



TOWN OF WARRENTON

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MINUTES
PLANNING COMMISSION
TOWN OF WARRENTON
March 17, 2015 – 7:00 P.M.

The regular meeting of the Town of Warrenton Planning Commission convened on Tuesday, March 17, 2015 at 7:00 PM in the Municipal Building.

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

The meeting was called to order at 7:02 p.m.

Chairman Harre welcomed new Commission member Mr. Brett Hamby

1. Approval of Minutes

Mr. Zarabi made a motion to approve the minutes of the February 17, 2015 meeting and Mr. Kip seconded. The minutes were approved unanimously with no changes.

2. OLD BUSINESS

A. ZMA 14-02 – Rezoning to apply Industrial Planned Unit Development (I-PUD) overlay district on Walker Drive. Application to rezone two parcels (20.087 acres) on Walker Drive (GPIN 6984-72-3635, 11.65 acres and 6984-73-7494, 8.522 acres) for a mixed use development to include a combination of commercial, flex industrial, offices and residential uses. The Comprehensive Plan identifies the parcels as suitable for light manufacturing, flex industrial and wholesale commercial and limited office uses. The property owners are The Drew Corporation and Springfield Real Properties, LLC.

Ms. Sitterle informed the Commission she had a follow-up conversation with Mr. Springer on March 6, 2015 and he informed her at that time his intention with the request for a delay for the rezoning was to request the entire 90 days allowable per Article 11-3.9.8 of the ordinance. Mr. Springer informed her he was working with three engineers on further development of the Master Plan and expected to have it prepared within 30 to 45 days. Mr. Springer has requested a meeting with the Chair and Vice Chair before formal resubmission to the commission.

Ms. Sitterle stated Mr. Springer had resubmitted material for the application on December 14, 2014 and that started the 100 day time limit the Planning Commission has for review. At the February 17, 2014 meeting, Mr. Springer requested a deferral and that was tabled. If the 90-day time limit applies for the deferral and overrides the 100-day time limit noted in Article 11-3.9.8 then the application would remain valid for consideration at the May 19, 2015 Commission meeting.

Dr. Harre stated the Commission does not know when Mr. Springer will have the Master Plan and all the other information available and he would prefer to schedule a work session with all members because a decision has to be made at the May meeting which may be the first time the Commission sees it.

Mr. Robinson stated that the question is whether a vote has to take place once resubmission is brought forward. He indicated he would have to look into that.

Dr. Harre asked if the applicant was asking for a resubmission or delay.

Mr. Robinson stated applicant was requesting a delay. Mr. Robinson asked Ms. Sitterle when the 30 to 45 day time period started.

Ms. Sitterle indicated it was at the point of their conversation (March 6, 2015).

Mr. Robinson said if that was the case then he hoped Mr. Springer would bring it forward before the next meeting or at a work session at the next meeting. That would give him one more meeting after that and final would be 90 days out. Mr. Robinson stated in his opinion this will take longer and applicant needs additional time and that this process would be longer than 90 days.

Mr. Robinson stated for the record his recommendation was for the Commission to make a motion to table this request for an additional 60 days so it is on record that it was a full 90 days. Mr. Robinson indicated he had spoken to Mr. Springer and was informed that he needed as much time as he could get. Mr. Robinson stated he would talk to Mr. Springer and suggest he bring whatever is prepared to a work session before the next meeting because it would be difficult for the Commission to vote on the proposal when it would be the first time the Commission would see it.

Dr. Harre stated this was too large a project to have the clock ticking away.

Mr. Robinson stated he agreed and he believed it would be longer than 90 days and he had recommended that it be withdrawn.

Ms. Schaeffer asked if the applicant was willing to withdraw.

Mr. Robinson stated not at this point.

Mr. Zarabi asked why the applicant was not willing to withdraw.

Mr. Robinson stated he got the impression it was due to fee costs being over \$1,000.

Ms. Schaeffer asked if the fees could be waived by Town Council.

Mr. Robinson stated he did not know and would need to look at what they bring to the table in terms of proffers but there are ways to offset costs.

Ms. Schaeffer recommended Mr. Robinson, Ms. Sitterle and she meet and determines how the application was deemed acceptable. In her opinion what was brought forward was not a master plan and there was no draft of proffers, there was nothing on the table so when the Commission deemed it accepted is when the time table started and we were placed in this position. There are provisions for accepting an application and not deeming it formally accepted for consideration for a work session with the Planning Commission. There are provisions for stopping the clock when the Commission has questions. She stated she felt unsure and nervous about this proposal because if the Commission did not act it was being deemed as approved.

Mr. Robinson stated Ms. Schaeffer was correct in that if the Commission did not act it will be deemed approved. He indicated that Ms. Sitterle had explained many times to Mr. Springer that what he had presented was not a master plan but a sketch and it was not good. Mr. Robinson stated that he knows for certain this has occurred on many occasions because he has been in meetings with Ms. Sitterle and Mr. Springer, but people do not want to hear what is being explained to them. He stated he agreed with Ms. Schaeffer in that perhaps there are alternative ways to doing things and staff is always opened to alternative ways in doing things and he and Ms. Sitterle would be glad to meet with Ms. Schaeffer.

Ms. Schaeffer stated the Commission does understand from an economic standpoint and does not want to appear to be difficult and we want to provide clear guidance on what is required of the applicant. She indicated the Commission would be willing to support staff in developing a checklist of requirements for the applicant before a submission can be deemed accepted.

Mr. Robinson stated Ms. Sitterle holds pre-application meetings with applicants and he has sat in on those meetings on numerous occasions and has seen Ms. Sitterle go over in detail the various requirements but again people do not want to hear what is being explained. He said he agreed with Ms. Schaeffer in that perhaps there may be some alternative ways of doing things and he and Ms. Sitterle would be glad to meet with Ms. Schaeffer or whoever and identify something that may have full backing of the Commission and full support of Council.

Mr. Robinson stated the difficulty with this particular project was that the town does not get that many PUD's and this is first PUD for industrial property and there is not a lot of experience dealing with these applications. Mr. Robinson indicated this proposal was not prepared but the applicant still wanted to go forward regardless of the number of times it was explained to him.

Mr. Zarabi stated the point Ms. Schaeffer had brought up and this application was the latest where he feels and sees the constraints of Ms. Sitterle feeling unprepared to defend applications and it was unfair to the Planning Director.

Mr. Robinson stated in all due respect, Ms. Sitterle is very short staffed and has to often be

reactionary but she does go through these and it is not her job to defend it. There are times things will come before the Commission and Council where she is against it and it is not like she supports all applications that go forward. Just because it met all of the requirements does not mean it is defensible. In rezoning it does not have to happen but by-right it is a different situation. For example, a rezoning may not meet with the Comprehensive Plan and they meet the application process but she cannot defend it because it would be inappropriate for her to do so. Mr. Robinson stated he knows firsthand how diligently Ms. Sitterle works and that she is short staffed and she goes to these meetings and applicants ignore her completely. It may appear to the Commission she has not met with the applicant whereas typically she has multiple meetings with the applicant but when the applicant comes before the Commission they have a different story and it appears as if Ms. Sitterle is supporting the proposal when in fact she is not.

Ms. Sitterle stated that as part of the application materials she submitted a determination letter stating that their minimum acreage was not adequate. She stated that she does not have authority to stop an applicant from submitting their request if they so choose. She cannot deny anyone due process.

Mr. Zarabi stated he understood but he thinks Commission needs to be clearer as to what the Commission expects the due process to be between the point Ms. Schaeffer is making between the Council and Commission members to determine the bare minimums that will be required and must be done.

Mr. Robinson stated that was true and a review of the current ordinance could be done and modified and adjusted according to State statutes. There are a number of things we would like to do or say if the State does not authorize it, the Town cannot say it. In other states there are Home Rule Laws but that is not true for the Town but does not mean tweaks could not be made and he would be happy to sit down with the Commission in a work session and go over it.

Ms. Schaeffer stated sitting down in a work session would be great. She recalled how a SUP was recently brought to the Commission that was hand drawn on an existing plan and she asked if there is somewhere between hand-drawn and full engineering applications so we can get a better understanding of the property. How can we work with the existing ordinance and accurately make a decision.

Mr. Robinson stated that the Commission does not have all the facts when application comes before them and in some instances it is not up to Ms. Sitterle to say she told the applicant not to submit but they have the right to do it and they do. If there was a way to give Ms. Sitterle more authority in her saying no that is where we need to go.

Dr. Harre stated in the past, major applications had an attorney or legal representative of the group and the applicant would have a work session with the Commission to get an understanding of what the Commission expects and what the applicant wanted. Dr. Harre asked Mr. Robinson if he felt this would be worth recommending to the applicant and it would not start the clock.

Mr. Robinson agreed and indicated he had strongly encouraged them to use Mr. Ross. There may be applications that come forward that do not have these issues because of costs, because having Mr. Ross or whoever or engineers to come before the Commission is costly.

Mr. Robinson stated he agreed with Dr. Harre in requiring them and he encourages people to talk to all members of the Planning Commission and arrange meetings here at Town Hall. Mr. Robinson stated that when he first started this job he saw this happening a lot and he thought it was good having attorneys and engineers coming in because they are knowledgeable representatives and will understand why Ms. Sitterle is recommending they not submit their application.

Mr. Zarabi asked Ms. Schaeffer if she had stated other jurisdictions applicants are conscious of not having conflict of interest with the jurisdictions in terms of pre-meetings. For example, Prince William County is forbidden from having pre-application meetings with elected officials.

Ms. Schaeffer stated certain jurisdictions do not allow meetings with elected officials until there is a public hearing date scheduled. Elected officials in the larger jurisdictions feel there is a due process that occurs with staff and the Planning Commission that you have had the meetings, and the application has been accepted and been through the process, before meetings occur. Ms. Schaeffer stated it is more difficult in a small town because chances are the applicant will have contact with a member of the Commission or Council perhaps in a grocery store.

Mr. Robinson stated those processes could be put in place but he stated he thought that it was more cultural because he could not imagine a member of the Commission walking into the Post Office and an applicant has a project that the applicant is not going to talk to the member about it. Mr. Robinson stated that walking down Main Street can sometime take as much as 45 minutes or longer.

Mr. Robinson suggested the Commission make a motion to table the application for 60 days if the Commission was so inclined.

Ms. Schaeffer asked Mr. Robinson for guidance. She stated the applicant has requested a deferral for 90 days and that takes it to May at which time the Commission would have to vote. She asked Mr. Robinson if that was correct.

Dr. Harre stated the applicant was asking for another 60 days.

Ms. Schaeffer asked if these 60 days was in addition to the 90 day limit.

Mr. Robinson stated he was under the impression there was 60 days remaining.

Ms. Sitterle indicated that was the question that needed to be answered and was the reason Mr. Robinson had been asked to attend this meeting so a determination could be made.

Mr. Robinson stated he was unclear.

Ms. Schaeffer stated there was a lot of confusion about this time period at the last meeting and the Commission had asked for a written time line after consulting with Mr. Robinson and to help the Commission understand.

Mr. Robinson stated he thought 90 days could be done because it is less than 100 days and he did

not understand what the issue was.

Dr. Harre stated it would be 90 days since submission and he asked if the Commission's time stopped once the applicant has the 90 days deferral granted.

Mr. Robinson stated the total is 100 days. Mr. Robinson stated he thought the first meeting was last month (February 2015).

Dr. Harre stated no, the applicant was deferred last month for 30 days until today's meeting.

Mr. Robinson stated his understanding was that 100 days is from last month (February) and as result the applicant has 90 days because it started last month.

Ms. Schaeffer stated that when the applicant submitted the letter last month asking for a delay, the Commission was not clear as to why he was submitting the letter and as result the Commission put in a 30 day deferral. Because the applicant was requesting a delay instead of a deferral or withdrawal the Commission was not certain what the applicant's intentions were.

Mr. Robinson stated that after the February meeting he and Ms. Sitterle met with the applicant and he suggested to the applicant that he withdraw his application but the applicant was concerned about the fees and asked for a deferral for 90 days. Today, it is whether the Commission can defer for the 60 days of which he informed the applicant he could and that would be within the 90 day time period. Mr. Robinson stated he was confused because he thought the first meeting was last month in February.

Dr. Harre stated the first meeting was December 17 and the applicant did not attend the meeting held last month (February) and the Commission was presented by staff with a letter from the applicant dated February 5 asking for a delay without any mention of number of days he wanted. Dr. Harre stated the Commission granted 30 days because the Commission thought perhaps a decision would have to be made at this meeting which would have been within the 100 day time period.

Mr. Robinson stated he understood.

Mr. Nevill stated the application was stamped as being received December 14.

Ms. Schaeffer stated the time clock for the Planning Commission starts December 17, when the Commission met and was presented this for the first time.

Mr. Robinson stated 100 days started when the Commission first meets on the application.

Ms. Schaeffer stated that was December 17, 2014.

Mr. Lubowsky stated mid December was when the 100 day time period began. The ordinance states if the Commission did not act within those 100 days the application was deemed to be approved and then goes before Town Council. However, it can be tabled or deferred because of inadequate data submitted by the applicant. Mr. Lubowsky stated that in his opinion the

applicant's letter of February 5 is requesting a deferral even though it states a delay and he can ask for up to 90 days. If in that 90 day time period the applicant does not come forward it will be deemed that it has been withdrawn. The Commission is under the 100 day time period unless it is withdrawn. Mr. Lubowsky stated he did not think it was inconsistent for the applicant to get the additional 90 days.

Ms. Schaeffer stated that was a lot of interpretation and the applicant's letter requesting a delay had no time frame. If she has to go to court about a very important piece of property such as this she asked Mr. Robinson if he was comfortable that the Commission was protected.

Mr. Robinson stated he thought that was what the original question was and he apologized for his confusion. Mr. Robinson stated the ordinance states the Commission can table or defer an application because of inadequate data which is what the Commission has. If the applicant does not come forward within the 90 day time period it will be deemed withdrawn. The applicant has asked for 90 days but Mr. Robinson stated his issue is that the ordinance states failure of the planning commission to report to the Town Council 100 days after the first meeting after the proposed amendment or reenactment referred to the commission shall be deemed as recommendation for approval, unless the proposed amendment or reenactment has been withdrawn by the applicant. Mr. Robinson stated he wanted to give the applicant as much time as possible and that he had 10 days within the 100 days time period to request 90 days.

Mr. Nevill suggested an agreement be developed that is signed by the applicant that everyone agrees with the time period allowed. The applicant within that 100 day period could request a 30 or 60 days delay requests or perhaps another 90 day request because we gave him 30 and now there is another request for 30 days and he only has one request remaining for 30 days for the 90 day limit. His first delay request was last month and the Commission granted 30 days and this month it is being interpreted it is another 30 day request and he could arguably come back next month and request another 30 days and each of these would be a pause on the 100 day time period.

Mr. Nevill suggested that a waiver of fees be granted and the applicant withdraws the application and take more time for this project.

Mr. Zarabi stated there were no competing applications and what was being addressed here were procedures that are clear for staff and the Commission and that it really does not matter when the applicant comes back.

Mr. Robinson stated he had strongly suggested to the applicant that he withdraw the application.

Mr. Robinson indicated he had a way of addressing this issue by having an agreement that the applicant was provided the additional 90 days but waived the 100 day automatic approval requirement.

Mr. Nevill stated time constraints were still being imposed and he did not want to hurry up and make decisions when the Commission was not sure what is being looked at. If there was a way of removing the ticking clock within reason and granting fee waiver and it is submitted within a reasonable amount of time, the Commission deemed that as reasonable.

Mr. Robinson stated he agreed but his concern is setting a precedent. Precedent has been set for waiving the 100 day time period and extends it out to 90 days.

Mr. Nevill stated that at the last meeting (February) the Commission requested a time line for decision points as a tool for the Commission to utilize because this same discussion took place at the last meeting. We want to know what tool we can use.

Mr. Robinson suggested the Commission make a motion to turn down conditionally, remove to deny PUD unless the applicant agrees with staff and the town to waive 100 day requirement for approval and after the Commission granted the 90 day deferral the applicant must meet with staff within 9 days because the application was currently at 91 days.

Mr. Lubowsky informed the Commission that the ordinance states “shall” report to the town council not must. (STATIC – Unable to hear remaining discussion by Mr. Lubowsky)

Mr. Robinson indicated that provision was included in the ordinance as a way to benefit the applicant.

Mr. Lubowsky stated cannot change it but he can change protection (STATIC – Unable to hear remaining discussion by Mr. Lubowsky)

Mr. Robinson stated that is what has essentially been done with Mr. Foote where there had been time constraints and he stated in writing to waive any rights for time periods they had and that is what he was suggesting in the motion to include a waiver of the 100 day approval, after the Commission grants an additional 90 days deferral. Mr. Robinson stated the law is there to protect the applicant not the Town. If the applicant is not willing to waive it then he is shut down.

Ms. Schaeffer stated that if the Commission gave the additional 90 days with the agreement that the applicant will meet with the town within 9 days and will waive the 100 day approval then the issue has been resolved. The applicant has shown a good faith effort.

Mr. Robinson stated that if the applicant does not agree to it, then he is turned down and does not go forward.

Ms. Schaeffer asked Mr. Robinson how many days can the Commission extend the application.

Mr. Robinson suggested 60 days because that was the applicant’s intent. This has typically been done at the applicant’s request and he believed the applicant will agree to it and not want a denial. Mr. Robinson stated he did not see this being completed within 60 days and that is why he had strongly suggested to the applicant to withdraw.

Mr. Ken Alm, Chair of the Fauquier County Planning Commission, stated that it made sense to him for the applicant to withdraw and come back with a resubmission.

Mr. Nevill indicated he was still not clear on the timeline issue and needed to be clear before any

decisions were made. The first time this applicant came before the Commission was December 16 and in February the applicant requested a deferral. The Commission met on December 16 and if the 100 days ran at that time period without interruption the deadline would occur between now and the next scheduled meeting (April). However, last month (February) the applicant requested for a delay and the Commission agreed to 30 days. The clock is still ticking and this time he has not requested a specific amount of time and based on the ordinance the Commission could grant up to 90 days in 30 day increments. Mr. Nevill stated that if the applicant's intention was to come back in May he suggested 30 or 60 day be allowed. This will pause the clock and the Commission will still receive the application in May.

Ms. Schaeffer stated the applicant's request did not identify a time frame.

Mr. Robinson stated it was up to the Commission to establish the number of days.

Mr. Nevill suggested granting 30 days deferral to the applicant and during that period the applicant meet with Mr. Robinson and Ms. Sitterle and an agreement of timeframe and waiver of 100 days notification and approval is outlined in writing. At that time the Commission is informed as to what time line the Commission has to act upon and if the Commission has not seen engineering master plan to the Commission's satisfaction then it will be denied.

Mr. Robinson stated he assumed this would be denied because he did not see the applicant getting a full master plan completed within the time period left.

Dr. Harre asked Mr. Robinson if he would be able to defend the Commission.

Mr. Robinson stated he strongly suggest that the application be denied conditionally unless the applicant comes up with an agreement and waives the 100 days and comes back next month (April).

Mr. Zarabi asked if the Commission has a formal request this month (March) from the applicant. The request dated February 5 for a delay was presented at the February meeting.

Mr. Robinson stated that he originally thought the question was could the applicant go another 60 days and he thought yes and he did not understand the issue but now he understood.

Mr. Zarabi asked Ms. Sitterle if the applicant had provided her any additional information.

Ms. Sitterle stated the applicant had spoken with her and indicated he needed an additional 30 to 45 days for the engineers.

Mr. Robinson asked what the date was for the applicant's request.

Mr. Nevill stated it was February 5 and the Commission tabled it for 30 days at the meeting held on February 17.

Mr. Zarabi asked Ms. Sitterle if she informed the applicant that something formal was required to go to the Commission.

Ms. Sitterle stated she sought clarification as requested and did not ask for additional information.

Mr. Robinson stated that his concern was if the applicant tried to force the 100 days we would have a good faith argument. He stated he would prefer to see a motion for denial conditionally and the applicant waives the 100 days. This will give the town plenty of time to bring the applicant in and explain the requirements to him and it will give him 30 days which is well within the 45 days that he had suggested to Ms. Sitterle he needed, and it will be reviewed as long as the agreement is signed, otherwise it is deemed denied.

Mr. Lubowsky stated he supported Mr. Robinson's recommendation and agreed it should be denied.

Mr. Kip stated that if this is denied the applicant can always resubmit.

Ms. Schaeffer read the following from the minutes of the February 17th meeting "*Mr. Zarabi stated it was not a complete plan. He asked if the Commission was going to stick to this gentleman versus everybody else that has gotten approval in the past. Clearly, we cannot make the numbers work and each time it is counted the Commission comes up with a different number.*" (This was referring to the parking spaces for Special Use Permit 14-05). She indicated her point was that Commission has to develop some guidelines and stop making vague decisions.

Mr. Robinson stated that was certainly within the purview of the Commission to do that.

Ms. Schaeffer stated she was comfortable making a motion to deny the application but Council has to make the decision of waiving the 100 days because she did not want to be in that position.

Ms. Schaeffer made motion to deny ZMA 14-02 Rezoning to apply Industrial Planned Unit Development (I-PUD) overlay district on Walker Drive. Denial of this application is due to incomplete data at this time.

Mr. Kip seconded the motion.

Dr. Harre asked if there was any discussion before a vote was taken.

Mr. Nevill asked if the Commission had to acknowledge the February 5, 2015 request for deferral and include it as part of the motion.

Ms. Sitterle stated that the application was being denied which in turn also denies the deferral.

Mr. Robinson stated that was correct.

Ms. Schaeffer stated that the Town Council will need to take this under consideration to grant a fee waiver.

Mr. Robinson stated there are ways of dealing with that as proffers come up.

Mr. Lubowsky stated the Commission has an agenda and a lot of things to do and staff time as has been pointed out is a precious resource and is at a limited supply and it is clear this plan is not ready for submission and word needs to get out that vague plans will not be accepted by the Commission.

Mr. Nevill stated he completely agreed and that was part of his frustration in that the Commission ends up being part of the negotiations by virtue of the actions the Commission must take that we were not involved with in the beginning. When the Commission tabled the deferral last month, the Commission took ownership of some of that process. If there is no room for misinterpretation of time lines and from his standpoint he was never granted an extension because we told the applicant when it first came up that it was not a complete submission. The Commission is not causing him to be out of pocket for any expenses that he would not have incurred had he been denied at that first meeting because it would have been communicated at that time what was wrong with the submission.

Ms. Schaeffer asked if a motion to deny something could be made under Old Business and was not advertised as a public hearing.

Mr. Robinson stated this application went through a public hearing and it was closed at that time.

Mr. Nevill stated the applicant had an opportunity to speak at the public hearing held earlier.

Mr. Nevill asked if the applicant has to be present when the Commission makes the decision.

Mr. Robinson stated no because the applicant was present at the public hearing.

Dr. Harre stated a motion for denial had been made and seconded and asked for a vote. The motion passed unanimously.

Ms. Sunny Renolds, Town Council Member, stated she thought the Commission did the right thing. She indicated she had spoken to Mr. Springer and she felt that he was not going through proper channels and wanted staff to design the project for him. That is not staff, Town Council or Planning Commission's responsibility. She indicated Mr. Springer does not have an attorney and he had contacted her asking for a referral. This is a major piece of property as an entrance to the Town of Warrenton and she wants to see that this is done right and she knows he is not ready and does not know when he will be ready.

Mr. Nevill stated that he feels he is dealing with inadequate information when there is no build out analysis and capacity impact assessments. Anything that deals with rezoning, density, increase capacity usages and impact for all the undeveloped infill, build out for all the other folks that have property have expectation of certain levels of service then he personally does not feel he can make an informed recommendation to Council.

Mr. Lubowsky stated the applicant had indicated that unless he was granted a rezoning he would be unable to sell this concept and be able to have a national chain at the Town's front door because otherwise how would he be able to make money. Mr. Lubowsky stated he indicated at

that time that was not the Town's problem to try and make this profitable for him.

Ms. Schaeffer stated that at the same time, Town Council needs to be prepared to tell applicants what they would like to see for the Town. When the question is asked what do you want, the answer is we do not know, so it makes it difficult putting plans back and forth in front of the Commission that is a lot of wasted money for the applicant. She encouraged that as the Comprehensive Plan is being looked at that the Town start looking at the future instead of being reactionary.

Ms. Reynolds stated she agreed totally because then it would be a way to give direction to the client.

Mr. Nevill stated the RFP needed specific wording relating to this and the Comprehensive Plan.

WORK SESSION

A. Discussion of change of meeting date to third Wednesday.

Dr. Harre indicated there were a couple Commission members that are not available on Wednesdays. He asked Ms. Sitterle if Fridays was the earliest members could receive the packet of information.

Ms. Sitterle stated staff would try to get them to the Commission members sooner.

Mr. Nevill asked if draft analysis and meeting minutes were delayed for approvals.

Ms. Sitterle stated no it was due to her workload of revolving meetings, developing packets and other issues.

Mr. Nevill stated if it was possible to get the packets earlier it would allow members more time to digest the materials but if it wasn't then receiving it on Friday was fine.

Ms. Sitterle stated she would make every effort to get the packets to the members earlier.

Ms. Schaeffer stated this bring up the issue of RFP from a staff perspective. She stated Ms. Sitterle was Director of Community Planning, Director of Zoning, Director of Planning Commission plus others. As we start to move forward with the RFP at the last Town Council meeting, the Acting Town Manager mentioned the shortage of staffing in these areas. She encouraged the Commission to look at the RFP and advocate towards the Council to consider not only needing the professional services but also staff services to meet the needs as to what is changing in Town. Ms. Schaeffer stated when she started on the Planning Commission, she was told by the former Chair that there were a couple times meetings were cancelled and that has not happened since she started and the agendas have been full. During the time when the economy was down it made sense to make those staff cuts, but as we begin to see build out of our Town, our water, sewer capacities, that the Commission starts to examine what has been ignored for a long time and that is the planning and vision for the town. Now is the time to encourage the Town Council to consider additional staff help for Ms. Sitterle or perhaps a

long range planner that focuses on more special projects, grant writing or main street program, or comprehensive plans which is done by Fauquier County on a revolving basis as does Prince William County, and is something that Ms. Sitterle cannot take on at this point.

Mr. Nevill stated he totally agreed and in addition he recommended some form of strategic planner that perhaps reported to the Town Manager.

Dr. Harre asked Ms. Sitterle what input was needed for the RFP.

Ms. Sitterle stated it was in draft and any input from the Commission members would be appreciated. She indicated that Mr. Hendrix had expressed concern about staff level and urgency for it.

Mr. Nevill stated there is nothing in the by-laws that prevent the Commission from having separate work sessions if it is only during the duration of this RFP from May to May and it states the Commission will meet one additional night per week.

Ms. Schaeffer asked Ms. Sitterle if Mr. Hendrix offered next steps.

Ms. Sitterle stated no.

Ms. Schaeffer stated the Commission's position is to ask and push the RFP forward with a request to Council.

Mr. Zarabi stated Commission has known this process was coming so how will we be able to compete with other jurisdictions.

Ms. Schaeffer stated that she looked up Purcellville which is smaller jurisdiction than Warrenton and they have planning staff of four.

Mr. Nevill asked Ms. Sitterle how many were on her staff.

Ms. Sitterle stated two people are on the planning staff.

Mr. Kip indicated his calendar showed work session was scheduled for Tuesday, March 24.

Dr. Harre stated that was discussed at the last meeting in case there may be something to bring forward.

Mr. Nevill stated it was a place holder.

Ms. Sitterle stated if that was what the Commission wanted to do she could advertise it for the rest of the calendar year or identify certain dates and state these dates will be work sessions.

Dr. Harre asked if it was beneficial to have work session on March 24 or just send it to Town Council and let them deal with it.

Mr. Nevill stated Town Council and Mr. Hendrix may not be ready to move forward with RFP.

Ms. Reynolds suggested that the Commission go ahead with the RFP and stated it was not the Town Manager and Town Council's job and is something the Commission should do. She indicated she would like to see it as soon as possible.

Mr. Kip recommended a work session be held on March 24 that would focus on the RFP and identify areas the consultant would concentrate on. This would provide direction for the Council and the consultant.

Mr. Nevill stated that RFP basically states the consultant would look at the Comprehensive Plan and do updates.

Mr. Ken Alm stated the county was going through the same thing with a focus on simplifying the county's vision and worked on a 25 to 30 year vision and may want to ask them to participate. He stated the Town and County should not be separated because the Town is a big economic engine for the county. He encouraged Town to reach out and bring some people in and get their input. Town Council is political but Planning Commission is looking at what is best for the town. It is important to have that vision.

Ms. Schaeffer stated she had done some research for firms that may possibly be utilized for the RFP. She found a Virginia Based Firm located in Charlottesville, Florida and other places that have done outstanding work that she thought may be able to assist Ms. Sitterle in issuing the RFP. She indicated the firm that did both Manassas and Culpeper was another good firm to consider.

Ms. Sitterle indicated that the deadline for advertising a work session for March 24 had passed.

Ms. Reynolds asked Ms. Sitterle what amount money had been put aside for RFP.

Ms. Sitterle stated it was approximately \$40,000 to \$50,000 in reserves.

Mr. Nevill asked if there were other moneys available that perhaps the town could use to hire retired planners from other jurisdictions.

Ms. Schaeffer announced she would not be attending the April meeting.

A work session was scheduled for April 7, 2015. Ms. Schaeffer asked that prior to the meeting all members review RFP and send to her and Ms. Sitterle their comments and recommendations.

Mr. Nevill stated that a resolution could be submitted to Town Council stating that the Commission support town hiring a part-time person for development of RFP. Mr. Nevill asked Mr. Robinson what was the format for doing a resolution.

Mr. Robinson stated that the Planning Commission has Council perspective because there is a Council representative on the Commission (Mr. Lubowsky) and three members were in attendance at this meeting and they will speak to their colleagues and in essence the Commission

has made the council aware. If a resolution is done it will carry a little more weight.

Mr. Nevill stated the minutes of this meeting are reviewed by Council and it makes them aware of the issues the Commission is addressing. He suggested either a memo or a resolution from the Chair of the Planning Commission to the Mayor be drafted and ready for review at the April 7 meeting.

Mr. Nevill suggested that the Chair and Vice Chair meet with Mr. Robinson in drafting the resolution language.

Mr. Robinson stated Ms. Sitterle should not be involved in the development of the resolution.

Dr. Harre stated work session will be held on April 7 at 7 p.m.

Planning Commission Comments

None

Staff Comments

Ms. Sitterle stated application for Orchard Ridge development has been received and she has asked for an extension.

Mr. Robinson stated that Mr. Fallon suggested the Town request a 15 day extension.

Ms. Sitterle stated it had been extended to March 27.

Mr. Nevill stated it would be good to have a work session for this project.

Ms. Sitterle stated the applicant has requested two work sessions.

Mr. Nevill stated it would be helpful to have discussions with Mr. Tucker and Mr. Robinson and be able to discuss issues with them.

Ms. Sitterle stated she had received applications for two assisted living facilities. One at the American Legion Building and the other will be a rezoning on Blackwell Road.

Mr. Zarabi stated he received a letter requesting support from friends of CFC highlighting some of the things they are working, one of which is the Costco Project at the Wilson Tech property. He asked if this was public knowledge.

Ms. Sitterle stated that staff and some Council members had application pre-meeting in December.

Mr. Robinson stated the meeting basically was to make Town aware of this proposal.

Ms. Reynolds stated that the property owner and Costco need to come to an agreement.

Ms. Reynolds stated it is approximately 42 acres and Costco will take approximately 15 acres. She asked what the Town would like to see be developed with the remaining acreage.

Ms. Schaeffer asked if meeting dates has been changed.

Dr. Harre stated meeting date did not change because two members are not able to change their schedule.

Mr. Ken Alm indicated he had recently sent Ms. Schaeffer a video done by Ed McMahon that he recommended she share with the Commission. He indicated the county was planning to hold a session with Ed McMahon & John Mark at Highland School and invited everyone to attend. He also indicated he wanted to do something like what was done with Berryville and reach out to all Council members and Planning Commission to work together as was discussed at the joint meeting.

Mr. Zarabi asked what the constraints are. He found it disturbing that Berryville that is smaller than Warrenton could make it work.

Ken Alm stated there has been adversary relationship between the county and the Town however the atmosphere has changed and he thought it was possible to see more involvement between the two.

Ms. Reynolds stated county has been excellent on involving the town on the new library site and she sees a good relationship between the two and she sees the Economic Director working out well.

Ken Alm stated Warrenton is not a little town and need to review applications on its merits and determine what is best for Town and County and indicated he was impressed with what he observed at this meeting.

Meeting adjoured at 8:50 P.M.

Minutes Submitted by
Dee Highnote

DRAFT