

**Town of Round Hill
Planning Commission Meeting Minutes
January 3, 2023**

A meeting of the Round Hill Planning Commission was held Tuesday, January 3, 2023 at 7:00 p.m. at the Town Office, 23 Main Street, Round Hill, Virginia. Instructions for participating remotely were provided on the agenda.

Planning Commission Members Present

Manuel Mirabal, Chairperson
Peter Buxton, Vice-Chairperson
Frank Etro
Michael Hummel
Todd Tschantz

Staff Members Present

Robert (Bobby) Lohr, Town Planner
Martha Semmes, Zoning Specialist

Others Present

Sean Lloyd

PLEDGE OF ALLEGIANCE

Commissioner Tschantz led the Pledge of Allegiance.

CALL TO ORDER, ROLL CALL, AND QUORUM DETERMINATION

Chairperson Mirabal called the meeting to order at 7:15 p.m. Roll call was held. Chairperson Mirabal, Vice-Chairperson Buxton, and Commissioners Etro, Hummel, and Tschantz were physically present, constituting a quorum.

PUBLIC COMMENTS

There were none.

DISCLOSURES AND COMMISSIONERS' COMMENTS

Commissioner Etro requested an update on items he had brought up previously including trail plans, wayfinding signs, a concept plan for Town parks, and the County's plans for the new fire department. He also asked staff to look into an alleged violation that property owners at The Bluffs had removed trees in a tree save area and used chemicals to kill water lilies in Sleeter Lake. Mr. Lohr will look into these matters and report back to the Commissioners.

Commissioner Hummel disclosed that he spoke with Mark Nelis who indicated that his law partner, Steve (Donches) would be attending the Planning Commission meeting. Mr. Donches represents the Shahs, property owners of 22 Main Street. As of the time the meeting started, Mr. Donches had not arrived. Commissioner Hummel stated that he has not discussed anything with Mr. Nelis or his partner.

APPROVAL OF THE AGENDA

Commissioner Hummel moved **to approve the agenda**; Commissioner Etro seconded the motion. There was no discussion. A vote was held; the motion was approved 5-0. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Peter Buxton	Aye
Frank Etro	Aye
Michael Hummel	Aye
Manuel Mirabal	Aye
Todd Tschantz	Aye

APPROVAL OF MINUTES

1. September 6, 2022

Commissioner Hummel moved **to approve the September 6, 2022 minutes as presented**; Vice-Chairperson Buxton seconded the motion. There was no discussion. A vote was held; the motion was approved 5-0. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Peter Buxton	Aye
Frank Etro	Aye
Michael Hummel	Aye
Manuel Mirabal	Aye
Todd Tschantz	Aye

2. October 4, 2022

Commissioner Tschantz moved **to accept the minutes of October 4, 2022 as written**; Vice-Chairperson Buxton seconded the motion. There was no discussion. A vote was held; the motion was approved 5-0. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Peter Buxton	Aye
Frank Etro	Aye
Michael Hummel	Aye
Manuel Mirabal	Aye
Todd Tschantz	Aye

BUSINESS ITEMS

1. CPAM-2022-01 Future Land Use Map

Mr. Bobby Lohr reviewed the materials provided for this item. He noted that the Town Council did not concur with the Planning Commission's determination at the October 4, 2022 meeting that additional studies were needed before proceeding with the Comprehensive Plan map amendment. The Town Council believed the 2016 Retail Market Survey and the Community Assessment were sufficient for the Planning Commission to proceed with a recommendation on which parcels to include in the proposed expansion of the Central Commercial District Area Land Use Map.

Commissioner Hummel clarified that the study area includes any or all of the 10 parcels shown in "red" on the draft map amendment; however, the Planning Commission is not to consider additional parcels outside of the area identified by the Town Council.

The Commissioners discussed the historical use survey map compiled by staff. A discussion ensued about the historical uses of 22 Main Street. Staff clarified that the store that used to be 20 Main Street was commercial but agreed that 22 Main Street, the big white house, was never commercial. Staff will clarify this on the map. It was noted there was confusion over the properties because parcels 20 and 22 were combined at some point, which affected the addresses. Part of parcel 22 has been and still is commercial.

A discussion ensued about the church located at 28 Main Street. In response to a question by Chairperson Mirabal, Mr. Lohr stated that he is showing this property as Institutional, and he characterized it as being nonresidential. Commissioner Etro disagreed with the Institutional label and believed it should be shown as Residential since churches are a special exception use in the Residential zoning district. Ms. Semmes pointed out that the Comprehensive Plan does have an Institutional land use designation and the church property is shown as Institutional on the land use map. The property at 28 Main Street is currently included in the study area for the Future Land Use map as potential commercial.

A discussion ensued about the original CPAM previously approved by the Town Council; at the time Councilperson Hummel and Chairperson Mirabal were serving on the Planning Commission. Commissioner Hummel stated that the map the Planning Commission submitted to the Council showed everything currently shown in red as commercial all the way to the church. He was absent from the Town Council meeting when the original CPAM was approved but changes were made by the Town Council and that was what was approved. Chairperson Mirabal added that the justification for the designation was to make that part of Round Hill more vibrant and build on what the Planning Commission believed was a growing commercial opportunity at that time. Commissioner Hummel added that the proposal filled in a “hodgepodge” of different uses and would have created a “logical block” based on the uses at the time.

Commissioner Etro stated that the area is vibrant with residential uses. He raised the issue of spot zoning since the zoning of the properties would remain the same if the CPAM is approved. The change would permit owners or developers to apply for rezonings. He sees this as a catalyst for more changes to the Comprehensive Plan and to the Zoning Ordinance and noted the access and parking challenges for properties in this area. Commissioner Tschantz noted that at one time the Planning Commission recommended that this area change to commercial. There was discussion about whether the intent of the original CPAM included both sides of Main Street.

Chairman Mirabal said the issue before the Planning Commission now is to consider the properties identified on both sides of Main Street. The Planning Commission’s assignment is to make recommendations to the Town Council if any or all parcels listed in the draft amendment should be included in the proposed Land Use Map amendment. Ms. Semmes explained the process a property owner would have to go through to request a rezoning for commercial use if the Town Council adopts the Future Land Use Map for commercial development.

Commissioner Etro stated that he would exclude all properties from the proposed Land Use Map amendment; however, he would be willing to discuss certain properties, but he is not prepared to say which ones at this point.

The Commissioners discussed 3 Mulberry Street and agreed that the house that sits on part of the “L-shaped” parcel should be excluded from the map amendment.

The Commissioners agreed that the church (at 28 Main Street) should be left out of the Future Land Use Map commercial expansion and remain identified as Institutional.

The Commissioners and staff worked to mark up the map with the properties highlighted to be included in the proposed changes to the Future Land Use Map.

Ms. Semmes advised the Planning Commission that before they can make a recommendation to the Mayor and Town Council, the Planning Commission must conduct a public hearing. The public hearing can be held by the Planning Commission or jointly with the Mayor and Town Council. Planning Commission members agreed that, in addition to the advertised Notice of Public Hearing, affected property owners and adjacent property owners should be notified by mail. Commissioner Hummel will update the Town Council about the Planning Commission's discussion at the Town Council meeting on January 4, 2023.

Chairperson Mirabal moved **that the Planning Commission schedule a public hearing in February to hear public comment on CPAM 2022-01, an extension of the Central Commercial Future Land Use Area to include 12, 14, 18, 22, 26, 11, 13, 15 Main Street, and a portion of 3 Mulberry Street along Main Street. I further move that the PC request that Councilmember Hummel share the Commission's CPAM map to be considered for public hearing with the Town Council.** Commissioner Tschantz seconded the motion. Commissioner Etro proposed that a period be inserted after CPAM 2022-01, and add "As requested by the Town Council, the Planning Commission is considering the expansion of the Central Commercial ..."

Following discussion, Chairperson Mirabal amended his motion and moved **to schedule a public hearing for January 31, 2023 to hear public comment on CPAM 2022-01. As requested by the Town Council, the Planning Commission is considering the expansion of the Central Commercial Future Land Use Area to include 12, 14, 18, 22, 26, 11, 13, and 15 Main Street and a portion of 3 Mulberry Street along Main Street. I further move that the PC request that Council Member and Planning Commission Member Hummel share the Commission's proposed CPAM map to be considered for the public hearing.** Commissioner Tschantz seconded the motion. A vote was held; the motion was approved 5-0. The vote is recorded below. Commissioner Etro stated that even though he voted in favor of the motion, he was not comfortable with the wording of the motion.

<u>MEMBER</u>	<u>VOTE</u>
Peter Buxton	Aye
Frank Etro	Aye
Michael Hummel	Aye
Manuel Mirabal	Aye
Todd Tschantz	Aye

ACTION ITEMS

1. Planning Commission 2023 Meeting Schedule

Following discussion, the Commissioners made the following changes to the 2023 meeting schedule:

- The February 7 meeting will be held on January 31.
- The July meeting will be held on July 11.

Commissioner Tschantz moved **that we adopt the calendar as amended**; Vice-Chairperson Buxton seconded the motion. There was no discussion. A vote was held; the motion was approved 5-0. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Peter Buxton	Aye
Frank Etro	Aye
Michael Hummel	Aye
Manuel Mirabal	Aye
Todd Tschantz	Aye

2. Election of Officers for 2023

Commissioner Tschantz moved **that the leadership stay the same way with Manny as the Chairman and Pete as our Vice Chair**; Commissioner Etro seconded the motion. There was no discussion. A vote was held; the motion was approved 5-0. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Peter Buxton	Aye
Frank Etro	Aye
Michael Hummel	Aye
Manuel Mirabal	Aye
Todd Tschantz	Aye

TOWN COUNCIL REPORT

Chairperson Mirabal waived the Town Council Report.

STAFF UPDATES

Mr. Bobby Lohr reported on the following:

- The Virginia Department of Transportation (VDOT) and the contractor will be doing the final walk-through on Main Street in the next few weeks.
- The underground work for the lighting in the pedestrian tunnel has started. He is hopeful the work, including the lights and security system, will be completed by the end of February. Mr. Lohr will send renderings of the tunnel to the Commissioners.

Commissioner Etro asked if the crosswalks will be painted. It was noted that the “pedestrian crossing” signs are also missing. Chairperson Mirabal stated that there is a parking space in front of the store on the corner of Mulberry that impedes motorists attempting to make a turn onto Mulberry Street if there is a car parked in that space. Mr. Lohr said he will raise these issues during the walk-through with VDOT. He added that the Town is also working with VDOT on a speed study.

ADJOURNMENT

Chairperson Mirabal adjourned the meeting at 9:24 p.m.

Respectfully submitted,

Manuel Mirabal, Chairperson

Debbie Calhoun, Recording Secretary

CERTIFIED:

A handwritten signature in blue ink, appearing to read "Harriet West", is positioned above a horizontal line.

Harriet West, Town Clerk

APPROVED: March 7, 2023