

Town of Lovettsville

Planning Commission Minutes Regular Meeting April 17, 2013

Call to Order/Welcome

Chairwoman Summitt called the Regular Meeting of the Lovettsville Planning Commission to order at 7:31 p.m. on Wednesday, April 17, 2013 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

Commissioners Present

- Chairwoman Deborah Summitt
- Vice Chair Joseph Mueller
- Commissioner Lorraine Bauer
- Commissioner Robert Gentile
- Commissioner Jennifer Jones
- Commissioner Anthony Quintana

Staff Present

- Zoning Administrator Melissa Hynes
- Town Clerk Harriet West

Public Comment

Chairwoman Summitt called for comments from the public. There were none.

Additions/Deletions/Modifications to the Agenda

Chairwoman Summitt called for changes to the agenda. The Town Clerk said there were no minutes to be approved at tonight's meeting; rather, they will be included in the next meeting packet.

Approval of Planning Commission Minutes

No minutes were presented.

Staff Reports

Zoning Administrator Hynes gave an update on the Town Council Public Hearing held on April 11, 2013 for the rezoning of 5 North Berlin Pike. All Council Members expressed concerns about the architectural design so the request was tabled until the Applicants could provide additional information to address the Council's concerns. The rezoning request will be brought back before the Town Council on April 25, 2013.

Zoning Administrator Hynes thanked Vice Chair Mueller for presenting the Old Town Study at the Town Council meeting on April 11. The Council endorsed the study. Vice Chair Mueller said the Council was very supportive of the study.

Action/Discussion Items

A. Open Space Text Amendment

Zoning Administrator Hynes presented this item. The Planning Commission is being asked to consider amendments to R-1 Open Space Requirement within the Town's Zoning Ordinance Section 3-3 (d) (viii), Section 3-4 (d) (viii) R-2, and Section 3-5 (d) (viii)R-3.

The Zoning Administrator reviewed the most recent changes based on input from the Commissioners at the April 3, 2013 meeting:

- Lowering the number of lots that triggers the open space requirement from 25 to 20.
- Removing the language about open space easements from R-1, R-2, and R-3.

The Commissioners and Staff discussed the "tot lot" requirements under Section 5-2(b), Recreation Space. Chairwoman Summit said she used Section 5-2(b) to get her Home Owners Association to rehab the tot lot for the children in the neighborhood. Following further discussion, the Commissioners agreed to strike the following language from this section,..."unless it appears that less than five percent (5%) of the residents of a development are likely to be children under twelve (12)."

Motion: I move that the Lovettsville Planning Commission direct Staff to schedule a Public Hearing for the Amendment to the Open Space Requirements.
By: Vice Chair Mueller
Second: Commissioner Jones
Aye: Commissioners Bauer, Jones, Gentile, Mueller, Quintana, and Summitt
Nay: None
Abstain: None
Absent: None

Staff and the Commissioners discussed a potential new development on N. Berlin Pike. The developer has proposed 10 lots on approximately 3 acres.

B. Business Hours of Operation

Zoning Administrator Hynes presented this item. The Planning Commission is being asked to consider a text amendment to the Hours of Operation requirement within the Zoning Ordinance Section 3-11(c).

Zoning Administrator Hynes reviewed the revised text amendments, based on input from the Commissioners at the April 3, 2013 meeting, which address deliveries, trash collection, and construction. She also discussed two additional requirements regarding outdoor activities and noise, and a new definition of "construction."

The Commissioners discussed the new provision to prohibit construction on Sundays, under 3-11(c)(ii)(e), and agreed to leave the language as proposed. The Commissioners also discussed the lighting requirement, which is part of the Sign Ordinance.

The Zoning Administrator summarized the changes to the Hours of Operation which include adding in a Conditional Use Permit process, General Standards, and a new for definition for "construction."

Motion: I move that the Lovettsville Planning Commission direct Staff to schedule a Public Hearing for the Amendment to Hours of Operation Requirements.
By: Commissioner Quintana
Second: Chairwoman Summitt
Aye: Commissioners Bauer, Jones, Gentile, Mueller, Quintana, and Summitt
Nay: None
Abstain: None
Absent: None

C. Old Town Zoning District

Zoning Administrator Hynes presented this item. The Planning Commission is being asked to review the most recent draft of the Old Town Zoning District (Draft #9).

The Zoning Administrator presented the following changes based on the input received from the Commissioners at the meeting held on April 3, 2013:

- Mixed Use Buildings and Live/Work Buildings were added as permitted uses and were more clearly defined. Staff noted that primary use of a Mixed Use Building is commercial; whereas, the primary use of a Live/Work Building is residential.

The Commissioners and Staff discussed the differences between the Home Occupation, Live/Work, and Mixed Use options. Zoning Administrator Hynes explained that Live/Work would be limited to the proposed Old Town District, which is set up to be a blend of residential and commercial uses. The only person who can reside in the Live/Work building is the business owner. The Live/Work use also allows

for employees; whereas, the Home Occupation does not. The Commissioners and Staff discussed different scenarios regarding the Live/Work and Mixed Use Buildings in the Old Town area, and mixed use lots.

The Zoning Administrator also reviewed proposed changes to the Parking Fee-in-Lieu, Standards for Accessory Apartment, and Pedestrian Oriented Space. Staff will make additional changes to further clarify the "Live/Work Building" definition.

Zoning Administrator Hynes said the goal of the proposed Old Town District is to strive for retail on the first-floor level in order to keep the streetscape active. Converting houses into apartment buildings, which is not currently permitted in the commercial or residential district, could take away from maintaining a thriving main street. The Commissioners discussed the potential impacts of allowing existing properties to be converted into apartment buildings and generally agreed this would not be in line with the vision for Old Town. They further discussed apartment buildings and town homes in Town.

Motion: I move that the Lovettsville Planning Commission direct Staff to schedule a Public Hearing for the Draft Old Town Zoning District with mentioned revisions.
By: Commissioner Jones
Second: Chairwoman Summitt
Aye: Commissioners Bauer, Jones, Gentile, Mueller, Quintana, and Summitt
Nay: None
Abstain: None
Absent: None

Information Items

There were none.

Comments from the Mayor and Commissioners

There were none.

Adjournment

Motion: To adjourn the Planning Commission meeting of April 17, 2013.
By: Commissioner Jones
Second: Commissioner Gentile
Aye: Commissioners Bauer, Jones, Gentile, Mueller, Quintana, and Summitt
Nay: None
Abstain: None
Absent: None

The meeting was adjourned at 9:44 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: August 21, 2013

Attachments:
None