

**Town of Round Hill
Planning Commission Meeting
January 7, 2014
7:30 p.m.**

A regularly scheduled meeting of the Town of Round Hill Planning Commission was held Tuesday, January 7, 2014, at 7:30 p.m. at the Town Office – 23 Main Street, Round Hill, Virginia.

PLANNING COMMISSION MEMBERS PRESENT

Douglas Bird, Chairman
George Hoddinott, IV
Christopher Prack
Elizabeth Wolford

STAFF MEMBERS PRESENT

Mickey Rhoades, Town Planner/Zoning Administrator

MEMBERS OF THE PUBLIC PRESENT

Chase Lopez
Chuck Lopez

IN RE: CALL TO ORDER

Chairman Bird called the meeting to order at 7:34 p.m. Roll Call was held, and it was determined that a quorum was present.

IN RE: PLEDGE OF ALLEGIANCE

Commissioner Prack led those present in the Pledge of Allegiance.

IN RE: PUBLIC COMMENT

Mr. Chuck Lopez introduced himself and his son, Chase. It was noted that Chase Lopez is a student at Harmony Middle School and is a Star Scout; his attendance at this evening's meeting is in order to attain his Boy Scout Communication Merit Badge.

IN RE: DISCLOSURES AND COMMISSIONERS' COMMENTS

There were no Disclosures and/or Commissioners' Comments.

IN RE: APPROVAL OF AGENDA

Commission Member Wolford made a motion **to approve the Agenda as amended;** Commission Member Hoddinott seconded the motion. The Agenda was approved by a vote of 4-0; the vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Douglas Bird	Aye
George Hoddinott, IV	Aye
Christopher Prack	Aye
Elizabeth Wolford	Aye

IN RE: APPROVAL OF MINUTES – December 3, 2013

Commission Member Wolford made a motion **to approve the minutes of the Planning Commission’s regular meeting, held on December 3, 2013, as submitted;** Commission Member Hoddinott seconded the motion. Town Planner/Zoning Administrator Rhoades also noted, for the Commission Members’ information, that the Planning Commission Action Statement is included in the packet. This statement was sent to the Town Council in December. The minutes were approved by a vote of 3-1, with Commission Member Wolford abstaining. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Douglas Bird	Aye
George Hoddinott, IV	Aye
Christopher Prack	Aye
Elizabeth Wolford	Abstain

IN RE: ANNUAL MEETING 2014

Town Planner/Zoning Administrator Rhoades explained the process for electing officers, and also explained agenda Item “b” (Schedule of Meeting) and Item “c” (Welcome new or reappointed members).

a. Election of Officers: Chairman, Vice-Chairman and Secretary

Chairman Bird asked for a nomination for Chairman of the Planning Commission for the coming term. Commissioner Wolford nominated George Hoddinott, IV. There were no further nominations. Chairman Bird explained the annual meeting procedures to the guests in attendance; Commissioner Hoddinott provided a handout regarding this to the guests. Chairman Bird and Commissioner Wolford explained why a Secretary is not elected. Chairman Bird asked if the nomination of George Hoddinott may be voted upon by acclamation; it was determined that a recorded vote is required. A vote was held, with George Hoddinott, IV elected Chairman of the Round Hill Planning Commission by a vote of 3-1; Commission Member Hoddinott abstained. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Douglas Bird	Aye
George Hoddinott, IV	Abstain
Christopher Prack	Aye
Elizabeth Wolford	Aye

Commissioner Wolford then nominated Commissioner Bird to serve as Vice-Chairman; Commissioner Hoddinott seconded the nomination. The nomination was approved by a vote of 4-0, with the vote recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Douglas Bird	Aye
George Hoddinott, IV	Aye
Christopher Prack	Aye
Elizabeth Wolford	Aye

Mickey Rhoades remains the Secretary to the Commission.

b. Schedule of Meeting

Chairman Bird reported that, upon prior discussion between himself and Town Planner/Zoning Administrator Rhoades, it was decided to move the September meeting to the second week of the month, and the November meeting to the first Wednesday, due to Election Day falling on the first Tuesday. Commission Member Hoddinott asked if the July meeting date should be changed, due to the July 4th holiday. It was decided to leave that meeting on July 1, 2014. Chairman Bird reported that those two changes are the only ones, all other meetings are scheduled for the first Tuesday of each month. Commissioner Hoddinott asked if the meeting time will continue to be 7:30 p.m. Following brief discussion, the Commission Members decided to set the meeting time at 7:00 p.m. Chairman Bird then moved **that the Round Hill Planning Commission adopt the following Schedule of Regular Meetings, setting the meeting dates for the 2014 calendar year as follows: regular meetings to be held on January 7, 2014, February 4, 2014, March 4, 2014, April 1, 2014, May 6, 2014, June 3, 2014, July 1, 2014, August 5, 2014, September 9, 2014, October 7, 2014, November 5, 2014 and December 2, 2014. Chairman Bird further moved that whenever the Chairman, or Vice-Chairman if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the meeting, all matters to be considered at the cancelled meeting shall be placed on the agenda for the next regularly scheduled meeting. All hearings and other matters previously advertised for such meeting shall be conducted at the continued meeting and no further advertisement is required.** Commissioner Hoddinott seconded the motion. The motion was approved by a vote of 4-0, with the vote recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Douglas Bird	Aye
George Hoddinott, IV	Aye
Christopher Prack	Aye
Elizabeth Wolford	Aye

c. Welcome new or reappointed members: Reappointment of George Hoddinott
Chairman Bird reported that George Hoddinott, IV has been reappointed by the Town Council to the Planning Commission for a term of four years.

IN RE: LAND USE COMMITTEE REPORT

Town Planner/Zoning Administrator Rhoades provided this report verbally. Mrs. Rhoades reported that the Land Use Committee will discuss the Town Park Master Plan and Special Use Amendments at tomorrow's (January 8, 2014) meeting. Commissioner Prack and Town Planner/Zoning Administrator provided a brief explanation of why this issue is being discussed. Commissioner Wolford asked if a recommendation to the Town Council will be made in regards to this issue; Town Planner/Zoning Administrator Rhoades stated that there will be a recommendation made and explained how further action on this may go forward. Commissioner Prack referenced the discussion which took place at the December Town Council meeting regarding this topic.

IN RE: TOWN PLANNER/ZONING ADMINISTRATOR'S REPORT

Town Planner/Zoning Administrator Rhoades noted that a draft of her report is included in each Commission Member's packet, and asked that Commissioners let her know of any additions or corrections. Commission Member Prack noted that there will be an effort made by a Town Council member to recruit another Planning Commission member. Commission Member Wolford asked when the Board of Zoning Appeals hearing will be held; Town Planner/Zoning Administrator Rhoades reported that it will be held on January 22, 2014. There was a brief discussion of two properties on Hayman Lane – a new house on which a deck is being added, and an abandoned house.

IN RE: OLD BUSINESS

It was decided by the Planning Commission to discuss Items "b" and "c" prior to discussion of the Comprehensive Plan Update (Item "a").

b. 7 Main Street Proffer Amendments

Town Planner/Zoning Administrator Rhoades noted that the Staff Report concerning this issue is before each Planning Commission member; and that Ms. Jenkins provided further edits to the proffer statement on January 4, 2014. Clarification and discussion of those changes ensued. It was noted that residential uses are clearly separated from business uses. It was reported that Ms. Jenkins is asking that the uses noted be allowable without going through the special exception process. Commission Member Prack noted that he feels that, if Ms. Jenkins wishes to return the property to residential use, the property should be used as a residence only; if, in the future, she wishes to return to possible business uses, she should have to start the process over. Commissioner Prack noted that he feels the issues surrounding these changes and the use of this property are confusing. Commission Member Wolford noted that Ms. Jenkins is not asking for a re-zoning, and that she (Mrs. Wolford) does not agree that the special exceptions being requested now should be by-right. Commissioner Wolford pointed out that residential uses are allowed by the B-1 zoning regulations. Town Planner/Zoning Administrator Rhoades provided a brief history of these proffers/this property. The question arose regarding the necessity of Ms. Jenkins

providing items proffered for a business use, such as drainage and a parking lot, if the property is used as a residence. Town Planner/Zoning Administrator Rhoades noted that the Planning Commission may want to consider the issue of inclusion of a low-impact restaurant at this property, as that use is included in the original proffers. Discussion ensued regarding possible uses of the property for a business, and if there is a valid site plan. Mrs. Rhoades discussed her belief that state law expanded the time allotted for a site plan to be in force, at the beginning of the economic downturn (approximately 2007), and noted that she will research this issue further. The Commission discussed whether a site plan was ever done for this property, and discussed a letter included in the packet which referenced approval of a site plan. Following discussion, it was the consensus of the Planning Commission that a site plan was never approved for this property. Town Planner/Zoning Administrator Rhoades explained why the possible extra uses were included in the proffers. Commission Member Prack stated that he feels any use, other than a residential use, should require a special exception. Town Planner/Zoning Administrator Rhoades read aloud the zoning ordinances governing these issues. Commission Member Wolford discussed the original proffer statement, and asked if the elimination of the sentence discussing the use of a minimum of 60% of the first floor of the property for a business use would allow Ms. Jenkins to move forward with the use she requests now for the property. Town Planner/Zoning Administrator Rhoades noted that doing so would allow Ms. Jenkins to use the property as a residence, but that she would still be required to provide the site improvements included in the original proffers. Chairman Bird discussed what the Planning Commission suggested to Ms. Jenkins at their December meeting, and asked if those choices are still viable. Town Planner/Zoning Administrator Rhoades and Commission Members briefly discussed this. Commission Member Prack stated that, perhaps, the best thing to do would be to void the proffer altogether; then, in the future, if Ms. Jenkins wants to include a business use, she would be required to follow the B-1 zoning ordinances. Town Planner/Zoning Administrator Rhoades discussed current changes made to the proffers. Commission Member Prack noted that, if the Commission eliminates the proffers altogether, Ms. Jenkins will be required to follow the B-1 zoning ordinances, which allow the use of the property as a residence. Town Planner/Zoning Administrator Rhoades explained that, as things stand now, Ms. Jenkins is required to follow the proffers. Commission Member Wolford then suggested following Commission Member Prack's recommendation, removing the paragraph requiring the use of a minimum of 60% of the first floor of the property for a business use, and keeping requirements #2 and #3. If, in the future, business uses are requested, Ms. Jenkins would be required to follow the B-1 zoning ordinances. Chairman Bird discussed the Jenkins' letter, which is included in the packet, and their requests regarding the use of the property. Commission Member Wolford asked why this property owner should be allowed to use this property without a special exception requirement, when any neighbors would be required to request a special exception. Mrs. Wolford also spoke to the history of this property and reasons the original proffers were included. Town Planner/Zoning Administrator Rhoades noted that only the property owner may ask to eliminate proffers. Commission Member Wolford then suggested eliminating the line "...the following additional allowable uses.," from

the proffer statement. Town Planner/Zoning Administrator Rhoades explained that there were two major revisions to the proffers. Discussion ensued regarding B-1 requirements. Commissioner Wolford stated her belief that the uses should remain the same as in the proffer, except for the requirement that a minimum of 60% of the property be used for a business use. Commissioner Hoddinott explained his reasons why the 60% requirement should be included. Commission Member Wolford provided a brief history of the property. Both Chairman Bird and Commissioner Wolford stated their belief that relying solely on the B-1 ordinances for the use of this property would create too many problems. Commissioner Prack discussed the sentence which requires a "...minimum of 60% of the first floor shall be..." and suggested striking that sentence, and listing possible uses. Discussion ensued regarding the revisions to the proffers made on January 4, 2014, and what should be amended in that document. Following this discussion, the Commissioners delineated the amendments to be made. The Commissioners then reviewed the document, in order to ensure that each Commissioner agrees to all the changes to be requested. Commissioner Hoddinott asked about accessory units. Chairman Bird asked who, in the Town, is required to provide approval. Town Planner/Zoning Administrator Rhoades stated that the property owner submits the requests to her, and then she sends them to the applicable agencies (county and state). Commissioner Prack noted a change made regarding commercial uses. Chairman Bird then recapped the Commission's recommendation: reword the statement under "Residential Use," and remove the 60% reference under "Business Use." Discussion of the 60% reference and its relationship to requirements ensued. Commissioner Wolford asked if a joint public hearing is being requested by the Town Council regarding this; Town Planner/Zoning Administrator Rhoades stated that she is unsure at this time. Commission Prack suggested referring this issue as amended to the Town Council. Chairman Bird suggested first asking the property owner to make the changes requested by the Planning Commission. The Commissioners and Town Planner/Zoning Administrator Rhoades then discussed the proper way to word the motion; they also discussed what the Planning Commission needs to do at this point. It was decided that this matter should be referred to the Town Council, in order to schedule a joint public hearing. The Commission Members discussed the documentation that will be needed for public review for a public hearing. Following this, Commissioner Member Hoddinott moved **to recommend that the Town Council and the Planning Commission hold a joint Public Hearing to hear input on the Proffer Amendments submitted through ZMAP 2013-01. The proposed Proffer Amendments promote the goals and objectives of the Round Hill Comprehensive Plan: Article IV Land Use Plan General Policies for all Commercial Districts: 2 Central District. The amended proffers promote a slow and steady development of the Central Commercial District that is compatible with the history and character of the Town.** Chairman Bird seconded the motion. There was no further discussion. The motion was approved by a vote of 4-0; the vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Douglas Bird	Aye
George Hoddinott, IV	Aye
Christopher Prack	Aye
Elizabeth Wolford	Aye

c. Walraven Final Plat

Town Planner/Zoning Administrator Rhoades reported that the developer of this subdivision submitted a revision to the plat yesterday. Chairman Bird asked to clarify if this is a final plat; Town Planner/Zoning Administrator Rhoades stated that it still must be reviewed by the Town Attorney and the Town Engineer, but that this is the final plat, in the review stage. Chairman Bird clarified that no action by the Planning Commission is required at this time; Mrs. Rhoades affirmed that that is correct.

a. Comprehensive Plan Updated File Review

Discussion of this item was deferred to the February Planning Commission meeting.

IN RE: NEW BUSINESS

There was no discussion under New Business.

IN RE: OTHER BUSINESS

There was no discussion under Other Business.

IN RE: DRAFT AGENDA FOR THE NEXT PLANNING COMMISSION MEETING

- Comprehensive Plan Updated File Review
- Walraven Final Plat

IN RE: ADJOURNMENT

Commission Member Hoddinott moved to adjourn the meeting of the Planning Commission; Commission Member Wolford seconded the motion. The meeting was adjourned at 9:37 p.m.

Respectfully submitted,

George Hoddinott, IV Chairperson

Debra McDonald, Recording Secretary