



TOWN OF WARRENTON

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**MINUTES
PLANNING COMMISSION
TOWN OF WARRENTON
May 20, 2014
7:00 PM**

The regular meeting of the Town of Warrenton Planning Commission convened on Tuesday, May 20, 2014 at 7:00 PM in the Municipal Building.

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

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

Approval of Minutes

Mr. John Kip made motion to approve minutes of the March 18, 2014 meeting and Dr. Harre seconded the motion. The minutes were approved unanimously.

A correction was noted on the April 15, 2014 minutes. Page 7 should read additional lots, not alternative. Mr. Kip made motion to approve the April 15, 2014 minutes with the noted correction and Dr. Harre second the motion. The minutes were approved unanimously.

NOTE: Due to equipment failure (tape broke) the following represents handwritten notes taken during the work session.

Work Session

A. Review of Draft Text Amendment to the Town Code for Massage Therapy Establishments

Ms. Sarah Sitterle referred to the Town of Warrenton Draft Ordinance for Massage Parlors that was included in the packet submitted to members. Ms. Sitterle indicated the staff had met with the Town Police about certain issues with current and future establishments and developed the draft Ordinance after reviewing samples from Fairfax County and Prince William County. The draft ordinance is designed to address issues, provide oversight, and to monitor public safety and welfare.

Mr. Nevill stated that the Ordinance will give the Town authority and is responsive to local needs and concerns.

Mr. Robinson stated the Ordinance would give the Town the ability to do inspections without using the police or public health department.

Mr. Nevill stated that the issue has always been relying on cooperation from people and that this will be a good tool.

Ms. Scullin asked how frequent inspections would be conducted.

Ms. Sitterle stated inspections would be done with police department assistance on a routine basis.

Ms. Scullin asked if the Ordinance would come next month to the Planning Commission Public Hearing.

Ms. Sitterle indicated it would.

Mr. Nevill asked if the Ordinance could also be used for hotels and motels that allow this type of service.

Mr. Robinson stated that was not an issue in Town, but if the Town needs to use it for that purpose it can be.

B. Review of Draft Text Amendment for New Stormwater Management Regulations, MS-4 requirements and Illicit Discharge

Ms. Sitterle stated that as part of the Virginia Stormwater Management Program, all localities are required to develop Ordinances for each locality. The purpose of the Ordinance is to ensure the health, safety and welfare of the citizens and protect the quality and quantity of state waters from potential harm of unmanaged stormwater. A copy of the draft Ordinance was provided to members. Ms. Sitterle noted that July 1, 2014 was the date for the program to be implemented and the Virginia State Department of Environmental Quality (DEQ) has reviewed the draft Ordinance for the Town.

Ms. Scullin asked how this Ordinance would be passed.

Mr. Bo Tucker stated that all localities were receiving conditional approval until the end of December and the Town is waiting for final approval reply from the Department of Environmental Quality.

Ms. Scullin stated that the Town could not go public until approval was received.

Mr. Tucker stated he thought it could go forward.

Ms. Scullin indicated that Prince William County went forward before receiving approval and the County had to go back because of changes.

Mr. Tucker indicated that as State progressed, the Town Ordinance was ahead and the model allowed the Town to tighten up some of the details. Before a bond is released, an agreement has to be recorded in court. This closes the door on who would conduct maintenance on the facilities into the future. Mr. Tucker indicated that the State has identified the Town as urbanized area according to the 2010 Decennial Census and as result, the Town's sewer system falls under the purview of the Virginia Stormwater Management Act and is now considered an MS4 community. MS4 stands for Municipal Small Separate Storm Sewer System.

Mr. Tucker indicated that for the next two years, the MS4 program would be a paper exercise for the staff with very little community involvement. Approximately 4 to 5 years out, capital improvements will be necessary. During the next 18 months, staff will need to look at the program as a part of the CIP.

Mr. Al Zarabi asked if this program was necessary and warranted.

Mr. Tucker stated it has to be done because it is a State requirement. Maryland claims to be ahead of Virginia but it depends on the county and Fauquier has impaired streams but mostly dealt with agriculture. Mr. Tucker indicated there is a cooperative effort between the county and schools and overall, the water quality outside of Town is good.

Mr. Tucker informed the members that Chuck Hoysa had done stream sampling and it was noted that the nitrogen levels had dropped.

Mr. Nevill stated that potentially, the sewer system could be a CIP item and indicated that the Town has divided base water sources; two from the Potomac and one from Rappahannock and asked Mr. Tucker if it is possible that the Town have two separate sewer systems.

Mr. Tucker stated he was not sure.

Ms. Scullin indicated that the design manual for Prince William County would be sent to Mr. Tucker.

Mr. Tucker indicated there were things in the program that would not apply to Warrenton but it is a model Ordinance and the requirements meet the intent of the law.

Mr. Nevill asked if the Town would be working with the County, Marshall, etc. Mr. Tucker stated that the program was not going out of the jurisdiction.

Mr. Nevill stated that page 13 outlined minimum requirements for drainage system design, and discharge.

Mr. Tucker indicated staff would be attending training on the new regulations and requirements.

Mr. Nevill indicated that on page 14, item M states no building may be built on or in a storm

drainage system or easement.

Mr. Tucker stated storm drainage system surface water can be rechanneled.

Mr. Nevill asked how a natural stream on a property would be addressed.

Mr. Tucker indicated that the Corps of Engineers would have to make jurisdictional determination.

Mr. Zarabi asked about the Rizer property stream.

Mr. Robinson stated that issue is in litigation and no further discussion could be held.

Mr. Nevill asked Mr. Tucker if it would be possible to go into lots and easements.

Mr. Tucker stated it was possible.

Ms. Schaeffer stated her concerns about the mandate and that there was no funding for staff to implement the program.

Ms. Scullin stated the majority of the fee increases will go to the Commonwealth of Virginia.

Ms. Schaeffer asked about existing permits and if this program would require changes.

Mr. Robinson stated that would need to be reviewed.

Mr. Nevill indicated that there is an existing cooperative effort between Virginia Tech and Marshall for conducting stream water testing and perhaps the Town should look forward to this type of cooperative effort.

C. Draft Comprehensive Plan Update Discussion – Demographics & Housing

The goal is to encourage development of housing opportunity through diversity in housing types, price and density levels within the Town.

A general discussion of demographics and housing followed.

Mr. Nevill stated that the percentage of work force housing was not clear. He wondered what tools the Town has to increase work force housing adjustment into 2015.

Ms. Scullin stated that the incentive was to build single-family age restricted homes.

Mr. Robinson stated that was difficult with TDR in the jurisdiction because it cannot cross lines. Also, the Town is not involved in pricing among property owners. To encourage use of the program would require a density increase of that property.

Mr. Nevill stated that putting more strain on schools and sewer systems was not wanted, but

there was a need for a greater gain of work force housing and he would like to see the Town address this issue.

Ms. Scullin stated that the Town could not down zone.

Mr. Robinson stated one possible tool would be hold easements like those that Fauquier County does on a voluntary level for tax credits.

Mr. Nevill indicated that the Town should balance the scale with volunteer reduction in zoning on one side and a study conducted to balance density.

Ms. Scullin stated that we needed to look at property that is available for a mix of development types.

Ms. Schaeffer stated there were a variety of issues and economics dictate what goes on.

Mr. Nevill indicated that office/retail uses have 50 percent vacancy.

Mr. Robinson indicated a discussion has been held regarding garage levels including offices, retail and residential on the Rider property. The Question is how would it be paid for. Economics dictate what can happen.

Ms. Schaeffer asked if it would be possible to have granny flats in certain areas. She indicated they are small structures with water line tie ins and that some jurisdictions are considering this for future housing. Article 9 needs to be loosened, and Accessory Dwelling Regulations need to be checked out.

Mr. Robinson stated set backs are issues and preservationists want to keep old houses. He noted the issue of how do we handle accessory structure limitations. The County made changes to their accessory structure regulations for more use accommodations.

Ms. Sitterle stated that changes were made to Article 9 for temporary accessory medical housing units that have very specific limitations for size, who can use the structures, and duration of use. The most recent SUP case that involved an accessory dwelling unit was for Dr. Brown's property to allow a rental unit above the new garage that was planned to be built.

Mr. Nevill questioned if the existing housing information was being captured.

Mr. Robinson identified the housing behind the Fire House, which is age restricted and the revenue generated goes to the Fire House.

Mr. Nevill identified Highland Commons as adding workforce housing and asked what the status was.

Mr. Robinson stated he had a vague recollection of a workforce study being conducted when Mr. Albertella was on Council.

Mr. Nevill asked if that survey was available and if possible, to make adjustments so support for affordable housing opportunities could be included.

Mr. Robinson indicated he would look at the survey.

Mr. Nevill stated a form based code needed to be conducted and a consultant needed to be hired to help develop it.

Ms. Sitterle stated excerpts from the recent plan update and population estimates are available for 2012. The Commission needed to decide whether the demographics portion should include recent estimates and how to proceed.

Ms. Scullin stated that the Commission needed to update pieces of the Comprehensive Plan every two years so they do not have to wait. A community survey was held several years ago and more parks, trails, swimming facilities have been added as a result.

Ms. Scullin asked Ms. Sitterle to check on the date when last survey was done.

Mr. Kip asked if it was reasonable to assume the population has grown 2,000 per year. It was conceivable that the population will continue to grow in the next five years.

Ms. Scullin stated not unless more housing was added.

Ms. Schaeffer stated that the population in the last five years does not reflect growth but a change in percentages of the different age groups and that the Town was not going to see a change in population above the age of 65. She wondered what that would mean for Town in terms of services, etc.

Ms. Sitterle indicated that could be addressed in the update.

Mr. Nevill indicated an update was needed that showed what the Town is looking at for 2025 and what are the assumptions.

Ms. Scullin stated that the existing Zoning Ordinances could set the cap that is maximum and realistic.

Mr. Robinson stated boundary adjustments were done for Wal-Mart, Highlands, the Recreation Center, and Home Depot and were approved by the Justice Department.

Mr. Nevill stated that sewer and water capacity is nearing maximum and asked if there was a national boundary issue.

Mr. Robinson stated that a commercial boundary was easy.

Mr. Nevill stated that there were no further goals that would require a boundary adjustment.

Mr. Robinson stated the Town considered buying White Mills for park development but decided

against it.

Mr. Zarabi stated that the most logical area to have a natural extension for trails is the Arrington Knolls property. There was a hypothetical discussion a couple of months ago about the Warrenton Service District and maintaining the integrity of Warrenton Service District.

Mr. Nevill stated that the goal was to meet objectives of the CIP for Housing and a Joint Planning effort and asked if an adjustment was needed to the draft.

Ms. Scullin stated it could not be done in one month.

Mr. Nevill stated he liked the staggered approach and that for this current year, there are two issues.

Ms. Scullin stated more time will produce a better product and not every section requires change every five years.

Ms. Scullin stated a vote was not needed and recommend members get information from Ms. Sitterle and discuss it with each other. She also stated that the Commission needed to learn more about Berryville and the one-mile radius around the Town as suggested by Ms. Schaeffer.

Mr. Zarabi stated he had a western belt that was made in China and not in the USA and he felt branding was something that was needed to be done to distinguish the Town from other communities and currently the Town is losing its lead and brand identity. The Town brands itself with family but now want to broaden to other uses and types. Currently we are identified as bedroom community and family community and that perception needs to change. We need a brand that says something else by changing the language to accept and provide services. The Town needs help to convey our brand because brand identification is important but authenticity is also important.

Mr. Nevill stated that it goes back to the survey and asked if we have more or less commuters.

Staff Comments

Ms. Sitterle stated a rezoning would be moving forward for property at 551 Frost Avenue, which was the Old Carriage House and located next to Food Lion. The proposal is to rezone the property to commercial.

Mr. Robinson stated Middleburg Bank was interested in getting the property at 10 Rappahannock Street rezoned to residential.

The meeting was adjourned at 9:15 p.m.

Minutes Submitted by Dee Highnote