



**PLANNING COMMISSION WORK SESSION
TOWN OF WARRENTON**

MINUTES

**A REGULAR MEETING OF THE TOWN OF WARRENTON PLANNING
COMMISSION WAS HELD SEPTEMBER 20, 2022 AT 7:00 P.M. IN THE
MUNICIPAL BUILDING IN WARRENTON, VIRGINIA**

P R E S E N T *Ms. Susan Helander, Chair. Mr. James Lawrence, Vice Chair; Mr. Gerald Johnston; Mr. Steve Ainsworth; Mr. Ali Zarabi; Mr. Olaun Simmons, Town Attorney; Ms. Denise Harris, Planning Manager; Millie Latack, Historic Preservation Planner.*

A B S E N T *Mr. Ryan Stewart*

CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Ms. Susan Helander called the meeting to order at 7:00 P.M.

APPROVAL OF MINUTES

July 26, 2022; August 16, 2022; August 23, 2022, MEETING MINUTES

Mr. James Lawrence moved to approve all three sets of minutes and *Mr. Gerald Johnston* seconded. All were in favor, no discussion, vote was unanimous as follows:

Ayes: ***Ms. Helander, Chair; Mr. James Lawrence, Vice Chair; Mr. Gerald Johnston; Mr. Ali Zarabi; Mr. Steven Ainsworth***

Nays: ***None***
Absent During Vote: ***Mr. Ryan Stewart***
Abstention: ***None***

PUBLIC HEARING

ZMA 2021-01/SUP2021-01 – North Rock Harris Teeter Service Station

Ms. Helander introduces ZMA 2021-01/SUP2021-01 North Rock Harris Teeter Service Station.

Ms. Helander states the applicant is applying for a Zoning Map Amendment and Special Use Permit to allow for a fuel service station in the North Rock Shopping Center located at 530 Fletcher Drive.

Ms. Denise Harris provides a brief overview of the application, history of the applications review process and Applicant's adjustments.

Ms. Harris introduces Ms. Jessica Pfeiffer of Walsh, Colucci, Lubeley & Walsh, here on behalf of the Applicant, Harris Teeter.

Ms. Pfeiffer introduces Garrett Markovitz with Harris Teeter, Chris Howell of Kimley Horn, Sarah Knox of Kimley Horn and John Foote of Walsh Colucci.

Ms. Pfeiffer presents an overview of the proposal and changes since the July 19th Public Hearing.

Ms. Helander asks for any immediate questions prior to opening the Public Hearing.

Ms. Helander opens the Public Hearing at 7:28 P.M.

Ms. Millie Latack states that there are four scheduled speakers and introduces the first speaker, Mr. Roy Francis.

Mr. Francis, President of the North Rock Residential Association states the community is adamantly opposed to the proposed service station and provides the reasoning for this opposition.

Ms. Latack introduces Mr. R. B. Chudasama.

Mr. Chudasama, Owner BP Station at 150 W Lee Hwy presents a document to the Commission and speaks on his potential loss of business and need to support small local business.

Ms. Latack introduces Ms. Sally Burke.

Ms. Burke, resident 155 Northview Circle presents concerns regarding traffic safety, emergency services access, environmental impact, public health, and need for the proposed service station.

Ms. Latack introduces Ms. Jean Bainish.

Ms. Bainish, non-resident expresses concerns after speaking with the residents of the North Rock community about the proposed plan, and the scope of the review process.

Ms. Helander ask for any further speakers prior to closing the public hearing.

Ms. Helander closes the Public Hearing at 7:40 P.M.

Mr. Lawrence asks staff to clarify expectations for final determinations in the meeting.

Mr. Ali Zarabi asks Ms. Sarah Knox about traffic Level of Service and Traffic Impact Analysis studies for the application.

Ms. Knox briefly outlines LOS and TIA studies for the site and proposed project.

Mr. Zarabi asks about the underlying conditions and zoning for the special use permit application review.

Ms. Pfeiffer responds outlining proffers.

Mr. Zarabi and Ms. Pfeiffer discuss the nature and allowed uses of the Planned Use Development for the proposed site.

Mr. Zarabi asks Ms. Harris to clarify the allowed uses for the site.

Ms. Harris states the site falls under the 1991 Zoning Ordinance as determined by the Zoning Administrator.

Mr. Zarabi disagrees citing changes to newer Zoning Ordinances.

Mr. Zarabi asks if changes to conditions triggers updates to current standards.

Ms. Pfeiffer and Mr. John Foote explain the conditions of the proposed service station and vested zoning ordinance for the site.

Mr. Zarabi asks for clarification on the type of PUD the site is subject to.

Mr. Foote responds briefly explaining the nature of the PUD.

Mr. Johnston asks about phased construction plans.

Ms. Pfeiffer responds citing condition number 13.

Mr. Johnston asks about the environmental concerns and the proposed stormwater detention system.

Mr. Chris Howell explains the proposed stormwater detention system.

Mr. Johnston asks about improvements to the existing stormwater detention system.

Mr. Howell explains typical measure taken for stormwater detention system associated with fuel stations.

Mr. Johnston talks about regional fuel prices and the oversaturation of fuel stations in the area, asking how a new fuel station will lower prices.

Ms. Pfeiffer responds outlining the nature of the Harris Teeter fuel program.

Mr. Foote cites a VA Supreme Court ruling regarding land use decisions and competitive advantage.

Mr. Garrett Markovitz briefly explains the process used by Harris Teeter to determine competitive pricing for the service station.

Mr. Johnston comments on how having the cheapest pricing would increase traffic flow which is already a concern for the site.

Ms. Knox responds outlining the findings of the Traffic Impact Analysis done for the site.

Mr. Steven Ainsworth asks about by right uses for the proposed site.

Ms. Harris outlines the proposed use from the original site plan.

Mr. Ainsworth asks about traffic studies completed for original site plan.

Ms. Harris responds staff would need to do research prior to answering and directs the inquiry to the Applicant should they have the answer.

Ms. Pfeiffer responds briefly discussing the differences between the original proposed use and the current proposed plan.

Mr. Ainsworth comments on the points being made and potential for benefit for the community.

Mr. Lawrence comments on the role of the Planning Commission to make determinations on compatible land use.

Ms. Helander asks for a motion to be made for ZMA 2021-01.

Mr. Lawrence asks for any motions to not include the proffer as related to the canopy sign.

Mr. Lawrence moves that the Planning Commission recommend approval to the Town Council of ZMA 2021-01 with the submitted amended proffers, except for the proffer on the canopy sign. To amend the North Rock Planned Unit Development zoning district ZMA 1998-02 and SUP 2021-01 subject to the conditions of approval dated September 14, 2022, for an eight-pump fuel station.

Mr. Ainsworth seconds the motion.

Ms. Helander asks for any discussion on the motion. With no discussion, Ms. Helander recognizes each Commissioner individually for the vote.

The vote is as follows:

Ayes:

Ms. Susan Helander, Chair; Mr. James Lawrence, Vice Chair; Mr. Steven Ainsworth

Nays:

Mr. Gerald Johnston; Mr. Ali Zarabi

Absent During Vote:

Mr. Ryan Stewart

Abstention:

None

SUP 2022-04 – Oak View Bank Drive-Thru

Ms. Helander introduces ZMA 2021-01/SUP2021-01 North Rock Harris Teeter Service Station.

Mr. Latack provides a brief overview of the application.

Ms. Helander discloses that she and Mr. Lawrence have been in contact with the Town Attorney regarding a potential conflict of interest. It was determined that they would not need to recuse themselves.

Ms. Helander introduces the Applicant Mr. Michael Ewing.

Mr. Ewing briefly speaks on the application.

Ms. Helander opens the Public Hearing at 8:26 P.M.

Ms. Helander asks for scheduled speakers.

Ms. Latack states that there are three scheduled speakers and introduces the first speaker, Ms. Kristen Winters.

Ms. Winters, resident 309 Waterloo Street asks about placement of canopy trees on the site plan, site lighting, environmental mandates and increases traffic concerns.

Ms. Latack introduces Ms. Elizabeth DiGiulian

Ms. DiGiulian, resident 301 Waterloo Street asks that the Commission takes all traffic considerations into account.

Ms. Latack introduces Mr. Klaus Fuescher.

Ms. Virginia Palmer Fuescher, resident 335 Waterloo Street speaks on difficulties faces by residents due to existing traffic concerns.

Ms. Helander asks for any further speakers.

Ms. Kristen Bandura, resident 319 Waterloo Street speaks on maintaining the character of the Town and the difficulty and dangers of traffic in the community.

Mr. Alvin Henry, owner 355 Waterloo Street speaks on the history of the community and site.

Ms. Helander closes the Public Hearing at 8:41 P.M.

Ms. Helander asks the Commission for question for the Applicant.

Mr. Zarabi asks staff to clarify how the application compliments the health and wellness Comp Plan.

Ms. Latack provides a brief explanation of how the application interacts with the Comp Plan.

Mr. Zarabi asks about site uses in character districts.

Ms. Latack briefly explains how character districts and future land use maps interact with the application.

Mr. Zarabi states he would like to see a Traffic Impact Analysis and tree study/plan for the site.

Ms. Helander responds that a study was done and briefly discusses the state of the site's foliage.

Ms. Latack adds that existing landscaping will need to be removed for by-right bank.

Ms. Harris briefly details sites by-right use.

Mr. Zarabi asks about changes to existing site grading and retaining walls.

Mr. Ewing briefly describes proposed changes to site grading.

Mr. Zarabi asks about grading at proposed combined entrance.

Mr. Ewing responds briefly outlining proposed changes.

Mr. Zarabi asks about proposed improvements to the Garret Street and sidewalk.

Mr. Ewing briefly discusses the proposed changes.

Mr. Johnston asks about availability of Site Plans and possibility of postponement of action until Site Plans are available.

Ms. Harris responds providing information on deferral of action.

Mr. Zarabi asks Ms. Harris to clarify further.

Ms. Harris explains in greater detail the process for deferring or tabling the application.

Mr. Ewing requests that the Commission make a discission tonight.

Mr. Ainsworth comments that the site grading, stormwater management and traffic concerns are associated with the permitting processes or improvement projects.

Mr. Lawrence speaks to the residents and neighbors present about the current traffic concerns and need to report those concerns to appropriate bodies.

Ms. Helander asks for a motion to be made for SUP 2022-04.

Mr. Ainsworth moves that the Planning Commission recommend approval to the Town Council of SUP 2022-04 subject to the Conditions of Approval dated September 20, 2022.

Mr. Lawrence seconds the motion.

Ms. Helander asks for any discussion on the motion.

Mr. Zarabi speaks to the need for consistency for all applicants.

Mr. Zarabi discusses with Mr. Ewing the proffered drawing of the proposed structure.

Ms. Helander asks for any further discussion. With no discussion, Ms. Helander recognizes each Commissioner individually for the vote.

The vote is as follows:

Ayes: *Ms. Susan Helander, Chair; Mr. James Lawrence, Vice Chair; Mr. Steven Ainsworth; Mr. Gerald Johnston*

Nays: *Mr. Ali Zarabi*

Absent During Vote: *Mr. Ryan Stewart*

Abstention: *None*

COMMENTS FROM THE COMMISSION

Ms. Helander comments on the upcoming work session regarding the Amazon data center and questions for staff.

COMMENTS FROM STAFF

None

ADJOURN

Motion to adjourn Mr. Lawrence, Mr. Ainsworth Seconds.

With no further business this meeting was adjourned at 9:12 P.M.

DRAFT