

Planning Commission Public Hearing January 10, 2012

**Town of Round Hill
Planning Commission
Public Hearing
January 10, 2012
7:00 p.m.**

**Planning Commission Public Hearing
Proposed Amendments to the Town Zoning Ordinance: B-1 Business District**

A Planning Commission Public Hearing concerning proposed amendments to the Town Zoning Ordinance, B-1 Business District, took place Tuesday, January 10, 2012 at 7:00 p.m. at the Town Office, 23 Main Street, Round Hill, Virginia.

Planning Commission Members in Attendance:

Douglas Bird, Chairman
George Hoddinott IV
Jennifer Grafton Theodore (arrived at 7:12 PM)
Betty Wolford

Staff Members in Attendance:

John Barkley, Town Administrator
Rob Kinsley, Town Planner and Zoning Administrator

Members of the Public in Attendance:

Clark Klipple, 5 Main St.
Margaret O'Brien, 5 Main St.

IN RE: CALL TO ORDER

Chairman Bird called the Public Hearing to order at 7:03 p.m.

IN RE: DETERMINATION OF A QUORUM

A roll-call of Planning Commission members was taken and it was determined that there was a quorum present.

IN RE: PLEDGE OF ALLEGIANCE

Commissioner Wolford led those present in the Pledge of Allegiance.

IN RE: ADOPTION OF AGENDA

Commissioner Wolford moved that the agenda be adopted as presented.
Commissioner Hoddinott seconded her motion.

The motion passed with a unanimous vote of Planning Commission members 4-0-0.

**IN RE: OPEN JOINT PUBLIC HEARING: PROPOSED AMENDMENTS - B-1
BUSINESS DISTRICT**

Chairman Bird opened the public hearing at 7:10 PM.

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IN RE: DETERMINATION THAT PUBLIC NOTICE REQUIREMENTS HAVE BEEN MET

Town Planner and Zoning Administrator Rob Kinsley certified that the required public notice and summary of the public hearing was duly advertised December 23, 2011 and December 30, 2011 in the Purcellville Gazette.

IN RE: PUBLIC COMMENT

Mr. Kinsley presented an overview of the proposed amendments to the B-1 Business District section of the Zoning Ordinance, as follows:

Updates permitted uses allowed by right and coordinates them with the Business License classifications.

Creates a section regulating accessory uses and structures.

Updates the listing of uses that are permitted through the Special Exception process.

Revises the minimum lot area requirement to 10,000 square feet, which is more in line with the average existing lot sizes in this district.

Modifies the yard requirements for the B-1 district.

Creates a new section containing additional regulations for specific uses, including bed & breakfasts, restaurants, and child care centers.

Modifies provisions relating to site plan requirements, which are part of the Town's Subdivision and Land Development Ordinance.

Mr. Kinsley thanked the subcommittee, which included a member of the Round Hill Business Association and Bank of Clarke County, for working on the amendments.

Clark Klipple, 5 Main St. said he lives in the B-1 District (5 Main Street is zoned residential, but is located adjacent to a property zoned B-1) and is concerned with the potential impact of lighting on neighboring properties and asked if there are any lighting restrictions in the Town Zoning ordinance. Mr. Klipple said that an earlier draft had a Section 7.13 of the B-1 District regulations, and that it was taken out at some point and he would like the section to be put back into the B-1 District regulations. In the Zoning Ordinance draft amendments before us now, only Section 7.11 addresses lighting, specifying 20 foot candles as maximum lighting. Only drive-throughs and restaurants are currently covered in the ordinance with lighting restrictions. Also, site plan requirements address exterior lighting, but the requirements go on to say that they may be waived by the Zoning Administrator. Mr. Klipple would like to see Section 7.13 put back into the draft B-1 District regulations. Chairman Bird said he thought rather than keeping a separate lighting section, we should concentrate on items specific to the B-1 District. Mr.

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Kinsley said that the Town does not have lighting covered in any supplemental regulations, and that lighting is not addressed very specifically in the Subdivision and Land Development Ordinance (SLDO). Commissioner Wolford said that lighting is also addressed as part of the special exception process. Mr. Klipple said that all site plans are not reviewed as special exceptions and that he thought it should be addressed in B-1 because lighting has more of an impact in business than residential districts. Commissioner Wolford asked if Mr. Klipple would like to see lighting in a separate section of the ordinance. Mr. Klipple said that for now he would like it addressed in B-1. Commissioner Hoddinott said Section 7.12 allows for exterior lighting to be proffered through the Zoning Administrator. Mr. Klipple said he thought B-1 would better address lighting for the reasons stated before. Commissioner Wolford said that currently the only drive through allowed is a bank.

Margaret O'Brien, 5 Main St. Ms. O'Brien stated that she supports the statements made by Mr. Klipple and would like lighting addressed in the B-1 regulations because of the impacts neighboring lighting already has on her home. Mr. Klipple said that the lighting from the medical building shines directly into their home all night and that the covers for the lights only shield the gas station and not their home, but that he understands that they need security lighting. Ms. O'Brien said the gas station did a really good job with their lighting but that it is a different kind and shines straight down. Chairman Bird said that we used the same technical specifications for drive-throughs that were used to determine the lighting for the gas station. Ms. O'Brien said she does not think the medical building has to make any lighting changes because they were grandfathered in. Mr. Klipple said there are a few properties that could go from residential to business use in the near future and this could have a negative impact on the residential properties.

IN RE: CLOSING OF JOINT PUBLIC HEARING

With no further questions or comments, Commissioner Grafton Theodore moved that the Public Hearing be closed. Commissioner Hoddinott seconded the motion. **The motion passed unanimously by Planning Commission members 4-0-0.**

The Public Hearing was closed at 7:23 p.m.

Respectfully Submitted,

Douglas Bird, Planning Commission Chair

John Barkley, Town Administrator/Clerk/Recorder

**Town of Round Hill
Planning Commission Meeting
January 10, 2012
7:30 p.m.**

A regularly scheduled meeting of the Town of Round Hill Planning Commission was held Tuesday, January 10, 2012, 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
Jennifer Grafton Theodore
Betty Welford

Staff Members Present

Rob Kinsley, Town Planner and Zoning Administrator
John Barkley, Town Administrator

Members of the Public Present

Margaret O'Brien
Clark Klipple

IN RE: CALL TO ORDER

Chairperson Bird called the meeting to order at 7:30 p.m.

IN RE: PUBLIC COMMENT

There was none.

IN RE: APPROVAL OF AGENDA

Chairman Bird said that the Comprehensive Plan item on the agenda will only deal with the process of updating the Plan; the Commissioners can discuss the public hearing comments received under the Old Business section of the agenda; and that the Commission does not need to do a lot of re-writing of the LI-1 District regulations tonight. Commissioner Grafton Theodore moved to approve the agenda. Chairman Bird seconded the motion. **The motion passed 4-0-0.**

IN RE: COMMISSIONER'S COMMENTS AND DISCLOSURES

There were no Commissioners comments or disclosures.

IN RE: APPROVAL OF MINUTES – December 6, 2011

Commissioner Welford moved that the minutes be approved as submitted.
Commissioner Hoddinott seconded her motion. **The motion passed 4-0-0.**

IN RE: LAND USE COMMITTEE REPORT

Mr. Kinsley said there was no Land Use Committee meeting last month and that next week the committee would be discussing the Main Street project and the Park Pavilion project.

IN RE: TOWN PLANNER REPORT

Mr. Kinsley submitted the report in written form (attached). Chairman Bird asked if the Commissioners had any questions. Commissioner Hoddinott asked where the Darling Subdivision is. Mr. Kinsley said that the subdivision is located on Bridge Street and that the first phase has one additional house to be built. Chairman Bird asked if the vacant lot was 9 Bridge Street. Mr. Kinsley said yes. The second phase has not been started yet. It is currently recorded as one big lot that may be requested to be subdivided into 3 smaller lots, but the developer has not approached the Town formally on that recently.

IN RE: CONSIDERATION OF PUBLIC HEARING COMMENTS – PROPOSED B-1 TEXT AMENDMENTS

Chairman Bird said that for at least one resident there, lighting seems very critical, and that he is not sure how we arrived at this point with lighting. Mr. Kinsley said that the only places where we have determined the need for specificity was in the drive-through and restaurant sections. Commissioner Hoddinott said he wouldn't mind if there was a general lighting section that would cover it all. Commissioner Grafton said the regulations should not be super strict but would be valuable to have. Mr. Kinsley said that basically the Town has rolled lighting into the site plan requirements. Commissioner Wolford said that we should also look at addressing lighting for other sections and uses including bed and breakfasts. Mr. Kinsley said that any exterior improvements would require site plan approval. Chairman Bird said that the only guidance right now for site plans is in the subdivision ordinance. Commissioner Wolford said the Town could restrict the hours and type of lighting since the parking areas could also be lit. Commissioner Grafton Theodore said that the Town restricted the hours of the church operations during the special exception process, but that foot candle limit was only maybe 5 or 10. Chairman Bird said that we should make a final call on the lighting at next months meeting, and asked if further changes would require another public hearing. Commissioner Wolford said that the recommendations would be passed to the Town Council and the Town Council would conduct the public hearing. Chairman Bird said we should take a look at Section 7.13 again and then send a recommendation to the Town Council. Commissioner Hoddinott asked where we cover buffering. Chairman Bird said it's covered in the subdivision ordinance. Mr. Kinsley said he will email the Section 7.13 to the Planning Commissioners prior to the next meeting.

IN RE: CONSIDERATION OF PUBLIC MEETING COMMENTS – LI-1 LIGHT INDUSTRIAL DISTRICT

Chairman Bird said that the comments received at the LI-1 public meeting pretty much indicate that the residents of the area don't want much of anything in that district. Commissioner Hoddinott said that there may have been a misunderstanding of what we are trying to do because we did actually reduce the uses allowed in the draft amendments. Mr. Kinsley said that we tried to make the wording of the district more up-to-date and flexible. Chairman Bird said that most of the residents, and specifically Ivan Clark, indicated that they did not want any nuisances in terms of noise, smell, etc... and that any uses that would cause a disturbance and associated traffic would be major concerns. Mr. Clark also recommended landscaping requirements to be added in the front setback area. Commissioner Hoddinott said that it could possibly be rezoned, but that as long as it's owned by the current owner, the use could continue as non-conforming. Commissioner Wolford said that at the time it was originally rezoned, the use at the time did not

fall in with B-1 and the business had been there for twenty years. It was a machine shop. Commissioner Wolford said that the only reference to the property in the Comprehensive Plan calls for a Town facility. Chairman Bird said we would want to be sure the owner would be contacted if we were to consider a rezoning. Mr. Kinsley said the Town did invite the owner to the public meeting, but that he did not attend. Mr. Kinsley said the property is over an acre and could be subdivided. Commissioner Wolford said the road is not conducive to business related traffic. Commissioner Hoddinott said the citizens that attended the public meeting for the most part wanted parking to be located in the rear of the property. Chairman Bird said there is an open area in the back for parking. Chairman Bird said that he thought Mr. Buhl at one time was parking his trucks in the front of the building, and that the property was up for lease at one time. Commissioner Wolford said that the Planning Commission should go through the list of comments received and make amendments as necessary, and that one of the tasks was to decide if it should stay the same, or be rezoned. Chairman Bird said his personal opinion is that residential makes it much easier for the property given its location, but that there was not a consensus among the Planning Commissioners on the future use. The Planning Commission reviewed this draft Ordinance, specifically Permitted Uses and Special Exception Uses, making some changes, deletions and additions. Chairman Bird said that the proposed language amendments (above) will be reviewed at next month's meeting.

IN RE: BEGIN PROCESS FOR UPDATING THE COMPREHENSIVE PLAN

Chairman Bird asked if anyone had reviewed the State code for the regulations on updating the Comprehensive Plan. Commissioner Hoddinott said he and Mr. Kinsley are familiar with the State regulations due to their planning backgrounds. Chairman Bird asked if census data is available for the update. Mr. Kinsley said yes it is, but that the more difficult task is with the economic data that is required. Sample data is updated every five years for small towns but it does not match up very well with the Town's actual data. For example in average household income, the American Community Survey data only gives ranges, but the ranges are too wide to have any real value. Chairman Bird said the data collection process may only do sampling by zip code, which does not really provide data specific to the Town. Mr. Kinsley said that the Census Bureau does have the Town delineated for 2010 data, and that's the data we will use. Commissioner Hoddinott said the first thing we should do is have a public meeting to discuss the vision. Chairman Bird said that we should also develop milestones for the different elements of the plan. Commissioner Wolford said that Mr. Kinsley's suggestion that the current plan be corrected first would be a good first thing to do, before the visioning process. Mr. Kinsley said that we should probably have something to discuss or present at the first public meeting. Chairman Bird asked if the Planning Commission can make changes to the Comprehensive Plan legally. Mr. Kinsley said the Planning Commission can go through the plan and propose changes, including those needed for the water and sewer system data, which is very much out of date. Many of these updates would require working in coordination with Mr. Barkley, and any changes would have to be adopted by the Town Council after a public hearing. Commissioner Hoddinott said that we should also come up some goals and objectives for the plan update that could be discussed at a public meeting. For example, one goal could be that the Town wants to grow by one thousand people. Mr. Kinsley said parts of the plan have been updated and added to over the past several years, but the plan has not been looked at comprehensively since 1993. We are only required to review the plan, not necessarily update it. Mr. Kinsley said that the public meetings should provide a chance to ask citizens what they want and educate them. Many

citizens would like the Town to stay a bedroom community, but there is also a need to balance the tax base. Chairman Bird asked where the Town Council stands on this issue, because it would not make sense to go down any particular trail if we don't have a sense of the Town Council members' thoughts on the future of the Town. We may want to get the Town Council involved in the goals and objectives at start of the process. Commissioner Hoddinott asked if we could do a cherrette instead of a public meeting, where we would produce blank maps and paper and have the public write in ideas and comments about different sections of Town. Mr. Kinsley said the Town would have to manage the conflicting views during the process. For example, during the Main Street public process, there were many who did not live on Main Street who want business development and many who live on Main Street who want quiet residential uses. Mr. Kinsley said we do not currently have funding to facilitate such a process. Commissioner Hoddinott said that's the problem, that we would need someone to facilitate the discussions. Commissioner Welford said it may not be until the next fiscal year so we could possibly budget for something like that. Chairman Bird said we may want to request funds for next year for this purpose; there are many large format printing and other costs involved. Mr. Kinsley can have some maps printed by the County. Commissioner Hoddinott said he could do some of the mapping himself for free. Mr. Kinsley will work with Mr. Barkley to review the current budget and develop a budget plan for the update. Chairman Bird said we should add a discussion of the process for public meetings to Mr. Kinsley's plan update process overview. Mr. Kinsley said that affordable housing will be an issue to address, along with the possibility of a future boundary line adjustment in the Town's water and sewer service area. Chairman Bird said that next month the Commissioners should be ready to discuss items 1 and 3 of Mr. Kinsley's overview of the process and we should have data available by then.

IN RE: OTHER BUSINESS – RHBA MEETING JANUARY 17

Chairman Bird said that the Round Hill Business Association sent a notice out about a meeting next week. Mr. Kinsley said the Business Association will be hosting a meeting next week at Savior Fare at 5:30 pm and will have the Zoning Administrator from the City of Winchester, Vincent Diem, attending the meeting to talk about their blight abatement program.

IN RE: DRAFT AGENDA FOR THE NEXT PLANNING COMMISSION MEETING – FEBRUARY

Mr. Kinsley asked the Commissioners to forward their notes on the LI-1 amendments to him to ensure all comments have been incorporated into the draft for next month.

Old Business:

- 1) Lighting and B-1 District Amendments
- 2) LI-1 District
- 3) Comprehensive Plan

New Business: No new business is currently pending.

IN RE: ADJOURNMENT

With no further questions or comments, Chairman Bird adjourned the meeting at 9:27 p.m.

Respectfully Submitted,

Douglas Bird, Planning Commission Chair

John Barkley, Town Administrator/Clerk/Recorder