



MINUTES
PLANNING COMMISSION
TOWN OF WARRENTON
March 15, 2016 – 7:00 P.M.

The regular meeting of the Town of Warrenton Planning Commission convened on Tuesday, March 15, 2016 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. Ali Zarabi; Mr. Lowell Nevill; Ms. Susan Helander, and Mr. Brett Hamby. Ms. Sarah Sitterle, Director of Planning and Community Development represented staff.

A Quorum was present.

Approval of Minutes

Dr. John Harre recommended the following edits to the December 15, 2015 minutes:

Page 7

- The next to the last paragraph, Town Council is a quasi-judiciary function; change to the BZA is a quasi-judiciary function.

Last Page

- Dr. Harre complimented the Catholic University students plan for the design project they created; change to Ali Zarabi complimented the Catholic University students.

Ms. Helander made a motion to approve the **December 15, 2015** meeting minutes with the recommended amendments. Ali Zarabi seconded the motion and the motion passed.

2017-2022 Capital Improvement Program (DRAFT) – Six-year program of public improvements to coordinate infrastructure, available financial resources and the Warrenton Comprehensive Plan.

Brannon Godfrey, the Town Manager, thanked the Chairman and addressed the Commission to give an introduction. He said the work session in February gave some very good suggestions on ways to improve on the details provided in the CIP, which was incorporated into the draft. There are improved descriptions about the projects as well as location maps to identify where the improvements are proposed. Also added is a funds source page for the budget year FY2017.

The only dollar change made to the draft considered at the work session was the addition of a fire department capital contribution for their apparatus, a \$150,000 request. It was in the operating budget, but was put into the CIP because the apparatus's long life qualifies it as a capital item. The budget amount for year FY2017, \$1.339 million, is likely to change before the recommended budget is submitted to Council to balance revenues with expenditures. At the close of the last fiscal year, there was about a million dollars in surplus. The Town Manager explained that he would not want to exceed that amount in terms of how much is included with the capital budget for next year because capital improvement projects are not funded with debt, but are cash funded projects. This concluded the introduction. Mr. Godfrey asked if there were any questions.

Mr. Nevill asked if he could address the realignment of the fund structure in the past couple years, from the parks and recreation fund and the relationship of the rainy day fund. Does it have any impact on what's available for CIP related projects?

Mr. Godfrey said it may have been last year when there was a separate recreation fund. Now it's all in the general fund. Recreation capital projects are in the CIP under general fund, as shown on page 11 at the bottom of the left hand column. This current fiscal year, next year, and going forward, they will be handled as general fund capital projects. Capital Improvements don't follow year-to-year trends; there can be equipment expenditures one year and not the next.

Mr. Kip asked if there was information on the grant for the Timber Fence trail.

Mr. Godfrey did not think the Town was going to receive it, but there would be plans to reapply if unsuccessful.

Public Hearing

Dr. Harre called the Public Hearing to order and asked if there was anyone who wished to comment on any of the items in the CIP. No one came forward to speak and Dr. Harre closed the Public Hearing at 7:11 p.m.

Mr. Nevill asked if the department had a chance to address questions/comments from the last meeting or if there was additional information on items like the issues regarding parks and recreation and the Micro Golf Course.

Margaret Rice, Director of Parks and Recreation answered questions and said the Micro Golf Course had been discussed at the recreation committee, but there was some question as to who was for it and against it. She said that it may be moved forward. Ms. Schaeffer thanked her for the work that she has done and said it will help them to make good decisions going forward.

Mr. Nevill asked if the Commission had talked about the well proposed for the Alwington property. He asked if it was one of the wells that were going to be activated.

Mr. Bo Tucker, Director of Public Works and Utilities said wells three and four are abandoned or inactive town wells. Alwington proposed the postage stamp for a well and funds to develop their well or bring other wells online. Mr. Tucker does not plan on bringing the well online. There are many people on that side of town on wells. When there is a drought you have to water, but developing that well would be a last resort.

Mr. Nevill said the other item was the water and sewer extension on Old Meetze Road for potential development.

Mr. Tucker was sure they would want the service availability and will use it for development of the property. Once the line is there, availability fees are \$17,000, so no one is clamoring for it.

Ms. Schaeffer said utilities are things that are under ground, and although not seen, they are important for economic development and quality of life. The improvements to Parking Lot E are above ground. From a Planning Commission standpoint, it would be helpful to put parking lots and sidewalks in the CIP.

Mr. Nevill said Denise Harris spoke at the last meeting about the eligibility for that within the Urban Development Area grant.

Ms. Schaeffer asked Mr. Bernard if he had any comments.

Mr. Paul Bernard, Assistant Director of Public Works and Utilities, said the House Bill 2 funding was not going to happen right now because no funds are available. We will apply for it again this year. The scoring will be a little different so we hope that will increase eligibility.

A discussion was then held regarding the intersection at Broadview Avenue. Mr. Nevill asked if VDOT does a periodic study on the intersection. Mr. Tucker said he believes every other year that a study is conducted.

Mr. Zarabi made a motion to approve the Capital Improvement Program draft for FY 2017-2022. Ms. Helander seconded the motion and the motion passed unanimously with a vote of 7-0.

Old Business

I-PUD Regulations Text Amendment – Discussion of proposed amendments to the Planned Unit Development regulations specific to the Industrial PUD overlay district.

Dr. Harre stated there was also a public hearing last month.

One idea Ms. Schaeffer had while reading and preparing for the Planning Commission, from the Statement of Justification, suggestions from the Director of Economic Development, and the exchanges back and forth, they continue to reference the property as a mixed use development. Much of the mix of uses within the industrial district starts to compromise the intent of the code. The intent of the code is to remain industrial, and this is starting to water it down. There has been some information presented to the Commission that shows most of the industrial district has businesses currently operating with existing commercial uses. Ms. Schaeffer wondered if the Town's industrial zoning currently was serving us in any way. As we move forward with the zoning text amendment, there is concern by Mr. Nevill and myself that the Statement of Justification references the plan. Ms. Schaeffer wondered how the Commission starts to evaluate the zoning text amendment while not running them concurrently.

She went on to say that Mr. Foote talked about that at the last meeting, how we can do that either way. We can do the text amendment first and then the application can fit into that. I would encourage the staff and the applicant to work with the current application so that we can

understand the implications of the text amendment as well as looking at this as a mixed use district rather than trying to make so many changes to the existing I-PUD that it becomes something it was never intended. The Chairman had suggested the potential of rezoning this to a commercial district rather than an industrial district. That was another reason proposing the idea for discussion tonight, that maybe it's neither a commercial district nor an industrial district, it's truly a mixed use proposal. Unlike other districts, including Fauquier County, we do not have a mixed use zoning category for people to apply under. This may be an opportunity to take that title away and say we're looking at a mixed use code.

She said to the Town Attorney, Whit Robinson, that the Commission is struggling with whether this should be a rezoning to commercial. Ms. Schaeffer asked whether the changes to the I-PUD move too far away with the intent of an industrial district or if they were looking at a new code running concurrently with this application to see what it looks like. It also presents a new code moving forward that better achieves the comprehensive plan goal of creating a mixed use environment. She asked the Town Attorney whether the Commission would be creating any complications on his end for a new zoning district.

Mr. Robinson indicated that he will do what the Commission asks him to do in terms of how it is determined to go forward. The question is going to be timing more than anything and working with the applicant on timing issues. What we have are text amendments, which apply to everything, and the application is coming along. He indicated he had been thinking about which way the Commission may want to go. If you want to continue to go with a rezoning, whether it's the I-PUD, C-PUD, or a new zoning district, he wondered if the Commission wanted the application to come along with the amendment. Right now they are separate. He noted that the text amendments were before the Commission and they can make adjustments as they relate to the zoning districts that are left. If the Commission wishes to go a different route, with a new rezoning, let's say commercial and then add a C-PUD overlay, he noted that could be done together.

He added that this could be handled any way the Commission wanted. If rezoned a different way, with a new zoning district in its entirety, it would take longer. Each area will have different legal ramifications as to whether it is considered down zoning or up zoning. The applicant may be comfortable with what we already have in terms of commercial with a C-PUD, as long it's running concurrently. If consecutively, it will take longer. These are the different options.

Ms. Schaeffer suggested going through and seeing what the proposal and text amendment actually mean. She went through it and found that some of the changes were minimal. What does the text actually mean, in numbers, for different town properties? With this new matrix, some of the concerns discussed in the last meeting are not there.

Mr. Robinson said perhaps mixed use is something the Commission wants to do, that an overall approach should be taken when it comes to the town. He indicated that was the Commission's prerogative to look at those options. In terms of dealing with these text amendments, which it is known that it will affect different parcels other than the one with the application, try to keep in mind the timing of those two things. It may sway you one way or another as far as which way to go. The timing may not be what the applicant wants, but you have a larger picture to look at.

Ms. Schaeffer believed that is something that gets lost, the fact that changing the text doesn't necessarily change the other properties. Those properties still have to go through a rezoning. She

noted that the Commission would still have to comment on them and approve them. It doesn't automatically grant them this right. It just says that if they get a rezoning, they will also be subject to these percentages.

Mr. Robinson said that you may end up with text amendments to those applications as well.

Dr. Harre said the town may be put in a bind if it approves 35% residential for this area and someone wants something with similar water and sewer impacts. He noted that 35% residential is more than the applicant requires and the Town may be committed to something it cannot provide later on.

Mr. Robinson suggested keeping in mind that an SUP is an SUP for a reason. It is not by-right. That's why you take a look at different parcels and differentiate. You take into account public health and welfare. Just because one person gets an SUP doesn't mean everyone gets one. That is why they have to keep coming forward.

Mr. Zarabi said his daughter, while talking about the Walker Drive project, as much as she liked shopping said, "this project doesn't seem consistent with Warrenton." He was wondering if this was an opportunity for us to talk about how this project relates to this piece of land and developable properties across the street.

Mr. Robinson said that is one of the things that you are required to look at, what the neighboring parcels are like. With this particular project there is a lot of office nearby.

Dr. Harre asked if the Commission wanted to discuss this in detail, whether it meets the comprehensive plan, or should they take it from a broader standpoint asking if this the correct way to go. It seems like more of a C-PUD. At the last meeting Mr. Foote said they would consider other ideas.

Mr. Nevill believed they should go with the proposal in front of the Commission. We've had questions about the various wordings and what has been agreed on. The last staff analysis gave us the grading scale from the ordinance. We have to use that grading scale.

Ms. Schaeffer said staff has included here that the Comprehensive Plan encourages flexibility to meet traditional design standards and promote economic development. There are also comments from Heather Stinson, Economic Development Manager encouraging flexibility and mixed use development for economic opportunity.

Discussion was held regarding the I-PUD, the Comprehensive Plan, what percentages the land uses should be, and whether or not to adjust the ratios.

Jessica Pfeiffer, representing Mr. Foote as well as the applicant, addressed the Commission. She said the applicant is okay with looking at a new district, perhaps a mixed use district. On the rezoning application, there are multiple documents with it for review including a traffic impact analysis, water and sewer impacts, and design guidelines. They are willing to look into a mixed use district if that makes it more comfortable.

Dr. Harre said they are having trouble justifying the I-PUD in relationship to the ordinance and the comprehensive plan.

Mr. Robinson said if it is the desire of the Planning Commission to take a look at that, staff would be happy to meet with the applicant in the next week or two to work out some of these issues and present them at the next meeting to not hold things up.

Mr. Nevill said it's the same question. You're looking for different means by which to request that a majority of the property have some other use other than the by right industrial.

Ms. Pfeiffer said that is correct.

Mr. Nevill expressed his concern that it's going to be the same later.

Ms. Pfeiffer said one of the documents being worked on now is a Physical Impact Analysis, because there is a need for the proposed development and they will bring that in with their rezoning to show there is a need for their proposal.

Dr. Harre's concern is that it impacts this one parcel and not the entire one hundred some acres of industrial land. What happens in the future when people want to put in 35% residential?

Ms. Schaeffer said if they do mixed use it impacts the entire town.

Further discussion was held regarding the I-PUD, the comprehensive plan, flexibility, and land use percentages. The importance of the parcel in consideration was also discussed.

Dr. Harre inquired whether anyone wished to make a motion.

Mr. Zarabi made a motion to approve **ZTA 15-02** with the following amendments:

- 20% Residential
- 30% Commercial
- 50% Industrial

Mr. Kip seconded the motion and the motion passed unanimously with a vote of 7-0.

Dr. Harre said there is no work session next Tuesday. He then asked for an update on Cube Smart.

Ms. Sitterle explained the meeting with the building team regarding Cube Smart. Cube Smart will be submitting architectural renderings on the proposed changes.

A discussion was then held regarding Cube Smart.

The meeting was adjourned at 8:55 p.m.

Minutes were approved on May 17, 2016.