



TOWN OF WARRENTON

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**MINUTES
PLANNING COMMISSION
TOWN OF WARRENTON
July 15, 2014
7:00 PM**

The regular meeting of the Town of Warrenton Planning Commission convened on Tuesday, July 15, 2014 at 7:00 PM in the Municipal Building.

The following members were present: Dr. John Harre, Vice Chair, Mr. John Kip, Ms. Susan Helander, Ms. Brandie Schaeffer, Mr. Ali Zarabi, Mr. Lowell Nevill, Mr. Yakir Lubowsky, Town Council Ex-Officio member and Ms. Sarah Sitterle, Director of Planning and Community Development. Ms. Elizabeth Scullen was absent.

Dr. Harre called the meeting to order at 7:00 PM and a quorum was determined.

Approval of Minutes

Mr. Nevill stated that page five, paragraph 14, the 5th line needed to be revised to read economic viability. Mr. John Kip made a motion to approve minutes with the noted change and Ms. Susan Helander seconded the motion. The minutes were approved unanimously.

Public Hearing

A. Zoning Text Amendment #14-02. Article 5- Stormwater Management Program.

The text amendment is proposed to update the Town's stormwater management regulations in the Zoning Ordinance to facilitate the adoption of its own program per changes to the Code of Virginia. Pursuant to Code 62.1-44.15:27, the ordinance is to be adopted as part of an initiative to integrate the Town of Warrenton stormwater management requirements with the Town of Warrenton's erosion and sediment control, flood insurance and flood plain management requirements into a unified stormwater program.

Ms. Sitterle stated the request was pursuant to Article 11 of Town Zoning Ordinance and Virginia Code to be adopted as part of an initiative to integrate the Town stormwater management requirements with the Town erosion and sediment control, flood insurance and flood plain management requirements into a unified stormwater program. The unified program is intended to facilitate the submission and approval of plans, issuance of permits, payment of fees and coordination of inspection and enforcement activities into a more efficient manner for the

Town and those responsible for compliance with these programs.

Ms. Sitterle noted that according to Article 11-3.9, the Planning Commission and the Town Council should consider several factors. As they relate to text amendments, the Commission should consider two specific points.

1. Whether or not the request furthers the public interest and the goals, objectives and Policies of the Comprehensive Plan.
2. Whether or not the amendment is justified by changed or changing conditions.

The proposed revisions to the Zoning Ordinance are required as part of the changes to the Code of Virginia that transferred control of stormwater management programs to localities.

Staff added that the Town has been identified as a MS-4 Community and as result, this requirement makes operation of the local stormwater management program mandatory for the Town. The Town has prepared the program requirements and provided them to Virginia Department of Environmental Quality (DEQ). The final step in the process of officially operating its own Virginia Stormwater Management Program (VSMP) is the adoption of the local ordinance, which is largely based on the model ordinance provided for localities to use. The Town made only minor modifications to the model ordinance provisions and according to DEQ, authority to operate the VSMP cannot be granted until the ordinance has been adopted.

Staff recommended approval of the proposed text amendment as being consistent with the goals, objectives and policies of the Comprehensive Plan. The amendment represents an improvement in public health and safety standards for the welfare of citizens

Mr. Ali Zarabi asked Ms. Sitterle if Town has anyone waiting for this adoption to be passed by Town Council.

Ms. Sitterle indicated that there was no project waiting for the Ordinance to be enacted.

Mr. Yakir Lubowsky asked Ms. Sitterle if she could provide broad overview of the proposed changes and what impact it will have on the Town.

Ms. Sitterle indicated it was a significant change because Town would be taking on a new program that will require additional fees, additional review and permitting, additional enforcement procedures, long-term inspections and maintenance responsibility to assure routine maintenance is being done. Maintenance agreement has to be recommended and go back to Homeowners Association per the plan and it will serve as a guide for Town to use.

Mr. Lubowsky asked Ms. Sitterle if the Town was prepared to undertake these additional burdensome obligations.

Ms. Sitterle stated the State is also catching up with the training and more time has been allowed for inspector certification.

Mr. Lowell Nevill asked Ms. Sitterle what the highlighted area on page 8 of the model code represented.

Ms. Sitterle indicated she did not know.

Mr. Nevill asked how much change had been made to the model ordinance because it was difficult to parallel the two because the layout was different. Mr. Nevill asked if there was something in the original ordinance that is not in the model that the Town would want to keep or add.

Ms. Sitterle stated that the ordinance could not vary much from the state's model. She indicated that one of the things the Town wanted to take out was combined sewer language but it was not possible even though the Town does not allow combined sewer, the language had to remain.

Mr. Nevill asked if the model ordinance was more or less restrictive.

Ms. Sitterle stated it was more restrictive and the layout was different.

Mr. Nevill asked Ms. Sitterle if this would take away leverage for her to work with an applicant.

Ms. Sitterle said she did not think so.

The public hearing was opened at 7:11 PM.

Dr. Harre asked if there was anyone who wished to speak in favor or against the text amendment. No one came forward to speak.

The public hearing was closed at 7:11 PM.

Mr. Nevill stated that the designation came in January as MS4 for the Service District and he asked if staff issues could be shared with other County MS4 areas.

Ms. Sitterle stated no, but that there would be some cross over between Fauquier County and the School system with training opportunities and for collaborating with them to meet our program needs.

Mr. Nevill indicated there had been other positions discussed in the past such as for economic development but when getting into technical skills set such as environmental regulations it seems that if it becomes burdensome, consideration should be made for that to become a shared item. It is not just the Town but also the general greater area and it seems that it would make sense to work together. He asked if there was any precedent currently between the Town and County where staff work is shared, such as with the soil and water conservation district.

Ms. Sitterle stated no because the Town has its own erosion and sediment control program.

Mr. Ali Zarabi stated page 10 of the model ordinance states that the administrator will have flexibility and he asked Ms. Sitterle what flexibility she would have to make changes to an

applicant's stormwater management plan.

Ms. Sitterle indicated that each application would be reviewed on a case-by-case basis, which is currently done for erosion and sediment control plans where there are allowances for field modifications as necessary, staff works with the developer, and changes are made as they come up. Ms. Sitterle mentioned the North Rock Shopping Center (Harris Teeter) master plan that was developed in the early nineties and was considered a good site plan that showed E&S measures that at the time appeared it would work. Once onsite there were several issues and as result, staff worked with the developer to modify the E&S plan. As cases come up, staff continues to work with applicants on modifications as necessary.

Mr. Ali Zarabi asked Ms. Sitterle if she felt the proposed language gives her enough flexibility to continue to make adjustments.

Ms. Sitterle stated yes.

Mr. Lowell Nevill stated page 13, paragraph F, outlines pre-development and post development peak run off rates and asked Ms. Sitterle when that is determined and if there was an Environmental standard.

Ms. Sitterle stated that this all occurred during site plan review and the applicant provided the calculations.

Mr. Nevill asked if it was similar to traffic impact study analysis where they have to provide fresh data and look at counts during different times of the year.

Ms. Sitterle stated yes and indicated that Mr. Bo Tucker and Mr. Chris Bogert of Town Public Works Department are very well versed and have expertise in conducting detailed analysis of the calculations provided.

Dr. Harre stated that Paragraph F of page 13, stated three conditions, but only two conditions are listed and asked if there were only two.

Ms. Sitterle stated she would have to check into that issue.

Mr. John Kip made motion for Zoning Ordinance Text Amendment ZTA #14-02, Article 5 be approved. The motion was seconded by Mr. Lowell Nevill. All voted in favor, and the motion passed.

B. Special Use Permit #14-02. 763 James Madison Highway – Farm Equipment, Motorcycle, Boat and Sport Trailer Sales and Service; Automobile and Truck Repair; and Contractor's Storage Yard.

Ms. Sitterle stated this request is consistent with Articles 3-4.12.3 and 11-3.10 of the Zoning Ordinance to allow additional usages for this property located on James Madison Highway which is at the intersection of New Industrial Road/James Madison Highway/Alwington Boulevard. Across the intersection of Alwington Boulevard and Walmart is the former Stock

Builder Supply, which has been vacant for a number of years and has existing buildings on site, including a former retail structure, and storage facilities. There are also a couple of metal sheds that are not heated and also a gravel storage yard in the back. Most recently the facility had been used by a contractor that installs power lines but it has largely been unused. This proposed use will not require any redevelopment. The Comprehensive Plan indicates that the future conceptual land use is light industrial and this proposed use is consistent to local surrounding uses in the industrial area which include vehicle sales, service and repair, commercial electrical supply and heavy equipment sales and rental to name a few. There are office uses nearby across New Industrial Road.

Ms. Sitterle stated that it is not anticipated that the proposed uses for farm equipment, motorcycle, boat and sport trailer sales and service, automobile and truck repair and service, a contractor's storage yard, excavating business and nursery would have negative impact on the surrounding properties, because the site is large and adjacent to similar industrial type uses.

Site lighting will be designed or modified as necessary to comply with the zoning ordinance requirements to avoid glare on adjacent roads or properties.

Ms. Sitterle stated the site is limited in regards to signage and proposed signs will be required to comply with the Zoning Ordinance requirements.

There is no landscaping within the fenced in storage yard. However, Ms. Sitterle indicated that there may be a need to provide additional landscaping for the site but it is not anticipated that any buffer yards would be required.

Ms. Sitterle stated that the relocation of this business to this location would accommodate the public by providing better access to and parking on the site. The adjacent intersection with traffic light would provide safer ingress and egress.

The submitted plan did not include sufficient details to determine if lighting requirements had been met and a more detailed plan will be required with the site plan.

Ms. Sitterle stated staff had reviewed the application in relation to the criteria and found the use would be permissible with the Special Use Permit for the Industrial District and appears to be compatible with the site's previous use and surrounding businesses. It is not anticipated that this would have a negative impact on traffic because the property is located at an intersection with an existing traffic light and adequate lanes. It appears the property would accommodate parking and landscaping requirements and lighting would not spill over into residential areas. However, Ms. Sitterle indicated that more detail will need to be provided in the Site Development Plan.

Ms. Sitterle stated staff recommended approval with the following two conditions.

1. A site plan is submitted for review and approval by the Director of Public Works and Utilities and the Director of Planning and Community Development.
2. The site plan should include a more developed parking plan, landscaping plan and lighting plan per Article 7, 8 and 9 of the Zoning Ordinance.

Ms. Brandie Schaeffer stated that page 4, item #22 states that the structure appears to conform to

current zoning ordinance setbacks and asked if it did or did not conform.

Ms. Sitterle conducted a measurement of the setback from the drawing and indicated that it did appear to meet the setback requirements.

Ms. Schaeffer indicated that if it did not meet the setback ordinance it could impact insurance rates and that was her reason for asking.

The public hearing was opened at 7:27 P.M.

Mr. Cecil Campbell, owner of Cecil's Tractors informed the Commission members that his business has parking difficulties, loading and unloading difficulties and as result, something needed to be done because the business was growing. Mr. Campbell stated his son had considerable marketing and computer skills and business needs to be more accessible for customers.

Mr. Campbell stated he had been working with the owners of this property for several years but they had not been very receptive to a long term lease and it is pending this approval and the site plan.

Mr. Ali Zarabi asked Mr. Campbell if his plan was to have all of his employees from the various operations located in this central location.

Mr. Campbell indicated his excavating business did not need that much office space but that this property is perfect for Cecil Tractor business. Mr. Campbell indicated that more of the Cecil's Tractor business would be relocating to the new location than his landscaping business would because he currently has two other locations for landscaping. Mr. Campbell got a Special Use Permit for Lee Highway Nursery so he could continue to do what he was doing at the Cecil's Tractor location in Warrenton and he has outgrown that space because he currently has about 75 to 80 employees.

Ms. Susan Helander asked what Mr. Campbell's plan was for his existing building.

Mr. Campbell indicated it would be leased.

Mr. Campbell stated that tractor-trailer deliveries would not have to come through Town at the new location and there was ample room for parking and as result, there would be no traffic issues.

Mr. Nevill stated that this would be a win for the Town in that it will utilize the vacant spot that has been an eye sore on the south end of town and it allows Cecil's Tractor to remain within the Town limits.

Mr. Yakir Lubowsky asked if there would be new construction.

Mr. Campbell stated no major construction, but it would require some sheet rock to be replaced as well as HVAC and heating and major cleanup would be required because the building has

been vacant for so many years.

Mr. Campbell indicated that the building currently being leased by TriState Electric would require heating to be added but that will have to be done after their lease is up in November.

Mr. Campbell indicated they plan to repair the fence and nothing else needed to be done.

The public hearing was closed at 7:35 P.M.

Mr. Kip made motion to approve SUP #14-02 and Mr. Nevill seconded it. All members voted in favor of the application and none opposed.

WORK SESSION

A. Draft Comprehensive Plan Update Discussion – Demographics & Housing

Dr. Harre asked if the June 3, 1996 Community Vision was the latest.

Ms. Sitterle stated it was.

Dr. Harre asked if it another was planned to be done.

Ms. Sitterle stated it was something that could be considered and it would be easier to conduct today with online capabilities and making it available at the library and other locations.

Mr. Nevill stated he thought something needed to be done because some level of input was needed but he stated that both online and a mailing should be done with the Town Crier and also be available at public works where residents pick up their recycle bags.

Mr. Nevill questioned how it would be possible to verify that online responders were actual residents. He stated that the survey would address the same issues as what was addressed in 1996 and he asked if it would be possible to borrow from other localities and compare and use some of their findings.

Ms. Schaeffer stated that the demographics in the 1996 study is a different situation than where we are today because we are closer to a build out and not looking at public transportation. She asked if a different part of Comprehensive Plan is what should be addressed because 1996 is different than 2014.

Mr. Nevill stated that the 1996 study appears to be more towards the Council and before the WARF and there needs to be some means to gather information rather than relying on attendance at hearings. The survey will serve as one type of communication with the community, but it is not meant to be the only one. If one has not been done, then it is a legitimate question to ask why because other localities do and the Town needs to do one.

Mr. Kip asked if the survey should be done in concert with the Council. He stated he understood it is the responsibility of the Planning Commission to use surveys as a way to update the

Comprehensive Plan. When dealing with demographics and housing, it appeared to him that it needed to be driven by the Town Council.

Ms. Schaeffer stated that from a time perspective, she suspected that the visioning was done the year before the Comprehensive Plan needed to be amended so that those visioning results could be used in those sessions and she expressed concern over delaying the update.

Mr. Nevill stated that the update is five (5) years old and that is the maximum amount of time required but it can certainly be updated more often if the updates state that feedback will be incorporated as soon as possible.

Mr. Kip stated that the numbers would change in the results but not the text.

Mr. Nevill stated that the survey had a question about the Comprehensive Plan and response was not that good because people were not familiar with the document. We could identify our strategic goals and objectives and this is a good time to do this with new Mayor and Council as a way to identify where the Town is going.

Ms. Schaeffer suggested having Ms. Sitterle update the numbers at time of demographics and outline how we plan to move forward because change will be substantial with the age of residents, the makeup of the households and at the end of demographics identify the next steps for the community and make that as part of strategic Comprehensive Plan and then subsequently change the ordinance to accommodate the changes.

Mr. Nevill stated that a statement of intent could be done as a planning tool and identified what the Planning Commission would like to see. For example, the demographics in the 1996 survey reflect a lot of weighting for new recent residents, those with 10 years or less that participated. He expressed a desire to see a representative survey to identify ages and who responded because the Town wants buy in with a broader portion of the population and that needs to be built into it. The goal is that the Town wants to hear from everyone. There are sophisticated methods that can be used for surveys and at the end, it can be said that the Town did our best.

Ms. Schaeffer suggested that perhaps the Council may support an RFP as a way to support Ms. Sitterle.

Mr. Nevill suggested looking at AP Government Classes in High School, or Lord Fairfax College that may be willing to take this on as a project for credit as a way to provide support.

Mr. Ali Zarabi stated that twelve (12) years ago when he was newly appointed to the Planning Commission, Lord Fairfax and the High School were both approached and he offered his assistance in helping government students by seeing how the Town Council works. He stated he was surprised at the resistance he experienced from both of those places; however, he recognized that the environment is different today and perhaps they may be more receptive.

Mr. Lubowsky stated that his sense was a fear of politics was involved but the intention was to expose the next generation and hope the Town can reach that audience and have a sense of accountability and ownership of this community and they needed to be successful in doing that.

Mr. Lubowsky stated that it was interesting to see in the 1996 survey the projection accuracy of where the population growth would be in 20 years. It is important that the study be authentic and they needed to make sure the participants were a cross section and to hear from those citizens that were not on the radar because that would build credibility to the study.

Mr. Nevill asked how the Commission could make it more a community driven effort from the Town and asked Mr. Lubowsky if he received assistance from the Mayor and Council when trying to get input.

Mr. Lubowsky stated no, but suggested the group make that appeal as opposed to an individual. Mr. Lubowsky stated that a basic civics lesson would be beneficial to the next generation of potential town leaders.

Mr. Nevill stated interns are a way of getting assistance and providing a learning environment for the college student and asked Ms. Sitterle if she uses interns and she stated she does.

Dr. Harre asked Ms. Sitterle if the next step was to get the recent numbers together, survey other communities, and determine what can be developed as a possible survey option.

Mr. Nevill stated the survey methodology should be considered such as on-line, door hangers, mail outs, etc. Door hangers are not good, on-line surveys go viral with people that are not residents participating, and he stressed the need for caution as to how it is conducted.

Mr. Nevill asked if the plan was to be finished by the end of this year and noted the current Demographics were scheduled for May, Community Facilities in July, Transportation in August, Bicycle Pedestrian September, Urban & Historic District in October.

Mr. Nevill suggested a table of contents with update and staff provides homework to the Commission members, such as suggesting various sections to be commented on by a specific date.

Ms. Schaeffer asked Ms. Sitterle how she would want it done.

Ms. Sitterle stated she would put information together and distribute and ask for comments as well as provide other sections for comments.

Mr. Nevill asked Ms. Sitterle if she would use the red line tracking feature and provide explanation of the change.

Dr. Harre stated that perhaps each section might not need updating.

Mr. Nevill stated that the reason he shared the Regional Commission information with the members was to show what the Regional Commission looks at and recommended that the members visit the Regional Commission web site (RRRegion.org) because it addresses demographics, economics, infrastructure and some of the same items the Commission will be looking at and would be a good reference point. The report covers Fauquier, Rappahannock,

Culpeper, Madison & Orange and all independent towns participated in this and it is pretty interesting. Mr. Nevill also suggested members may want to attend one of the Regional Commission meetings and noted that the next meeting is August 27 at 1:00 P.M.

Dr. Harre asked Ms. Sitterle what will be on the schedule for next month's meeting.

Ms. Sitterle stated that no applications have been received and as result, the work session could be scheduled to continue to address demographics.

Mr. Nevill asked Ms. Sitterle to please email homework assignments to members and provide them enough time to complete it.

Mr. Nevill asked if the draft materials emailed had to be made public. It is public record and can be subpoenaed.

Mr. Lubowsky stated that information can be requested as FOIA (Freedom of Information Act) and if communication occurs off line that has to be preserved as part of record keeping.

Mr. Nevill stated that record keeping is for a period of 5 years.

Ms. Helander stated that the Town Council approved Warrenton Crossing with street widths of 29 feet for the local streets and parking on one side of the street. She asked how that affects street trees and the requirement for the association to maintain the trees.

Ms. Sitterle stated that there is still requirement for street trees that will be part of the right-of-way but would be maintained by the association.

Ms. Schaeffer asked how it was possible to have a private entity maintain the right-of-way.

Ms. Helander stated that Association Declaration would have to have that included and asked Ms. Sitterle if she would see that before it is adopted.

Ms. Sitterle stated sometimes it would be possible to have an arrangement for an HOA to maintain trees and that it is something that could be made a requirement.

Mr. Lubowsky stated that the Public Safety people and School representatives made compelling reasons for keeping the width of the streets at 29 feet.

The meeting was adjourned at 8:20 P.M.

Minutes Submitted by Dee Highnote