

**Town of Round Hill
Planning Commission Meeting
November 17, 2015
6:30 p.m.**

A rescheduled meeting of the Town of Round Hill Planning Commission was held Tuesday, November 17, 2015, at 6:30 p.m. at the Town Office – 23 Main Street, Round Hill, Virginia.

PLANNING COMMISSION MEMBERS PRESENT

Manuel Mirabal, Chairman
Stephan Evers
Michael Hummel
Elizabeth Wolford

PLANNING COMMISSION MEMBERS ABSENT

Christopher Prack

STAFF MEMBERS PRESENT

Melissa Hynes, Town Planner/Zoning Administrator

MEMBERS OF THE PUBLIC PRESENT

Maureen Gilmore, Town Attorney
Mary Anne Graham, Vice-Mayor, Town of Round Hill
Clinton Chapman

IN RE: CALL TO ORDER

Chairman Mirabal called the meeting to order at 6:36 p.m. Roll call was held, and it was determined that a quorum was present.

IN RE: PLEDGE OF ALLEGIANCE

Commission Member Wolford led those present in the Pledge of Allegiance.

IN RE: PUBLIC COMMENT

Mr. Clinton Chapman, representing Round Hill Partners Group, LLC, spoke. Mr. Chapman stated that Round Hill Partners Group is aware the Planning Commission is working on the Land Use portion of the Comprehensive Plan, and explained that his group would like to have a firm understanding of the process. Mr. Chapman noted that he is aware the Town Attorney will be making a presentation on that topic at this evening's meeting. Mr. Chapman then referenced a resolution recently enacted by the Town of Leesburg, and suggested that Round Hill may want to review it, as it may provide guidance in the Town's work on its Comprehensive Plan. Mr. Chapman explained that the Leesburg resolution deals with the updating of the processing procedure for consent submittals of applications initiating Town Plan amendments and re-zoning applications; Mr. Chapman noted that he has copies of these documents for review by the Planning Commission, and that he had e-mailed copies to Town Planner/Zoning Administrator Hynes. Mr.

Chapman then explained that the second topic he wished to raise in his remarks this evening deals with a draft amendment to the Comprehensive Plan, regarding the Eastern Commercial District, which Round Hill Partners Group would like to present to the Planning Commission. Mr. Chapman stated that he will submit a copy of this draft amendment to Ms. Hynes. The draft amendment addresses the inclusion of wording in the Comprehensive Plan regarding a mixed-use development on the Eastern Commercial District parcel; it was noted that the hope is to include this as one possibility for development at that parcel. Town Planner/Zoning Administrator Hynes elaborated upon the Leesburg resolution, explaining that it allows for an applicant-initiated amendment to run parallel with a re-zoning.

IN RE: DISCLOSURES AND COMMISSIONERS' COMMENTS

There were no Disclosures and Commissioners' Comments.

IN RE: APPROVAL OF AGENDA

Commission Member Wolford made a motion **to approve the Agenda as presented for November 17th**; Commission Member Evers seconded the motion. Commission Member Hummel asked about the presentation to be made by Town Attorney Gilmore; Town Planner/Zoning Administrator Hynes explained that that presentation will be made during the Business Items portion of the meeting. A vote was then held; the motion was approved 4-0, with Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Aye
Stephan Evers	Aye
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

IN RE: APPROVAL OF MINUTES

Chairman Mirabal called for approval of minutes from September, October, and the regularly scheduled November meeting (November 3rd), for which a quorum was not present. Commission Member Wolford asked why minutes for the cancelled November 3rd meeting were being presented; Town Planner/Zoning Administrator Hynes noted that the notes from that cancelled meeting were for the record, as the meeting had been advertised.

- A. September Minutes** – Commission Member Wolford moved **that we approve the September 2, 2015 Planning Commission minutes, as presented**; Commission Member Evers seconded the motion. Commission Member Hummel stated that, on page five, a *Joint Work Session* was noted; the word *Joint* should be removed. Additionally, Mr. Hummel noted, on the same page the meeting time should be noted as *6:30 p.m.*, not *6:00 p.m.* Both Commissioners Wolford and Evers accepted the amendments. A vote was then held; the motion was approved 4-0, with Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Aye
Stephan Evers	Aye
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

B. October Minutes – Commission Member Evers noted that these minutes reference the incorrect meeting time listed in the September minutes; that time should be corrected. Commission Member Wolford then moved **that we approve the October 6th Planning Commission Meeting minutes, as amended**; Commission Member Hummel seconded the motion. The motion was approved 3-1, with Commission Member Evers abstaining and Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Aye
Stephan Evers	Abstain
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

IN RE: BUSINESS ITEMS

A. Roles and Responsibilities in Updating a Comprehensive Plan

Town Planner/Zoning Administrator Hynes introduced Town Attorney Maureen Gilmore. Ms. Gilmore made a presentation on the Roles and Responsibilities of the Planning Commission in updating the Comprehensive Plan, and legal regulations from State Code of which the Planning Commission should be aware. Town Attorney Gilmore stated that she can provide a copy of her presentation to any Planning Commission Member who would like to receive one. Ms. Gilmore explained that, in Title 15.2 of the Virginia Codified Ordinances of the Virginia State Code, there are three major documents which deal with land use. Those documents are: 1) the Comprehensive Plan, which the Planning Commission is updating now, and which sets the framework for how development is to occur in the community; 2) the Subdivision Ordinance; and, 3) the Zoning Ordinance. The latter two documents implement the goals set forth in the Comprehensive Plan. The Comprehensive Plan is one of the seminal documents upon which a Planning Commission works. Town Attorney Gilmore explained that a Comprehensive Plan is required for every locality in the Commonwealth. The Comprehensive Plan controls the general/approximate location, and the character, of features shown in the Plan. A review of the Comprehensive Plan is required every five years; if amendments are proposed they must go through the Public Hearing process. The Comprehensive Plan sets out goals and a forecast for the future. Ms. Gilmore spoke to development taking place in Round Hill which the Comprehensive Plan affects, and explained that the Round Hill Comprehensive Plan deals only with areas inside the Town’s limits; the Joint Land Management Area is covered by a plan which the Town adopts in conjunction with Loudoun County. Town Attorney Gilmore

explained that, in order to determine what a locality's growth, goals, and forecast for the future should be, utility capacities and community uses desired by residents should be considered. Ms. Gilmore noted that, if amendments to the Comprehensive Plan are being considered, attention must be paid to how those amendments will affect the Plan's vision as a whole. Following amendment of the Comprehensive Plan by the Planning Commission, a Public Hearing is held; comments made by citizens are considered by the Planning Commission, then a recommendation is made, by way of a Resolution, to the Town Council. At this point, the updated Comprehensive Plan must be posted to the locality's website. The Town Council reviews the Comprehensive Plan, holds its own Public Hearing, and then adopts the updated Comprehensive Plan. Town Attorney Gilmore next explained the relationship between the Comprehensive Plan and Subdivision and Zoning Ordinances. A Subdivision Ordinance is also required by State Code; its purposes are to assure orderly subdivision and development of land, and to carry out the goals and policies of the Comprehensive Plan. Ms. Gilmore noted the objectives to be accomplished by the Subdivision Ordinance: 1) plan for future development; 2) provide for carefully planned transportation; 3) assure development with adequate highways, utility, health, educational, and recreational systems; and, 4) encourage business, industry, and resource development. It was noted that there is no limit to the number of amendments which may be made to the Subdivision Ordinance and Zoning Ordinance, and that, occasionally, amendments are required in order to comply with changes in State Code. Commission Member Hummel asked if the Planning Commission may update these documents without a prior request by the Town Council; Ms. Gilmore explained that amendments may be proposed without a Town Council request to do so, but Town Council approval is ultimately required. Additionally, Ms. Gilmore stated, some localities have instituted their own requirement for Town Council direction prior to the proposal of such amendments. Commission Member Hummel also asked about Loudoun County's Facility Standards Manual; Town Attorney Gilmore explained that provisions exist in the State Code which allow for the adoption of a Facility Standards Manual. Ms. Gilmore further explained that Round Hill could adopt its own Facility Standards Manual, and that that document would apply to subdivision applications. In response to a question from a Commission Member, Ms. Gilmore noted that a Facility Standards Manual would apply to a subdivision within the Town's limits, and may apply to a subdivision within the Joint Land Management Area, if the County agreed to its provisions. Discussion of the Creekside development, and previous application of the Town's subdivision ordinances to development within the JLMA, ensued. Town Attorney Gilmore noted that, in addition to subdivision plans and plats, site plans are also submitted to the Planning Commission; the Planning Commission is the initial body which acts on proposed plats and site plans. State Code provides for a Planning Commission to be the only entity which reviews these documents, Town Council action is not necessary. This review may also be done administratively, however, Round Hill has not chosen to handle these items administratively. Town Attorney Gilmore then moved to a review of the Zoning Ordinance, explaining that this document is authorized by State Code in order to promote the health, safety, and welfare of citizens. It was noted that the Zoning Ordinance only applies inside the Town's limits; it does not apply inside the JLMA. Ms. Gilmore stated that the Zoning Ordinance provides the tools which ensure that objectives laid out in the Comprehensive Plan are accomplished. The Zoning Ordinance contains zoning districts and regulations; zoning districts are placed on a zoning map, they provide for uses which are permitted by-right and by special permit, and physical

characteristic requirements are noted, as well. The Zoning Ordinance contains requirements for construction of structures and the use of properties. Additionally, the Zoning Ordinance sets out the process for amendments and enforcement. Town Attorney Gilmore explained *text amendments*, which are contained in the provisions and are just language; Ms. Gilmore also explained *map amendments*, which are commonly referred to as re-zonings. It was noted that a map amendment, re-zoning, or a special-exception or special-use permit changes the zoning of the parcel and must be notated on the Zoning Map. Town Attorney Gilmore explained that re-zonings may be initiated by the Town Council, but are most commonly initiated by the applicant. Further, it was noted, re-zonings often require additional infrastructure and/or utilities; re-zonings allow a locality to negotiate with the applicant to secure voluntary proffers to address some infrastructure needs. Ms. Gilmore explained that a zoning map amendment is always a legislative decision by the governing body (Town Council), but that the Planning Commission is the first body which reviews an application for re-zoning and meets with the applicant. Any application for re-zoning must comply with the Comprehensive Plan; the Comprehensive Plan must be reviewed, in order to ascertain if the proposed use is contained in the Plan. If the proposed use is not contained in the Comprehensive Plan, an application for a Comprehensive Plan Amendment will be required; the property owner may make this application. Town Attorney Gilmore addressed the Resolution recently adopted by the Town of Leesburg, noting that their main goal in doing so is to encourage businesses to locate in Leesburg, and to streamline the process for those businesses to locate there. Chairman Mirabal asked what the process for a re-zoning would be, in light of an existing proffer on the land; Town Attorney Gilmore explained that a Comprehensive Plan Amendment would come first, and that consideration would have to be given to the proffer. There was discussion among Planning Commission Members regarding the most preferable process for addressing such an occurrence. Town Attorney Gilmore explained that, in the event of an application for an amendment for a proposed project, the Zoning Ordinance must contain the proposed district; if it does not, application must be made for a Zoning Ordinance Text Amendment (which the applicant may make). State Code procedure for notifications and public hearings are followed for the amendment. Town Attorney Gilmore discussed the process for an owner-initiated zoning map amendment/rezoning, which is provided for in State Code: 1) application is submitted by the owner; 2) owner requests reclassification of property zoning, approval of the request would change the zoning classification; and, 3) the locality is allowed to accept proffers. Ms. Gilmore explained that proffers allow for recognition of the need to provide flexibility for differing land uses, address the effects of change, and protect the community from incompatible land uses. The types of proffers were presented; these include transportation construction and contribution, utility construction, storm water construction, fire/EMS protection, public uses such as parks and playgrounds, and pedestrian trails, sidewalks, bike racks, and other amenities. Town Attorney Gilmore stated that proffers “run” with the land; once the proffers are submitted and approved by the locality, they remain with the land. A proffer may only be changed through the public hearing process. Ms. Gilmore highlighted §15.2-2308(B) of the State Code, which states that no amendments may be made to proffers unless a mistake, fraud, or a change in circumstances directly affecting the public health, safety and welfare exist. The Owner-Initiated Zoning Map Amendment review process was presented; that process includes the following: 1) application to the Planning Commission, including presentation of a concept plan; 2) applicant and Planning

Commission discussion of infrastructure and community needs generated by the project; 3) submission of proffers to address those needs, made by the applicant; 4) applicant submission of a signed proffer statement; 5) notification of adjacent property owners by the applicant; 6) a public hearing held by the Planning Commission, as part of the review; and, 7) Planning Commission recommendation to the Town Council. Ms. Gilmore stated that presentation of the concept plan is very important, as it presents how the potential development will look. Upon the application for a Zoning Map Amendment, which includes the concept plan and the Proffer Statement, going to the Town Council with the Planning Commission's recommendation, the following steps occur: 1) Town Council reviews and revises during the public process, revisions to the concept plan and proffer statement may be requested; 2) applicant notifies adjacent property owners; 3) Town Council holds a public hearing; and, 4) Town Council adopts a Resolution to amend the Zoning Map. Upon adoption of the Resolution the Property Zoning Classification Change is shown on the map (pursuant to Virginia Code §15.2-2300), the proffers run with the land and may not be changed without the process noted above being followed again, and the owner must submit a site plan which is in substantial compliance with the approved concept plan. If the site plan is not in compliance with the approved concept plan, a concept plan Amendment is required. Chairman Mirabal asked to revisit the discussion of State Code §15.2-2308(B), specifically asking what the test is for consideration of a zoning map amendment; Town Attorney Gilmore explained that these amendments are usually requested by the property owner, and provided an example of circumstances which might precipitate a request for an amendment. Commissioner Hummel asked if there is a time-frame under which the Town would be required to act upon a request for a zoning map amendment; Town Attorney Gilmore stated that there is not a time requirement for the Town, but there is for the County. Ms. Gilmore then discussed a Town-Initiated Zoning Map Amendment. The following steps would be followed for such a request: 1) Town Council referral to the Planning Commission; 2) a determination be made that the proposed rezoning complies with the Comprehensive Plan – if it does not, a Comprehensive Plan Amendment is required; 3) a determination be made that the Zoning Ordinance contains the zoning district – if it does not, a Zoning Text Amendment is necessary; 4) there is no opportunity for proffers or conditions, as these would require funding by town residents; 5) Planning Commission review, to ascertain that the amendment is consistent with the Comprehensive Plan and existing zoning, to determine if existing infrastructure supports the proposed rezoning, and/or to confirm that capital improvement funding is available for necessary infrastructure, avoidance of spot-zoning and down-zoning, notification to property owners, holding a public hearing, and providing a recommendation to the Town Council. Following the Planning Commission's recommendation to the Town Council, the following would occur: 1) Town Council review of the Planning Commission's recommendation; 2) notification to property owners; 3) public hearings; 4) revision and adoption of rezoning; and, 5) town funding of necessary infrastructure construction costs required from by-right uses. Town Attorney Gilmore then asked if Commission Members had any questions/comments/concerns, and noted that a paper copy of her presentation will be made available to any Commissioner who may like to have one. Ms. Gilmore noted that a main concern for the Planning Commission, in a re-zoning amendment application, is to ensure what the parcel ultimately will look like, and what uses will be allowed there. Ms. Gilmore provided an overview of the development of the Cole Farm in Purcellville, as an illustration of the amendment process. Chairman Mirabal noted that this was a good

presentation, and stated that he had a few more questions, including the possibility of creating an overlay district, under which the owners of non-conforming properties could request changes, as opposed to the Comprehensive Plan very specifically imposing a change, which would then have to go through a public hearing process. Town Planner/Zoning Administrator Hynes provided background information on this topic, noting that the Planning Commission has discussed the current R-2 zoning, which is predominant in Round Hill and which is frequently non-conforming, and the possibility of zoning some properties as R-4 (a property on Bridge Street to which this discussion is pertinent was highlighted). Discussion of this issue ensued, with Town Attorney Gilmore stating that undertaking a text amendment may be the best way to address the problem. Ms. Gilmore also explained that it is not necessary to wait for the five-year review period to undertake a Comprehensive Plan Amendment. Ms. Gilmore also noted that localities need to allow for flexibility in these documents. Chairman Mirabal also asked for opinions/rulings regarding §15.2-2308; Town Attorney Gilmore stated that she would research these and, if any exist, would provide them to Mr. Mirabal. Ms. Gilmore also discussed a prior proffer made for construction of three swimming pools in Round Hill, and how that proffer was ultimately changed, with Commission Member Wolford noting that the funds originally provided for those pools were used for the construction of swimming pools at Franklin Park.

B. Economic Development Goals for Comprehensive Plan

Town Planner/Zoning Administrator Hynes stated that this chapter is ready for adoption, and pointed out one change made, in which Round Hill’s sister city is referenced. Chairman Mirabal noted some issues he has with language in the chapter; discussion of this ensued, with Ms. Hynes stating that she will correct the language as requested. Commission Members who may have missed a meeting were provided with the updated chapter, in order for them to be up-to-date on changes made. Commission Member Hummel then made a motion **to adopt this chapter, with the changes**; Commission Member Wolford seconded the motion. It was noted that the motion is to adopt the *draft* chapter. A vote was held; the motion was approved 4-0, with Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Aye
Stephan Evers	Aye
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

C. Land Use Chapter and the Eastern Commercial District

Town Planner/Zoning Administrator Hynes noted that there are two items for consideration under this topic this evening, her memo and the actual Land Use chapter; Commissioners were asked which item they would like to consider first. It was decided to first discuss the memo. Ms. Hynes provided some background information on the parcel discussed in the memo, noting that there has not, as yet, been a formal application or a formal request made to the Town of Round Hill. A draft concept plan was presented to the Land Use Committee in July 2015, but no formal presentation has been made to the Planning Commission. Town

Planner/Zoning Administrator Hynes noted that the prospective developer has attended Planning Commission meetings, and has presented the partnership's requests for the Town to consider mixed-use during the Public Comment portion of those meetings. Ms. Hynes explained the development put forward by the draft concept plan, including 84 townhouses, two 1,200 square foot buildings, one pad site for a 5,200 square foot restaurant, and one gas station. Town Planner/Zoning Administrator Hynes explained that there are two questions before the Planning Commission this evening, one being does the Comprehensive Plan support mixed-use. Chairman Mirabal asked if this Staff Report has been introduced into the minutes; Town Planner/Zoning Administrator Hynes explained that it is part of the Land Use discussion, thus is part of the Land Use Chapter. Mr. Mirabal noted that, included in the memo, is reference to the fact that the developer is not the land-owner, but rather is an entity which wishes to purchase the land, and that the parcel is not actively being marketing at this time. Mr. Mirabal asked to clarify that a letter from the property owner, stating their knowledge of the potential purchase of the property, is included in the documentation. Town Planner/Zoning Administrator Hynes noted that there is no other entity wishing to purchase/develop the parcel, due to the fact that it is not being actively marketed. Ms. Hynes noted again that there are two questions before the Commission this evening regarding this topic: does the Comprehensive Plan support a mixed-use development on the parcel; and, does the Town want to preserve the existing land use policies, or allow for mixed-use development, on the parcel. Ms. Hynes noted that there is no specific definition of the term *mixed-use*, to be considered under the issue of Comprehensive Plan support of this type of development. A definition which may fit Round Hill's discussion was presented, as were different types of mixed-use development. Town Planner/Zoning Administrator Hynes stated that Round Hill's current Comprehensive Plan does contain a policy supporting mixed-use development, which was read for the record: "*Mixed-Use Business/Commercial/Residential may be considered in providing diversity and vitality in activities, to take advantage of strategic development opportunities, or to resolve problems of conflicting uses where a more traditional single-use approach is not suitable. Uses allowed must be carefully controlled to complement rather than conflict with each other. Design of new structures or rehabilitation of existing structures must be considered carefully for compatibility within the neighborhood. Site design, landscaping, parking, service areas, access, and circulation must all be related sensitively to provide a workable and visually pleasing environment.*" Ms. Hynes explained where in Round Hill mixed-use already exists, and also provided the original purpose put forward for the twelve-acre parcel. Three existing proffer statements for the parcel, as noted in the Staff Report, were also presented. The possibility of *Live-Work Units*, as previously discussed by the Planning Commission in the update of the Comprehensive Plan, were highlighted as an example of a Vertical Mixed-Use Building concept. Town Planner/Zoning Administrator Hynes then moved to the second question before the Commission: whether to preserve existing land use policies for the Eastern Commercial District, or to allow residential uses. Ms. Hynes explained that she has provided an analysis of the property, broken down into sections. The first section deals with the current zoning of the property (PDCC), which does not allow for residential dwellings. Required setbacks, and distance from current residential properties, were discussed; these requirements reduce the buildable area to approximately six to seven acres. Previous public discussions of the potential development of this parcel highlighted that the by-right use for the parcel was not widely known; that use provides for 150,000 square feet

of commercial development. Ms. Hynes discussed public perception of the by-right use versus the construction of townhouses and a lesser square footage of commercial development. Ms. Hynes noted that the by-right development of 150,000 square feet of commercial is not possible when setbacks, etc., are taken into consideration; approximately 55,000 to 75,000 square feet of commercial development are all that are possible. Ms. Hynes further reported that, in order to allow development of the draft concept plan presented in July, the property would have to be “up-zoned.” The up-zoning of the Creekside development was discussed, as a point of reference. The 1990 proffers for this parcel were discussed, with it being noted that the proffers provide for retail, commercial and employment uses of the parcel. In order for residential uses to be considered for the parcel, a re-zoning would be required; this may prove to be a complicated process. In response to a question from Chairman Mirabal, Town Planner/Zoning Administrator Hynes explained that the commercial portion of the parcel was brought into the Town’s limits in 2005, via a boundary line adjustment. The reason for this boundary line adjustment was to allow for more commercial tax revenue for the Town. Ms. Hynes noted that this type of situation, where a parcel is split between two jurisdictions, but existing proffers affect the entire property, is unusual. Chairman Mirabal asked if the proffers were negotiated with the Town of Round Hill or with the County; Town Attorney Gilmore explained that, during the 1990 re-zoning, all the land existed within the County, but that the County consulted with the Town during the re-zoning process. The existing proffers from the 1990 re-zoning came with the land when it was brought into the Town in 2005. It was noted that County authorities are being consulted regarding this parcel and its proffers due to the fact that the parcel is “attached” to County property. Commission Member Wolford asked if any other party would be involved in this process; it was noted that Round Hill Investors would be. Town Planner/Zoning Administrator Hynes presented two reasons for County input in this process: 1) it affects their proffers; and, 2) due to the existence of the Joint Land Management Area. Ms. Hynes explained that the re-zoning of the property led to the Consent Decree, which occurred in the year 2000; the purpose of the decree was presented (utility connections), and it was noted that the use of utility taps, originally intended for commercial development, for residential development would require a Decree Amendment. Discussion ensued of discrepancies in the number of taps used versus the number of lots developed; Commissioner Wolford explained that extra taps were required for the school built in the development. It was explained that 107 commercial taps are available for the Eastern Commercial District parcel. Town Planner/Zoning Administrator Hynes explained that Staff does not support amendment of the Consent Decree. Ms. Hynes also presented estimates of the number of taps which would be required for various commercial uses on the parcel, noting that a mixed-use development on the parcel may require more than 107 connections. Town Engineer Keith Lane estimates that currently there are only 200 extra connections available. Town Attorney Gilmore also noted that RHI would expect compensation if Round Hill takes the 107 taps currently existing. Examples from the Comprehensive Plan amendments, undertaken in 2008 in response to the boundary line adjustment which brought the Eastern Commercial District into the Town’s limits, were presented to the Commission. Town Planner/Zoning Administrator Hynes also pointed out discrepancies between the current Comprehensive Plan and the draft concept plan presented in July 2015, which include gas stations not being permitted, a strip mall design not being allowed, no buildings permitted which are taller than two stories, and provision of pedestrian accessibility from the Franklin

Park Trail and adjacent neighborhoods. Ms. Hynes explained that the 2005 boundary line adjustment was requested in order to increase the commercial tax base of the Town, and to enable the Town to exercise architectural design control over development at the Eastern Commercial District. In her Staff Land Use Analysis, Ms. Hynes noted that the Eastern Commercial District parcel is the only vacant commercial land in Round Hill. Ms. Hynes explained that the commercial land which exists in the “downtown” area of Round Hill is non-conforming, which leads to the high rate of vacancies found there. Lack of parking at the existing businesses in this area is a major deterrent to new businesses locating there. Additionally, Round Hill’s zoning is rather restrictive, due to the mix of residential and commercial properties found in Town and residents not wanting commercial properties next to their houses. Town Planner/Zoning Administrator Hynes noted that no market research, nor a market study, of the commercial parcel has been provided/reviewed, therefore, it is uncertain if the parcel would or would not support commercial-only development. Ms. Hynes also remarked that the currently proposed use for the Eastern Commercial District parcel isn’t the only possible use; other possible uses were provided. It was noted that, in making decisions regarding this parcel, and in the update of the Comprehensive Plan, the Town needs to look forward and not consider just the current economy. Town Planner/Zoning Administrator Hynes stated that the Planning Commission and the Town have worked hard during the past two years to reach out to the community regarding the update of the Comprehensive Plan; the consistent feedback from residents is that they do not want to “become Ashburn,” e.g., they do not want strip malls, but rather want development which “feels like home.” Additionally, residents have made it clear that there is no hurry to develop this commercial space, and that walkability in the community is important. The overall theme of public input into this process is that Round Hill complement Purcellville, not compete with this neighboring community. The Planning Commission reviewed the Staff Recommendation for the Land Use Policy for the Eastern Commercial District, with the determination being that development other than commercial is not supported – Round Hill needs the commercial revenue and amenities for residents. Town Planner/Zoning Administrator Hynes stated that Staff supports a Master Planned Commercial Property which provides for full coordination with the property owners; a slow, gradual build-out of the land, as supported by the market, is preferred. Staff would request any applicant who proposes development of the parcel to provide extensive research, documentation, studies and an alternative configuration for such development. In closing, Ms. Hynes reminded Commissioners that the zoning and land use planning for this parcel have been developed over ten years, with input from various entities involved. Commission Member Hummel and Chairman Mirabal commended Ms. Hynes on the good Staff Report. Chairman Mirabal asked if there were any questions; there were none.

At this point, Commission Member Hummel suggested that the Planning Commission table remaining Agenda items, and proceed to the scheduled Executive Session, due to time constraints. Vice-Mayor Graham asked to make a statement, in connection with the Comprehensive Plan. Ms. Graham noted that she, Town Planner/Zoning Administrator Hynes, and Town Administrator Nicholson have been working on a draft of the Utility Chapter of the Comprehensive Plan update; they are awaiting input from the Mayor, and hope to make a presentation to the Planning Commission at its December meeting. Discussion of tabling Business Items C and D ensued; it was noted that there are no Action Items on the Agenda, and that the Town Planner’s Report has

been provided in written form. Commission Member Hummel confirmed that he is making a motion **to table Business Items C (Land Use Goals for Comprehensive Plan) and D (Administrative Chapters of Comprehensive Plan)**; Commission Member Wolford seconded the motion. There was no discussion. A vote was held; the motion was approved 4-0, with Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Aye
Stephan Evers	Aye
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

The Planning Commission then discussed their schedule for the month of December; it was decided to hold a work session on December 1, 2015, beginning at 5:30 p.m., and to hold the regular meeting on December 8, 2015 at 7:00 p.m.

IN RE: EXECUTIVE SESSION

Commission Member Wolford moved **that the Round Hill Planning Commission recess its regular meeting, and enter into Closed Session; the authority for this Closed Session is found in §2.2-3711(A)(7), to discuss land use matters requiring legal advice, Vice-Mayor Graham, Town Planner/Zoning Administrator Hynes, and Town Attorney Gilmore are invited to the Closed Session**; Commission Member Hummel seconded the motion. A voice vote was held; the motion was approved 4-0, with Commission Member Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Aye
Stephan Evers	Aye
Michael Hummel	Aye
Christopher Prack	Absent
Elizabeth Wolford	Aye

The open meeting was recessed at 9:00 p.m.

IN RE: ADJOURNMENT

The meeting was adjourned by Chairman Mirabal at

Respectfully submitted,

Manuel Mirabal, Chairman

Debra McDonald, Recording Secretary

