonwealth state statute. Tonight, please review this as an opening discussion to the ordinance. If it meets with approval, we will go forward with a public hearing. Following the completion of a public hearing process or any subsequently revisions, we would take it to the Town Council for deliberation and approval.

So what I'd like to do is just to establish essentially the intent and the preamble. I'm just going to read that into the record. And then Sally and I will be going through each of the sections, just giving you sort of a brief intent of what those sections essentially afford the town. Keep in mind the section numbering completely has to be changed. That has to be formatted into our ordinance. So disregard the sections, because those will be formatted to fit our zoning code. The purpose of the ordinance is to ensure that residents, public safety officials, and businesses have reliable

access to telecommunication services, and encourage the development of wireless communications while protecting the health, safety and welfare of the public and maintaining the aesthetic integrity of the community. The Telecommunications Act of 1996 preserves, with certain limitations, local government land use and zoning authority concerning the placement, construction and modification of wireless telecommunication facilities. Within the parameters of the authority, the goals of these regulations are:

Number 1, to protect residential, commercial and historic areas and to designate the land uses from potential adverse impacts of wireless communication facilities, and to locate such facilities in areas where adverse impacts on the community are minimized.

Number 2, to minimize the total number of towers and antennas within the town necessary to provide adequate wireless telecommunication services to residents of the town by encouraging the use of existing towers and other structures for the colocation of wireless telecommunication antennas.

Number 3, to minimize the potential adverse effects associated with construction of wireless telecommunication facilities through the implementation of reasonable design, landscaping and construction and operational practices.

Number 4, to avoid potential damage to property caused by wireless telecommunication facilities by ensuring that such structures follow best practices and are soundly and carefully designed, constructed, modified, maintained and removed when no longer used or when determined to be structurally.

Number 5, to enhance the ability of the providers of wireless telecommunication services to deliver such services to the community effectively and efficiently.

The industry and the telecommunication and cellular world is changing. Providers in the beginning were involved in the construction of towers. And lately, the trend has been divesting those interests from the actual companies that provide cellular service. And numerous companies are opening up, speculating cellular service providers on towers. So communities all over the United States now are being impacted by numerous towers, absent of regulations, and sometimes they're constructed without even having any secured leases, waiting to essentially attract, one, two, three or four carriers. And this obviously could be very deleterious to home values, to our commercial corridor, and to the view sheds in our historic district. And I should note that the Federal Communication Act preempts a lot of the standard provisions of local municipal zoning code. And there's some stringent restrictions of what we can and cannot do, and this has been carefully worded to comply with those federal restrictions.

Sally Hankins, Town Attorney, The first part of the ordinance deals with the actual application for a tower itself, which would require a special use permit. And then at the back of the ordinance is really the part that deals with co- location applications, where the intent is to add an antenna or ancillary equipment to an existing structure. If you're seeking to construct a new structure, the special use permit would be required and would need to be processed within 150 days, or shorter, if our ordinances provide.

Part of the process that we're commencing tonight at the staff level is marrying this ordinance with our local ordinances and updating it to reflect state legislation that was passed last year related to Microcell technology with the purpose and intent, which David went over, and then go

through the definitions. The wireless telecommunication facility definition includes all aspects of a tower and the equipment that is mounted on it and the equipment that is located at its base. So subsets of such a facility would be the antenna and the tower itself and all cables and other equipment.

The telecommunication industry can actually design a cellular tower to look like a very large pine tree and completely stealth the arrays and the radio when it's done in a proper way. The general requirements when someone seeks a special use permit to construct a new tower will be the considerations and also will be proximity to residential structures and residential district boundaries, the proposed height of the facility, the nature of the use relative to adjacent uses, the topography, tree coverage and foliage, the design of the tower, and the access to the site, ingress and egress.

Town Manager, David Mekarski, stated that an analysis and consideration of whether some other technology would be available to meet those needs. We would require a master plan. It's very competitive industry and you have no industries construction essentially speculative towers, and there's a competition for a customer base, communities can get over impacted by towers. And so Section 22-465 requires a wireless master plan, where the tower provider has to demonstrate where the community that they want to serve, or the residential area or business they want to serve, is underserved in terms of a propagation, in terms of the radio signals getting to particular customers. And it forces them to look not only within the town boundaries, but outside of the town boundaries. And that's to determine whether really a tower is needed or it's just a speculative purpose.

Town Attorney, Sally Hankins, the special use permit process you are familiar with, it would largely mirror that. But the requirements that are special to the cell tower industry are listed on page 7, including the master plan that David just described, which I think is useful, because it will show us for this area where, you know, where the coverage is, where the gaps are for both homes and cars and commercial buildings. The rest, the pages 7 and 8, go through the submission requirements and also the technical documents submittals, which I don't think I need to go through in detail here. But it does include things like dropped call data. We're really trying to assess the need for the tower and that the application as proposed would address the need. And siting and design standards are on page 9. This is where we would allow the 190-foot tower that the town would like to construct at its wastewater treatment plant. The standards on page 9 would require that tower to be at least 200 feet from a residential structure, to be located on a lot of at least two acres, and to be located within certain yards, whether the rear yard on most lots or an anterior side yard. In addition to being at least 200 feet from a residential structure, it would be set back from any building by a distance that's not less than the height of the tower. So these standards are kind of the protective standards for neighboring property owners, and we have specific standards for properties that will be located in a historic overlay district. So there will be a much higher standard to meet in terms of setbacks for those structures.

Town Manager, David Mekarski, Just one point, I want you to flip back to page 6. There's a chart, and it has a column that says camouflage towers, guided towers, lattice towers, monopole towers, stealth towers, shrouded towers, alternative mounting structures. Now, the top of the chart is not filled out. Pat, and Andrew, and Sally and I are going to be going through the zoning ordinance, and we're going to be plugging in in the zoning ordinance where these type of towers are allowed and where they're prohibited. Generally, we're trying to send a signal to the telecommunication industry that we do not want the guided towers with the large cables and/or the lattice towers, which, you know, are very difficult to camouflage. And that we would allow

monopole cell towers, which I gave the definition, and/or shrouded towers. And there's even some shrouded towers around the country that have been designed as pieces of art, which can be achieved. Some actually have been situated near religious institutions, you may see them on the highway, actually designed, you know, with a religious symbol across that's actually a cellular. Those will be filled out in the draft once we advertise the public hearing. We'll probably forward that to the Commission prior to that, and we'd be happy to come back to elaborate our rationale on that.

Town Attorney, Sally Hankins, on page 11, Section 22-473 describes the maintenance of the facilities and the grounds. And those maintenance requirements will be guaranteed by a performance bond, the requirement for which is on page 13 under performance guarantees, which would cover the town's cost if it came to be of removing the tower and to maintain landscaping and screening that was part of the permit requirement. And then on page 14, beginning the regulations governing colocation applications, where if someone wants to add an antenna array to an existing structure. And this would follow, instead of being a special-use permit, this would be more of a zoning permit, building permit application, which is ministerial in scope. So the staff would have the ability to approve or deny, provided the conditions have been met that are set forth in the ordinance. And I think that takes you through to the end of the ordinance. This presentation tonight is to leave you with a copy of the full ordinance.

After the commissioners discussed the cell tower ordinance presentation, Chairman Stinnette stated we will spend the rest of tonight going through comprehensive plan adjustments and changes.

To see the changes that were discussed regarding the comment matrix and comprehensive plan, you may visit [www.planpurcellville.com](http://www.planpurcellville.com).

**ADJOURNMENT:**

With no further business, Chairman Stinnette made a motion to adjourn the meeting at 9.40 PM.

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Tip Stinnette, Chairman

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Stefanie Longerbeam, Recorder

**MINUTES**  
**PLANNING COMMISSION WORK SESSION**  
**NOVEMBER 1, 2018 7:00 PM**  
**TOWN HALL COUNCIL CHAMBERS**

**PRESENT:** Tip Stinnette, Chairman  
Mary Frances Bennett, Planning Commissioner  
Chip Paciulli, Planning Commissioner  
Nan Forbes, Planning Commissioner  
Ed Neham, Planning Commissioner

**ABSENT:** Theresa Stein, Planning Commissioner

**STAFF:** Patrick Sullivan, AICP, Director of Community Development  
Andy Conlon, Senior Planner

**CALL TO ORDER:**

Chairman Stinnette called the Planning Commission Work Session to order at 7:00 PM. He began by requesting each Planning Commission member state their name and address for the transcriber to be familiar with their voices when recording minutes.

**COMPREHENSIVE PLAN REVIEW AND DISCUSSION:**

Chairman Stinnette stated the goals for the evening were to discuss the Loudoun 2040 Comp Plan Public Hearing meeting set for November 7, 2018, and start the review of the Version 5.0 comment matrix, beginning with the last comment first, as well as the Land Use Maps. The end goal for the meeting is to be of one accord with presenting Plan Purcellville to the Town Council at their first meeting in early December.

Chairman Stinnette's stated that the Loudoun 2040 Comp Plan is available on the Envision Loudoun website and recommended attending the meeting in Leesburg on the 7<sup>th</sup>.

The next topic discussed was the Plan Purcellville comment matrix beginning at the bottom of the last page, sheet 3 of 3. Chip's comments starting with referring to page 82 on the list of Historical facilities in the town of Purcellville and his concern for maintaining and referencing this list as changes occur. The zoning staff does have a list and Chip noted he would like these properties noted on the Comp Plan. ie. Schoolhouse by funeral home, spring house on the east end of town along Main and 3 or 4 houses by Magnolias. The Historical Society is working on a list as well and hoping that the Plan Purcellville reflects this as well. Tip referred to page 83 and noted the Historical property listing. Tip reiterated that there is no need for change on the Comp Plan, but staff should consider updating the master listing on file with the Town.

On line 82, after PHS add “Purcellville Train Station Advisory board and other relevant organizations” on line 2. This comment was adopted.

On page 78, this remark referred to the Cell Tower and required no change.

On page 71, referring to “SunTrust as approved” where it is built, recommended deletion of the verbiage. This change was adopted.

On page 67, referring to color use and Mixed Use Neighborhood vs. Multi-Family, Tip recommended moving past the coloring and addressing the more important issue of an earlier comment on the matrix of page 35 regarding Hirst, Browning, Bailey and Cornwell being designated Industrial Land Use. All board members agree to make the Cornwell area (page 67 comment) Commercial Neighborhood Scale which also takes care of page 35, 36 comments.

With respect to the comment on page 61, the Lot Area 1 appears to be Mixed Use Medium Scale. Lot 2 is suppose to be Mixed Use Medium Scale. The brown turns to green which is probably trees. This area should be all brown consistently. Make this change by getting rid of the trees. Chip commenting on land fill on Hirst being colored Multifamily which should not be and should look more like the color of Mixed Use Neighborhood Scale. Legend does not match color. Tip asked Andy to address this issue with the consultant. Previous discussions led to this topography color confusion. Moreover, Tip requested that Andy confirm the flood plain from the GIS represents the most current flood plain with the consultant.. Tip summarized the three items being adopted for page 61 previously stated. The Page 59 comment was adopted to reflect Office Building, not “Approved Office Building.” The next Page 35 comment was also adopted with previous discussion of colors and land use.

Ed Neham distributed a printed presentation addressing the land use designations for the East Main and East End Focus Areas which were not in agreement with the descriptions of the current actual nor the desired/anticipated uses of those areas.

To resolve the disconnect it was proposed to change the definition of “Medium Scale Commercial” land use by adding the sub category title: “This category represents Small Town Medium scale commercial development for Purcellville” and drop the third to the last bullet, and last bullet. Ed stated we need to square that with page 70. The following points were made: “Community Input” should remain unchanged, page 72 Area 2 “Consider small-scale commercial” should remain unchanged, Area 3 is good and Area 4 is good. Page 68 is fine, and page 69 under “general” is good, “use similar scale” is good, and parking is not a reference to page 72 parking. Page 69 Area 1 is good. Areas 2,3,4 is good. Area 5, get rid of “Small to medium scale” and change to “Small scale mixed use buildings,” Area 6 is good and Area 7 is good. On page 69 delete “Approved” Children’s Academy from map because its already there and change Area 5 to read “Encourage Small scale buildings including commercial, office. and institutional uses.” Tip asked everyone if they are good with changes; Chip stated yes, Boo stated yes, Ed confirmed word usage is not problematic anywhere else, Nan stated she is better but would rather see some language that states footprint not exceeding 10k sq ft. Tip confirmed Red lettering goes to small town medium scale commercial development in Purcellville, delete the

third to last bullet, and delete last bullet. Page 69 delete “Approved Childrens Academy” and put actual building in map, label area to the east as 2, so there will be two 2’s. Area 5 to reflect “Encourage Small scale buildings including commercial, office. and institutional uses.” Page 71 and throughout all maps should match page 35, plus we need to change Area 1 to Commercial Medium Scale and add the Suntrust Bank building.

Tip requested staff update what has been adopted and hasn’t been adopted and make a newly named Change Matrix Final incorporating the items that were adopted from Change Matrix 5.0.

Tip request a Change Matrix Final document and version 5 changes document from staff by the 15th. The next regular session agenda will vote on Comp Plan and Change Matrix Version 5.1. There is no Planning Commision meeting on the 7<sup>th</sup> and instead all should try to attend Loudoun County 2040 meeting on the 7<sup>th</sup>.

Tip asked for closing comments. Closing comments were of gratitude and there were no additional comments.

Tip entertained a motion to adjourn. Nan maked the motion and Ed seconded.

**ADJOURNMENT:**

With no further business, Chairman Stinnette made a motion to adjourn the meeting at 9.03 PM.

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Tip Stinnette, Chairman

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Kimberly Bandy, Recorder

November 29, 2018

**MINUTES  
PLANNING COMMISSION REGULAR MEETING  
NOVEMBER 29, 2018 7:00PM  
TOWN HALL COUNCIL CHAMBER**

PRESENT: Tip Stinnette, Chairman/Town Council Member  
Theresa Stein, Planning Commissioner  
Mary Frances Bennett, Planning Commissioner  
Ed Neham, Planning Commissioner  
Chip Paciulli, Planning Commissioner  
Nan Forbes, Planning Commissioner

ABSENT:

STAFF: Patrick Sullivan, Director of Community Development  
Andy Conlon, Senior Planner

**CALL TO ORDER OF REGULAR MEETING:**

Tip Stinnette, Chairman, called the Planning Commission Meeting to order at 7:01 PM. The Pledge of Allegiance followed.

Vice Mayor, Ryan Cool, sworn in our new commissioner Stosh Kowalski.

**AGENDA AMENDMENTS:**

Chairman Stinnette would like to add three items to Discussion Items:

- a. Review of version 5.0 comprehensive changes
- b. Discussion of the presentation to Town Council
- c. Discussion on the update of presentation

Chairman Stinnette, would like to move towards making a motion to approve Version 5.1 as amended to forward to Town Council for appropriate action.

**COMMISSIONER DISCLOSURES:**

None

**PUBLIC HEARINGS:**

None

**PRESENTATIONS:**

None

November 29, 2018

### **DISCUSSION ITEMS:**

Chairman Stinnette discussed the three major changes to Version 5.0 comment matrix. We changed the definition of commercial medium scale on page 44. The red print has been changed to represent the small town medium scale commercial development in Purcellville. On page 67, Area 1 was changed from Industrial Business to Commercial Neighborhood Scale. On page 71, we changed the area for Purcellville Gateway/Catoctin Corner from Mixed Use Medium Scale to Commercial Medium Scale. Those were the most significant changes to the comprehensive plan.

Chairman Stinnette stated the comparison page of 2006 to 2018 Land Use Plans is not correct. The plan doesn't reflect what we have discussed since the comparison page was created. It's not stated in our change matrix but should be considered for review.

Planning Commission agreed to add the requirement to update the land use changes sections in the plan annex. No additional changes were proffered by any of the commissioners. Version 5.1 plus the amended changes will be sent to Town Council for review.

On page 25, this will be a change we receive from Town Council so we can address it now or later. The tax revenue process based on residential properties and tax revenue on commercial properties is not necessarily a true comparison. Commercial enterprises generate more than tax revenue. If you go to the first bullet on page 25, what I'm suggesting is worded as following,

- Maintain appropriate balance between commercial and residential revenue while aspiring to achieve 70% residential and 30% commercial revenue ratio.

On page 74, the language will remain the same in the last paragraph, the only change would remove the wording "tax". We will delete the entire sentence and replace with the following language:

- The measure of tax only revenue under values revenue generation especially in the context of commercial enterprises which generates revenues beyond taxes. With this in mind, we should inspire to more accurately assess revenue generation with an eye towards maintaining 70% residential and 30% commercial revenue balance with the provision of the Town's services.

After discussion the Planning Commission agreed to defer tax revenue changes to Town Council.

The presentation to Town Council will be December 11, 2018. Theresa, Chip and Tip agreed to present the plan. Staff will distill version 5.0 change matrix to an errata page listing all adopted changes to version 5.1 with new cover sheet.

### **ACTION ITEMS:**

Commissioner Stein would like to make a motion to approve the comprehensive plan version 5.1 as amended with tonight's changes as well as what is mentioned in the comment matrix and forward that to Town Council for action.

November 29, 2018

Motion: Stein  
Second: Paciulli  
Carried: 6-1

Commissioner Forbes voted against the approval of the comprehensive plan. She is concerned with section on commercial medium scale land use and the categorization of the properties so designated and potential for unabated future redevelopment.

Chairman Stinnette advised Commissioner Forbes to consider submitting her recommended adjustments to Town Council.

**INFORMATION ITEMS:**

- a. Cell Tower Ordinance- Chairman Stinnette noted that we are working on a comprehensive zoning ordinance. Council Member Ogelman is wanting to get changes made to the zoning ordinance soon. Chairman Stinnette mentioned to Council Member Ogelman that we need to do the business case. We need to determine the feasibility, capital investment, market analysis, analysis of all alternatives and return on the investment. The Town will need to make a decision whether to build the tower themselves or lease the tower. Once that's been determined, we can figure out the correct text changes to the zoning ordinance.
- b. Loudoun 2040 public hearing dated November 7, 2018- Mayor Fraser, Council Member Stinnette and Commissioner Forbes attended. The collation of the Loudoun towns was well represented by their Mayors. They made a pitch to preserve the TPA development. The draft comprehensive plan Loudoun 2040 essentially proposes to change some of the density within the transition policy area.
- c. Rural Summit dated November 16, 2018- Commissioner Neham and Commissioner Forbes attended the event. The big focus area was the conservation easement fund.
- d. Mike Chandler will be coming to the Town on January 17<sup>th</sup> to coach the planning commission and staff on Com Plan implementation and zoning ordinance updates.

**CITIZEN COMMENTS:**

None

**COUNCIL REPRESENTATIVE'S REPORT:**

Town Council met and they are discussing a refinement of the Town's strategic mission and goals for the next two years.

**Promote Community and Economic Well-being:**

- Prepare resource management plan that will address current and future Purcellville water and wastewater needs, including a plan on how to build a bridge to the future.

November 29, 2018

- Prepare a plan while engaging Loudoun County Government that will address long range transportation and telecommunication needs in Purcellville and Western Loudoun. Evaluate the estimated cost associated with these well-being.

**Practice Good Government:**

- To develop and implementation plan for organization enhancements and response to the organizational assessment and police department assessment conducted in 2018 by a third party.
- To update the Town's ordinances on all charters.

**Strengthen Community Partnerships:**

- Develop necessary protocols and a strategic approach to enhance and broad Purcellville communication and engagement with Town's citizens and community stake holders.
- Expand engagement and training opportunities for all Council appointed or committees and commissions.

**Fund the Future:**

- Design and implement a strategy that will permit Purcellville utilities program to function as a self-supporting enterprise account.
- Incorporate a capital maintenance program within the Purcellville capital improvement program.

**PLANNING COMMISSIONER'S COMMENTS:**

None

**CHAIRMAN'S COMMENTS:**

Chairman Stinnette passed out a flyer to all commissioner's regarding the Christmas activities in the Town of Purcellville.

**APPROVAL OF MINUTES:**

None

**ADJOURNMENT:**

With no further business, Chairman Stinnette adjourned the meeting at 8:19PM.

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Tip Stinnette, Chairman

November 29, 2018

Stefanie Longerbeam, Recorder

December 6, 2018

**MINUTES  
PLANNING COMMISSION REGULAR MEETING  
DECEMBER 6, 2018 7:00PM  
TOWN HALL COUNCIL CHAMBER**

PRESENT: Tip Stinnette, Chairman/Town Council Member  
Mary Frances Bennett, Planning Commissioner  
Ed Neham, Planning Commissioner  
Chip Paciulli, Planning Commissioner  
Nan Forbes, Planning Commissioner  
Stosh Kowalski, Planning Commissioner

ABSENT: Theresa Stein, Planning Commissioner

STAFF: Patrick Sullivan, Director of Community Development  
Andy Conlon, Senior Planner

**CALL TO ORDER OF REGULAR MEETING:**

Tip Stinnette, Chairman, called the Planning Commission Meeting to order at 7:04 PM. The Pledge of Allegiance followed.

**AGENDA AMENDMENTS:**

Chairman Stinnette would like to add three items to Discussion Items:

- a. Comprehensive Plan Presentation
- b. Discussion of Fields Farm
- c. Operations Assessment

**COMMISSIONER DISCLOSURES:**

None

**PUBLIC HEARINGS:**

None

**PRESENTATIONS:**

None

**DISCUSSION ITEMS:**

December 6, 2018

Chairman Stinnette stated Fields Farm is a development that is across from Rt. 7 in conjunction with 690 and Rt. 7 interchange. There is a meeting with Fields Farm Park on December 17, 2017 at Town Hall. Director of Community Development, Patrick Sullivan, stated they would have to go through a zoning change from their now Transition X to and IP designation. The property is in the Town limits and owned by the county commissioners.

Chairman Stinnette stated Town Attorney, Sally Hankins, seems to think the commission needs to pass a resolution to pass forward the comprehensive plan to Town Council. The commissioners will plan to meet before Town Councils meeting on December 11, 2018 to approve the resolution. The commissioner's discussed the power point presentation that will be presented to Town Council.

Chairman Stinnette gave a brief update on the operation assessment for the Town. There are 48 recommendations in the assessment. A few of them apply to what we are doing. One is the education and development of the committees, council and boards and another is consultant assistance with updating the signing ordinance and the general zoning ordinance.

**ACTION ITEMS:**

None

**INFORMATION ITEMS:**

None

**CITIZEN COMMENTS:**

None

**COUNCIL REPRESENTATIVE'S REPORT:**

None

**PLANNING COMMISSIONERS COMMENTS:**

None

**CHAIRMAN'S COMMENTS:**

None

December 6, 2018

**APPROVAL OF MINUTES:**

None

**ADJOURNMENT:**

With no further business, Commissioner Neham made a motion to adjourn the meeting at 7:43PM.

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Tip Stinnette, Chairman

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Stefanie Longerbeam, Recorder

December 20, 2018

**MINUTES  
PLANNING COMMISSION REGULAR MEETING  
DECEMBER 20, 2018 7:00PM  
TOWN HALL COUNCIL CHAMBER**

PRESENT: Tip Stinnette, Chairman/Town Council Member  
Theresa Stein, Planning Commissioner  
Mary Frances Bennett, Planning Commissioner  
Chip Paciulli, Planning Commissioner  
Nan Forbes, Planning Commissioner

ABSENT: Ed Neham, Planning Commissioner

STAFF: Patrick Sullivan, Director of Community Development  
Andy Conlon, Senior Planner

**CALL TO ORDER OF REGULAR MEETING:**

Tip Stinnette, Chairman, called the Planning Commission Meeting to order at 7:00 PM. The Pledge of Allegiance followed.

**AGENDA AMENDMENTS:**

None

**COMMISSIONER DISCLOSURES:**

None

**PUBLIC HEARINGS:**

None

**PRESENTATIONS:**

None

**DISCUSSION ITEMS:**

None

**ACTION ITEMS:**

- a) Resolution 18-12-03 recommending to Town Council the adoption of the Comprehensive Plan Version 5.1

December 20, 2018

Commissioner Forbes expressed concern regarding the resolution wording: “and recommend adoption.” She went on to state she has concerns with the plan and it was pointed out that she can and should raise those concerns when the Town Council deliberates on the plan.

With no further comments, Chairman Stinnette made a motion to move forward.

Commissioner Stein made the motion to approve and adopt the Resolution 18-12-03.

Motion: Commissioner Stein  
Second: Commissioner Bennett  
Vote: 5-1-1

Commissioner Forbes voted against the comprehensive plan version 5.1.

**INFORMATION ITEMS:**

None

**CITIZEN COMMENTS:**

None

**COUNCIL REPRESENTATIVE’S REPORT:**

Chairman Stinnette stated the Town Council has approved the new contract with Shawn Alexander Enterprises. The fields over at Fireman’s Field will be maintained by the County and Shawn Alexander Enterprises will be responsible for the Tabernacle.

There was an information meeting with County officials regarding Fields Farm. The County is going to develop the northeast of that property for ball fields along with a park and ride. The development will also have a second way out of Mayfair Residential development and there will be a back road into Woodgrove High school. This will cause some traffic issue for the residents living in the Mayfair.

**PLANNING COMMISSIONERS’ COMMENTS:**

None

**CHAIRMAN’S COMMENTS:**

Chairman Stinnette would like the planning commissioners to think about the approach on revising the Town’s zoning ordinance.

December 20, 2018

**APPROVAL OF MINUTES:**

None

**ADJOURNMENT:**

With no further business, Commissioner Neham made a motion to adjourn the meeting at 7:59PM.

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Tip Stinnette, Chairman

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Stefanie Longerbeam, Recorder

January 3, 2019

**MINUTES  
PLANNING COMMISSION REGULAR MEETING  
JANUARY 3, 2019 7:00PM  
TOWN HALL COUNCIL CHAMBER**

PRESENT: Tip Stinnette, Chairman/Town Council Member  
Theresa Stein, Planning Commissioner  
Mary Frances Bennett, Planning Commissioner  
Nan Forbes, Planning Commissioner  
Ed Neham, Planning Commissioner  
Stosh Kowalski, Planning Commissioner

ABSENT: Chip Paciulli, Planning Commissioner

STAFF: Patrick Sullivan, Director of Community Development  
Andy Conlon, Senior Planner

**CALL TO ORDER OF REGULAR MEETING:**

Tip Stinnette, Chairman, called the Planning Commission Meeting to order at 7:00 PM. The Pledge of Allegiance followed.

**AGENDA AMENDMENTS:**

None

**COMMISSIONER DISCLOSURES:**

None

**PUBLIC HEARINGS:**

None

**PRESENTATIONS:**

None

**DISCUSSION ITEMS:**

Chairman Stinnette discussed the top ten accomplishments of the planning commission in 2018.

January 3, 2019

Before Christmas, Chairman Stinnette had a discussion with Town Mayor regarding lane management and zoning ordinance strategy. On the lane management, he told him that he thought the lane management between the staff and planning commission had gotten off track. Now that the comprehensive plan is in front of Town Council, he wants to get the commissioners and staff back on track. The reason we've gotten off track was largely due to rotating senior planners. With the rotating senior planners, essentially the planning commission took a more aggressive role in the editing and work on the comprehensive plan. The commissioners stepped into the role as staff instead of the role of advising and providing consent. The reason this is important to understand, before we get into the zoning ordinance we need to make sure we are level set in terms of the relationship between the staff and commission. It is also important to realize the staff has multiple commissions to manage.

There are two courses of action we have when approaching the zoning ordinance, we can choose to edit the zoning ordinance as it is or we can choose to rewrite it from cover to cover. The edit strategy would be the quickest and relatively least expensive approach. The rewrite strategy basically would attempt to rewrite the zoning ordinance cover to cover and it would digitize the zoning ordinance so that applications that come in could be processed electronically. The zoning ordinance should be updated and reviewed every ten years. The council needs to make the decision to either rewrite or edit the zoning ordinance. If the council decides to edit the zoning ordinance then staff, legal counsel and maybe outside consultant help as needed, can do the edits. If the council decides to rewrite the zoning ordinance, it's going to exceed the capacity of the staff and our general council, therefore, a consultant would have to be brought in.

Commissioner Neham spoke about the electronic and digitalized formats for the zoning ordinances and wonder if there was an opportunity to benchmark.

Commissioner Stein stated there are two levels. You can have a zoning ordinance that is online and one can say that's digitized. The other goes beyond the ordinance rewrite, it's a software program.

Commissioner Kowalski's concern was if we go digitalized, are we going to be forcing other aspects of the town to implement this process. What is going to be the overall cost to the Town? Is the cost going to force budget cost across the board? What will the costs be? Chairman Stinnette stated that would be part of the scope discussion we have with the consultant.

Commissioner Forbes believes we are mixing up two different issues. It seemed to her this falls into two distinct areas. One is the content of the zoning ordinance and what has to be done in order to modify, change and to revise the content to be consistent with what the Town Council approves as our new comprehensive plan. The second issue is the mechanics of how that material is made available. When you talk about a range of options, who is going to try and develop this range of options? How much time is it going to take to develop range of options? What is the cost?

January 3, 2019

Chairman Stinnette stated there are several sections that will probably need a whole relook. It's not just the matter of the IT piece, it's the matter of the whole sale rewrite and cleaning up the zoning ordinance.

Commissioner Stein believes there should be an annual review of the zoning ordinance to catch up with state code changes and fix necessary changes. We should be focusing on how we are we going to be editing the zoning ordinance. Whether you call it a total rewrite or not, there are many changes that need to be made and should be consistent with the new comprehensive plan.

Senior Planner, Andy Conlon, is looking forward to being involved in the beginning process of the zoning ordinance amendments. Being brought in at the end of the comprehensive plan he hasn't had much involvement. He's looking forward to either working with the consultant or with staff on this project. As you all have been discussing this evening, we have to decide where we are going and determine if it will be merely an amendment or a total rewrite.

Commissioner Stein stated whether staff decides to get a consultant or not, staff is still a huge part of this process and will have to dedicate a lot of their time to this project. No consultant can come in and rewrite the ordinance without a very involved staff.

The staff will need to weigh in to determine if they have enough capacity to look at the comprehensive plan and zoning ordinance and suggest a strategy for updating the zoning ordinance based on the knowledge of the comprehensive plan. By next month's planning commission meeting, staff needs to do an analysis to determine what sections need to be changed in the current zoning ordinance along with the changes that need to be made to match the new comprehensive plan. The staff has the strategic list of the zoning changes the planning commission has been talking about for the last four to five years.

### **ACTION ITEMS:**

a) Election of Officers

Commissioner Stein questioned if it's appropriate for a member of Town Council to sit on the Planning Commission and further more act as Chairman. Town Attorney, Sally Hankins, responded saying the State of Virginia does allow that to happen. Being chairman takes a lot of time and commitment and not many people want to do it. It takes a huge amount of organization. With that being said, I would like to nominate Tip Stinnette to be Chairman of Planning Commission.

The commissioners voted to have Tip Stinnette as Chairman.

Vote: 5-1-1

Chairman Stinnette abstained from vote and Commissioner Paciulli was absent.

The commissioners voted to have Theresa Stein as Vice Chairman.

Vote: 5-1-1

Commissioner Stein abstained from vote and Commissioner Paciulli was absent.

January 3, 2019

**INFORMATION ITEMS:**

Chairman Stinnette received an email from EDAC stating an Aldi's and another to be determined business will be going where Shop N'Save. The ABC store will be occupying the old Block Buster space. A Mexican restaurant will go where the ABC store was and Bank of America will occupy the old Capital One Bank space.

Senior Planner, Andy Conlon, stated Harris Teeter has withdrawn their application for the expansion of the store. Purcellville Gateway is proceeding with the application for the daycare. They will submit an updated site plan and come before planning commission in February.

**CITIZEN COMMENTS:**

None

**COUNCIL REPRESENTATIVE'S REPORT:**

Chairman Stinnette confirmed Shawn Alexander Enterprise has entered into a 2 ½ year contract with the Town to run the Tabernacle. The fields will be managed by Loudoun County. The council approved the contract modifications.

**PLANNING COMMISSIONERS' COMMENTS:**

None

**CHAIRMAN'S COMMENTS:**

None

**APPROVAL OF MINUTES:**

None

**ADJOURNMENT:**

With no further business, Commissioner Neham made a motion to adjourn the meeting at 7:59PM.

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Tip Stinnette, Chairman

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Stefanie Longerbeam, Recorder