

Town of Lovettsville

Minutes of the Planning Commission
Regular Meeting
August 19, 2015
APPROVED ON SEPTEMBER 6, 2017

Call to Order/Pledge of Allegiance

Chairman Frank McDonough called the Regular Meeting of the Lovettsville Planning Commission to order at 7:30 p.m. on August 19, 2015 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

Pledge of Allegiance

Chairman McDonough led those present in the Pledge of Allegiance.

Present at Meeting

- Chairman Frank McDonough
- Vice Chair Robert Gentile
- Commissioner Thomas Ciolkosz
- Commissioner Joseph Mueller
- Commissioner Buchanan Smith
- Commissioner Nate Fontaine

Commissioners Absent

- Commissioner Anthony Quintana

Staff Present

- Zoning Administrator Joshua Bateman
- Town Manager Laszlo Palko
- Town Clerk Harriet West

Public Comment

Chairman McDonough called for comments from the public. There were none.

Additions/Deletions/Modifications to the Agenda

There were none.

Approval of Planning Commission Minutes

No minutes were presented.

Staff Reports

Mr. Bateman presented on the July staff report. He stated that he expected to send a conditional approval letter to the applicant for the Town Center commercial project tomorrow. He asked whether the Commissioners have any questions.

Chairman McDonough asked what was going on with the 7-Eleven. Mr. Bateman replied that he and the Town Manager were scheduled to meet with Kim Hise with Walsh, Colucci and Associates next week to discuss the preparation of a zoning ordinance amendment to allow convenience stores with fuel sales in the C-2 Commercial District. A discussion followed on the public input process for such an amendment.

Action/Discussion Item

Chairman McDonough requested that the Commission suspend the Planning Commission meeting so that the work session of the Economic Development Advisory Committee could convene. The Planning Commission agreed unanimously to suspend the meeting.

A. Economic Development Advisory Committee Meeting

Mr. Smith convened the committee meeting and indicated that the first order of business was to review revisions to the economic development policies distributed by staff.

Mr. Bateman and economic development consultant Sam Finz began by explaining changes proposed by staff to Policy Number 9 in Chapter 5 regarding strip commercial development. He asked whether the committee was conformable with changes made by staff to that policy and the other policies, and whether there were any objections to the revisions. Shirley Hale asked whether the committee members obtain these edited policies before the meeting. Mr. Bateman responded that the committee did. Mr. Bateman explained that the changes from the previous meeting were minor and that the policies were reorganized.

Mr. Bateman delivered a presentation on the scope and results of the public opinion survey distributed to Town citizens regarding economic and commercial issues and land uses. He explained that the market analysis to be conducted later will ask questions about consumer preferences, but that this survey was limited to what residents can live with. He summarized and explained the following:

- Question 1: "General retail" scored highest; the average score was 1.65. Many citizen comments were very specific. Mr. Bateman read some of these specific comments to the committee.
- Question 2: "Grocery store" scored highest; some respondents wanted a large grocery store while others indicated a preference for only a small one. A discussion occurred regarding the potential for a small grocery store in the Town. "Pharmacy" scored the second highest.
- Question 3: "Delicatessen", "bakery" and locally-sourced food store scored the highest, followed by "hardware stores" and "garden supply establishments." Coffee shop was also listed by many respondents.
- Question 4: None reached the 50 percent threshold, but "laundry and dry cleaners", "martial arts, dance and yoga studio" and "barber, hair and nail salon" scored highest. Many residents indicated child care facilities as an unmet need. Mr. Ciolkosz asked whether the survey results would be published in the local newspaper. Mr. Palko indicated that he would be briefing the "We're In!" Committee soon and that the committee would decide whether to do so.

Mr. Ciolkosz raised the issue and the committee discussed the disconnect between people who indicated they want a coffee shop vis-à-vis the lack of patronage at the coffee shop that recently opened in town. Mr. Bateman and Mr. Palko explained the importance of location and business hours and role of land use planning generally in establishing the right business in the right locations. A discussion took place about the thresholds that must be reached before a grocery store and other businesses will decide to locate in the Town.

Ms. Hale asked whether any of the churches in Town offer child care services. Mr. Palko responded that many homeowners offer in-home child care to Town and area residents.

Mr. Bateman continued his presentation by reviewing the land use plan map proposed by staff with the committee. He identified on the various maps areas planned and zoned for commercial and multiple uses in both the current and proposed land use plans. Elaine Walker asked whether the map includes residences that are zoned commercial but are not currently occupied by commercial uses, and Mr. Bateman responded that it did. He noted that the proposed land use map did not entail significant changes to the geography in terms of areas planned for commercial uses, but did involve substantial changes to the commercial land use category descriptions. He also identified proposed changes to the land use map regarding the Engle Tract.

Mr. Bateman recited and explained the proposed land use descriptions for the commercial and mixed-use categories. Mr. Bateman further described the locations, desired conditions, and policies for the special planning areas, including the Engle Tract, Town Entrance Tract, and Walker Tract. Chairman McDonough asked whether an elevation difference existed between the house on the Town Entrance Tract and adjacent roadways, to which Mr. Bateman replied that he did not know but felt that the prescribed policy adequately addresses this issue. Mr. Ciolkosz raised a question about whether the comprehensive plan addresses the future expansion of the Town Office, and Mr. Bateman replied that the Public Facilities Advisory Committee will discuss this issue. Mr. Palko stated that he planned to reengage on this issue with the Town Council soon and identify priorities for capital improvement funding.

Mr. Finz reiterated the need to identify suitable sites appropriate for economic development and, potentially, incentives in the form of planning and zoning amendments to spur commercial investment and development. Mr. Ciolkosz asked whether the comprehensive plan should include specific commercial uses. Mr. Bateman replied that the zoning ordinance lists specific uses whereas the comprehensive plan contains generic descriptions and the rationale for making those future zoning ordinance and map amendment decisions.

Mr. Mueller commented on the space of residential uses separating the two proposed commercial areas on North Berlin Pike, and Mr. Bateman stated that perhaps the committee may want to consider changing the future land uses in this area to commercial. Mr. Mueller stated he did not want to necessarily do that now, and Mr. Bateman stated that if the Town rezoned it in the future, doing so might incentivize commercial development in that location. In response to a question from Ms. Baldwin about Land Bay A in the current plan, Mr. Bateman stated that he is recommending eliminating the land bays since they are too prescriptive and might act as a disincentive to future commercial development. Mr. Finz pointed out that properties identified in the plan for future commercial uses will likely attract commercial development in the future more so than other properties, and that some of the proposals that have been made create additional economic development value for the owners of those properties. Ms. Baldwin asked what the proposal is for the Game Club property. Mr. Bateman responded that it was not included on the proposed commercial land use plan by staff and it will be included when the Commission discusses residential uses. A discussion followed on the future uses of the Game Club.

Mr. Smith asked about the issue of viewsheds on the Town's commercial corridors. Mr. Bateman explained the importance of preserving the view of the house on the Town Entrance Tract for vehicles traveling northbound on Route 287. He indicated that a design charrette would be a useful tool in determining the best configuration of any future buildings on that property and noted that the Commission agreed to undertake a charrette years ago but never did. Mr. Palko stated that some nice designs were possible of that property given the presence of the existing historic home. Mr. Bateman noted that the Town could bring in a consultant with professional design experience. A discussion followed on the possibility of doing a design charrette on the Town Entrance Tract and suitability of the property for future commercial uses.

Mr. Smith asked about the rationale behind changing the Montessori school from commercial to residential, and Mr. Bateman replied that schools are appropriate in residential areas. Ms. Walker summarized the history of the property. The committee discussed the suitability of the property for commercial uses.

Mr. Smith asked about the Engle Tract and whether the Town was painting themselves into a corner with the proposed land use designation of that property. Mr. Bateman explained the reason for applying two different land use categories to the property, including less intensive commercial uses along the boundary with the New Town Meadows Subdivision, to provide assurances to residents once that property develops. He gave examples of uses that would be appropriate for that area and could be permitted conditionally so as not to adversely impact neighboring residences. A discussion followed on those uses.

Ms. Hatcher noted that the current plan contained recommendations for future residential usage of the Engle Tract, and stated that preserving the possibility of residential use of that property might incentivize

the development of the commercial area. Mr. Bateman said that doing so would not address the problem of having residences next to commercial. Mr. Finz indicated that residential is, in staff's opinion, not a reasonable buffer between residential and industrial and the proposed transitional commercial is a more reasonable designation. Mr. Ciolkosz asked what the property is next to the Engle Tract, and stated that since there are such huge tracts of land in this area, the correct orientation of the transitional commercial area should be east to west instead of north to south. He said that there is general consensus that everything within one mile of Town could be annexed into the Town, and Mr. Bateman said he is not aware of any such consensus. Based on an issue raised by Mr. Ciolkosz, a discussion ensued about the orientation of the transitional commercial area proposed on the land use plan in the context of future annexation and need for transportation facilities, such as a bypass, to address future traffic congestion. Mr. Bateman asked for clarification about how the orientation of the transitional commercial area precludes the establishment of a bypass, and Mr. Ciolkosz further explained his position. The committee discussed the possibility of annexations and a bypass around the northeast boundary of the Town.

Mr. Bateman asked whether there were any other questions from the committee. Mr. Fontaine noted the lack of development potential for the property owned by VDOT near the Town Square and asked whether those areas should be planned for commercial development. Mr. Bateman replied that, although VDOT's asking price is steep, those areas would likely sell in the future and should therefore be planned for commercial.

Mr. Bateman summarized the future land use description of the category covering the Old Town area. A discussion followed on parking within the Old Town generally and Mr. Bateman identified potential areas for public parking lots in the Old Town area. Mrs. Hale brought up the potential for a public parking lot in the rear yard of a house located several houses down from the brewpub that she used to play in as a child.

Mr. Bateman asked whether it was time to reconvene the regular Planning Commission meeting if there were no additional questions. Mr. Smith asked Mr. Bateman to briefly summarize the changes he intends to make, and Mr. Bateman summarized those changes. Mr. Palko and Mr. Smith asked what committee members thought about Mr. Ciolkosz's suggestion to change the orientation of the transitional commercial area. A discussion took place on the land use planning designation of the Engle Tract and location of the transitional area. Mr. Smith asked for the opinion of Clinton Chapman. Mr. Chapman stated that the creation of an outer loop road does not seem to help the commercial development that Mr. Ciolkosz is trying to create. He stated that industrial development in the location proposed by Mr. Ciolkosz may not take place given the stated policy of serving the Engle Tract with a second entrance by the time 15 acres of the property is developed. He further noted that if the transitional area remains where it is currently proposed, the Town may get commercial on one side and industrial on the opposite side of the main road into the Engle Tract. He further stated that townhouses can be a very attractive development option for that property even though some people have a problem with townhouses, and that preserving the possibility for residential should be taken into consideration. Mr. Palko replied that the market study will provide the Town with a better understanding of what the Town can support in terms of commercial, but that allowing residential on the last remaining undeveloped property in Town may remove it as a potential commercial area. Mr. Chapman stated that the Town would be hearing more opposition from residents about potential future commercial developments, to which Mr. Palko and Mr. Bateman replied that the public would object more strenuously to an intensification of residential uses like townhouses. A discussion followed on what the survey results demonstrated with respect to commercial land uses. Mr. Bateman explained that the primary purpose of zoning was to protect residential areas from adjacent non-residential uses, and that opposition from adjacent residences is likely to materialize once the Engle Tract develops, and that the proposed plan merely recognizes that fact. A discussion followed on the reasonableness of dividing the Engle Tract into commercial and light industrial zones versus planning a portion or all of it for future residential, and the potential effects on traffic congestion of both options.

Mr. Finz noted that there were several different arguments taking place, one about the transportation issues that will occur in the future and whether the plan should address that now. Mr. Finz noted a second issue about the possibility of splitting up the site based on the recommendation of Mr. Bateman,

and a third about whether to plan all or some of the site for residential based on the notion that residential use is not likely until far in the future. He stated that the entire process of planning starts with the question of what is needed in the Town, and stressed the importance of broadening the Town's tax base by facilitating commercial development. He reiterated Mr. Palko's statement about the significance of the property given that it is the largest remaining property available for non-residential development. He said that taking the property away by authorizing residential development will detract from the nonresidential tax base, which may be what the Town wants to do if people are happy with the situation as it currently exists.

The discussion continued about the configuration of the transitional area and whether residential is appropriate. Ms. Baldwin discussed the potential for a data center on the property. No consensus emerged to amend the land use map proposed by staff.

Mrs. Walker asked about the mixed-use areas and types of residences that would be permitted, and Mr. Bateman responded that the commercial plan is intentionally vague because the residential and housing committee should have a chance to determine the character of the residences in the mixed-use areas. Mr. Bateman read the proposed planning description for Mrs. Walker's property. A discussion ensued about the best way to divide the property into residential and nonresidential areas and what types of commercial uses are appropriate on the property.

Mr. Palko asked for the committee's opinion on the residential gap between the two commercial areas as noted earlier by Mr. Mueller. The committee generally agreed to plan future commercial uses along the eastern side of North Berlin Pike to fill in the gap and Mr. Bateman agreed to amend the proposed plan land use accordingly.

Mr. Bateman thanked the committee for all their hard work. The committee adjourned at 9:30 p.m. Chairman McDonough reconvened the regular Planning Commission meeting and thanked the committee members for their participation.

Information Items

The Mayor stated that he wished to make a comment at this time in the meeting. He thanked the committee for participating and stated that the reason he does not jump in during the committees' deliberations is the same reason that the Commission should not slow the committee meetings down, and that is because the purpose of the committees is to come up with ideas that the Commission may not think of and that they, like him, will get another bite at the apple.

Chairman McDonough asked if there were any information items. Mr. Fontaine informed the group that Purcellville is trying to figure out what to do with big-box stores.

Next Meeting

Chairman McDonough noted that the next meeting is scheduled for September 2, 2017. Chairman McDonough confirmed that the comprehensive planning committee was not scheduled to meet on that date.

Comments from the Mayor and Commissioners

Mayor Zoldos summarized issues coming before the Town Council and events and happenings occurring and scheduled within the Town generally. A discussion took place on the details of the Patriot Day ceremony to be held this year on September 11th.

Adjournment

Motion:

By: Commissioner Gentile

Second: Commissioner Mueller

Aye: Commissioners Ciolkosz, Fontaine, Gentile, McDonough, Mueller, and Smith

Nay: None

Abstain: None

Absent: Commissioner Quintana

There being no further business before the Planning Commission the meeting was adjourned at 9:59 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: September 6, 2017

Attachments:

None