



**PLANNING COMMISSION
REGULAR MEETING AGENDA**

February 4, 2016

7:00 p.m.

- 1) **Call to Order** – Chair Doug McCollum
- 2) **Pledge of Allegiance**
- 3) **Agenda Amendments** (Planning Commission and Staff)
- 4) **Commissioner Disclosures**
- 5) **Public Hearings**
 - a) CPA15-02 – Comprehensive Plan Amendment for 781 South 20th Street – Institutional/Government to Residential - 2 Dwelling Units Per Acre
 - b) RZ15-01 – Zoning Map Amendment for 781 South 20th Street – IP to R-2
 - c) OA15-04 – Zoning Ordinance Text Amendment to Add Transitional Housing as a SUP in R-2, Add a Definition for Transitional Housing, and Add Use Standards for Transitional Housing
- 6) **Discussion Items**
 - a) CPA15-02 – Comprehensive Plan Amendment for 781 South 20th Street – Institutional/Government to Residential - 2 Dwelling Units Per Acre
 - b) RZ15-01 – Zoning Map Amendment for 781 South 20th Street – IP to R-2
 - c) OA15-04 – Zoning Ordinance Text Amendment to Add Transitional Housing as a SUP in R-2, Add a Definition for Transitional Housing, and Add Use Standards for Transitional Housing
- 7) **Action Items**
 - a) None Scheduled
Note: Any Discussion Item may be added as an Action Item during the meeting by motion of the Planning Commission.
- 8) **Information Items**
 - a) None Scheduled
- 9) **Citizen Comments** – All citizens who wish to speak about an item or issue that is not listed for a public hearing will be given an opportunity to speak (3 minute limit per speaker).
- 10) **Chairman’s Comments & Council Representative’s Report**
- 11) **Planning Commissioners’ Comments**
- 12) **Approval of Minutes**
 - a) December 3, 2015 Work Session
 - b) January 7, 2016 Regular Meeting
 - c) January 21, 2016 Regular Meeting
- 13) **Adjournment**

If you require any type of reasonable accommodation as a result of physical, sensory or mental disability in order to participate in this meeting OR if you would like an expanded copy of this agenda, please contact Tucker Keller at (540) 338-2304 at least three days in advance of the meeting. *Expanded copies of the agenda may not be available the night of the meeting, please request a copy in advance.*

USE OF ELECTRONIC DEVICES DURING MEETINGS For the comfort and consideration of others, all cellular phones must be turned off and cannot be used in the Council Chambers. Pagers must be set on silent or vibrate mode. This is requested because of potential interference with our recording devices and the transmittal of our hearing impaired broadcast.



STAFF REPORT
PUBLIC HEARING & DISCUSSION ITEMS

Items # 5a-c & 6a-c

SUBJECT: RZ15-01 – Zoning Map Amendment for 781 South 20th Street;
CPA15-02 – Comprehensive Plan Amendment for 781 South
20th Street; &
OA15-04 – Zoning Ordinance Text Amendment to Add
Transitional Housing as a SUP in R-2, Add a Definition for
Transitional Housing, and Add Use Standards for Transitional
Housing

DATE OF MEETING: February 4, 2016

STAFF CONTACT: Daniel Galindo, AICP – Senior Planner

SUMMARY and RECOMMENDATIONS:

The Town of Purcellville has initiated an application, coded as RZ15-01, to rezone a Town-owned property at 781 South 20th Street from IP, Institutional and Public Use District to R-2, Single-Family Residential District. This 0.3471 acre parcel (“Parcel A” on the attached diagram/plat) is currently in use by Mary’s House of Hope which provides transitional housing for single mothers and their children. The comprehensive plan’s planned land use for this property is Institutional/Government, so the Town has initiated an application, coded as CPA15-02, to amend the comprehensive plan to designate this property with a planned land use of Residential – 2 Dwelling Units Per Acre, in support of RZ15-01. In addition, Transitional Housing is not currently an allowed use in the R-2 district, so the Town has initiated a zoning ordinance text amendment, coded as OA15-04, to add it as a use allowed by special use permit (SUP) in the district. Public hearings on RZ15-01, CPA15-02 and OA15-04 were initially held before the Planning Commission on January 7, 2016, but after discovering that proper notice was not given for the January hearings, additional public hearings have been scheduled for February 4, 2016. Staff recommends approval of these applications.

BACKGROUND:

Property Description

Each application involves the same Town-owned, 0.3471 acre parcel (the “Property”). The Property is addressed as 781 South 20th Street, Purcellville, Virginia and is located southwest of the intersection of A Street and South 20th Street. The Property is further identified in the Loudoun County land records as Tax Map Number /44//43/////A/ and

Parcel Identification Number 489-38-4477-000. The Property is bounded to the east by the South 20th Street right-of-way and on the south, west and north by property owned by the Town of Purcellville. The Property has a planned land use designation of Institutional/Government and a zoning district designation of IP.

RZ15-01 Rezoning Description

The Town-initiated RZ15-01 application would amend the Town’s Zoning Map by changing the zoning district designation of the Property from IP, Institutional and Public Use District to R-2, Single-Family Residential District. The Property currently contains a building that was originally a single-family detached dwelling but is now occupied by Mary’s House of Hope which provides transitional housing to single mothers and their children. The Town has initiated RZ15-01 in preparation for the possible sale of the Property to the Good Shepard Alliance—the non-profit which operates Mary’s House of Hope. Good Shepard Alliance wishes to preserve their equity in the Property if the purchase is completed, so rezoning to R-2 would allow the building on the property to revert to its historic use as a single-family detached dwelling at a future time, if necessary. Good Shepard Alliance plans to continue to use the Property for transitional housing; no additional development is currently proposed.

The existing IP, Institutional and Public Use zoning district designation for the Property allows public, civic, and institutional uses. Uses allowed in the IP district include bus shelters, churches, colleges or universities, community gardens, community or cultural facilities, farm and community markets, fire stations, government offices and assembly rooms, libraries, minor public utilities, parks, playgrounds, police stations, private clubs, private schools, public parking lots, rescue stations, special instruction schools, special events, temporary food trucks/trailers, and buildings and uses accessory to permitted uses.

The proposed R-2, Single-Family Residential zoning district designation is intended to provide for low-density single-family detached residential development together with those public and semi-public uses and accessory uses as may be necessary or are normally compatible with residential surroundings. In addition, certain special care facilities and certain governmental, educational, recreational and utility uses are permitted by special use permit subject to such restrictions and requirements as will ensure compatibility with residential surroundings. Allowed uses in the R-2 zoning district include single-family detached dwellings, assisted living facilities for one to eight individuals, group homes, home occupations, playgrounds, minor public utilities, residential child cares, residential equestrian facilities, special events, yard sales or garage sales, and buildings and uses accessory to permitted uses.¹

A comparison of the dimensional regulations in each district is provided in Table 1 below.

¹ For a complete list of uses in the IP and R-2 districts, see Zoning Ordinance Article 4, Section 1.

Table 1: Comparison of Dimensional Regulations

Standard	IP, Institutional and Public Use	R-2, Single-Family Residential
Minimum Lot Size	10,000 sq. ft.*	15,000-20,000 sq. ft.
Minimum Lot Width	-	100 ft.
Lot Depth	-	100-150 ft.
Minimum Front Yard	0 ft.^	25 ft.
Minimum Side Yard	0 ft.+	10 ft.
Minimum Rear Yard	0 ft.+	25 ft.
Maximum Height	-#,**	Residential: 35 ft.**

- * No minimum lot area for parcels without a substantial structure such as well and park sites.
- ^ Yards adjacent to a residential district shall have a setback equal to that district or the average setback of adjacent structures.
- + Yards adjacent to a residential district shall have a minimum yard of 10 feet.
- # Within 50 feet of a residential district, the maximum height of the nearest residential district shall apply.
- ** Up to 60 feet, if certain setbacks from the property line are met.

CPA15-02 Comprehensive Plan Amendment Description

In support of RZ15-01, the Town-initiated CPA15-02 application would amend the Town’s Planned Land Use Map, as published on page 116 of the *Purcellville, Virginia 2025 Comprehensive Plan (2025 Plan)*, by changing the planned land use for the Property from Institutional/Government to Residential – 2 Dwelling Units Per Acre. This designation would be consistent with the rezoning to R-2 proposed by the RZ15-01 rezoning application.

OA15-04 Zoning Ordinance Text Amendment Description

In support of RZ15-01, the OA15-04 application would amend the Town’s Zoning Ordinance in the following ways:

1. Amend Article 4, Section 1, Subsection 1.1 to add “Transitional Housing” as a use listed in the Use Table and allow “Transitional Housing” as a use allowed by special use permit in the R-2 zoning district (i.e. shown as “SUP” in the Use Table);
2. Amend Article 4, Section 1, Subsection 1.2 to add standards for the “Transitional Housing” use; and
3. Amend Article 15, Section 2 to add a definition for the “Transitional Housing” use.

RZ15-01 & CPA15-02 ANALYSIS:

There are certain relevant factors that should be considered for any rezoning request. Article 1, Section 3 of the *Zoning Ordinance for the Town of Purcellville, Virginia* states that zoning districts must be drawn and applied by reasonably considering the following: the comprehensive plan; trends of growth and change; current and future requirements of the community as to land for various purposes; the transportation requirements of a

community; requirements for public facilities and services; conservation of natural and historic resources; the existing use and character of property; the suitability of the property for various uses; efficiency and economy in the process of development; encouragement of the most appropriate and best use of land throughout the locality; encouragement of good civic design and the creation of a convenient, attractive and harmonious community; and to promote the health, safety, morals, order, convenience, prosperity and general welfare of the Purcellville community.

Provided below are the factors found in Article 1 of the Zoning Ordinance, as stated above, along with corresponding staff comments. Please note that the analysis of the components of the comprehensive plan covers many of Article 1's factors, so duplicate analysis will not be provided. Staff's analysis of CPA15-02 is also included below where relevant.

Consistency with the Comprehensive Plan

The *2025 Plan* was adopted in 2006 to "provide guidance for the coordinated and harmonious development of the territory in accordance with present and future needs and resources that will best promote the health, safety, morals, order, convenience, prosperity and general welfare of the community" (*2025 Plan*, p. 1). Accordingly, the Plan should serve as the basis for Town land use decisions, and Staff provides the following analysis of its pertinent goals and policies.

Financial Planning for the Future

Purcellville continues to face costs for capital improvements and other enhancements designed to benefit the community, and this presents the challenge of maintaining fiscal balance and stability while paying for needed improvements. One method provided in the Plan to address this challenge is "to better balance the Town's tax base by working toward 30 percent of the value of the Town's real property tax base from commercial property and 70 percent from residential property" (*2025 Plan*, p. 22).

1. Whether used for transitional housing or single-family residential, this property would not increase the Town's commercial property tax base.
2. The Town's motivation for pursuing this application is to monetize a Town-owned asset, and while this specific strategy is not mentioned by the 2025 Plan, it is an attempt by the Town to support the maintenance of fiscal balance and stability.

Staff Determination: RZ15-01 is partially in compliance with this portion of the Plan.

2025 Housing Policies

The housing policy section of the Plan calls for a balance between residential and commercial development to "promote a harmonious pattern of land development and a healthy land use balance that encourages community preservation, sustainable development and managed growth; increase the amount of commercial and light industrial development in Purcellville to provide a more balanced economy, local revenue structure, and cost effective public services; and provide more cost effective public services by achieving a real estate tax revenue ratio of at least 30 percent from commercial uses and no more than 70 percent from

residential uses” (2025 Plan, p. 28). The Plan also seeks to “ensure a housing stock of sufficient size, diversity and quality for all residents to have a safe and sound place to live...ensure that new residential construction is compatible with the Town’s existing small town character, protect historic residential structures and neighborhoods,...[and] continue to encourage innovative housing development options that enhance community character, preserve open space, and provide a range of housing choices” (2025 Plan, p. 29).

1. Due to the site’s close proximity to the Hirst Farm and Valley Springs residential developments, the uses allowed by the requested R-2 zoning district are compatible with the pattern of land development surrounding the Property.
2. The site was formerly used as a single-family detached dwelling, and rezoning to R-2 would allow it to be used for that purpose in the future. However, the possible addition of this house at a future time would have no significant impact on the size, diversity and quality of the Town’s housing stock.

Staff Determination: RZ15-01 generally complies with this portion of the Plan.

2025 Land Use Policies

The Plan includes policies to “provide for managed community growth and land development that ensures harmonious, compatible and orderly land use patterns” (2025 Plan, p. 111) and “provide a diversity of land uses that support the residential and business needs of Purcellville while ensuring economic, social and financial stability” (2025 Plan, p. 111). The Property has a planned land use designation of Institutional/Government.

1. RZ15-01’s requested R-2 district zoning is not currently supported by the 2025 Land Use Policies because the Property is designated for Institutional/Government on the Planned Land Use Map. It is for this reason that CPA15-02 has been initiated by the Town in support of RZ15-01.

The Planned Land Use Map is a major component of the 2025 Plan which was developed after thorough analyses and evaluation to display the future land uses desired by the Town. It is this map which CPA15-02 seeks to amend. As stated in the 2025 Plan:

The [Planned Land Use Map] is reflective of the policies and initiatives discussed in the various elements of this Comprehensive Plan and the Town’s desire to:

- achieve a better balance between residential and commercial and industrial development;
- increase opportunities for commercial and industrial growth;
- provide development densities in residential neighborhoods that reflect the existing built density;
- ensure public facilities adequate to meet desired land development and growth patterns; &
- provide greater protection for public open space, environmentally sensitive areas, and historic properties (2025 Plan, p. 110).

Because the *2025 Plan* was created and adopted after many months of effort by the Town and its citizens, changing the map or decisions made contrary to it should not be taken lightly. It is for this reason that CPA15-02 has been initiated by the Town requesting a planned land use designation of Residential – 2 Dwelling Units Per Acre. The *2025 Plan* states, in part, about the “Residential” planned land use:

Five residential land use categories with different maximum density limits are shown on the Planned Land Use Map...These categories reflect existing residential development patterns and densities...The overall goal is to have development be compatible in density with the existing built density to maintain community character. (*2025 Plan*, p. 115).

1. CPA15-02’s requested designation of Residential – 2 Dwelling Units Per Acre respects the existing built density and residential character of the nearby Hirst Farm and Valley Springs neighborhoods.
2. If CPA15-02 is approved, the proposed designation is consistent with RZ15-01’s proposed rezoning to R-2.

Staff Determination: RZ15-01 is currently contrary to this portion of the Plan, but compliance would be achieved if CPA15-02 is approved.

CPA15-02 is a suitable amendment to the Planned Land Use Map as it respects the built density and residential character of nearby developments.

Other 2025 Policies

Staff Determination: RZ15-01 is not particularly applicable to the Plan’s policies for: Parks, Recreation and Open Space; Historic Resources; Economic Development; Public Services; Public Utilities; Transportation; or the Environment.

Trends of Growth and Change

While the housing market in Town appears be strong as people continue to be attracted to Purcellville’s small town charm, Good Shepard Alliance would continue to use the Property for transitional housing, and no additional development is expected. If the use were ever to change, no more than one single-family detached dwelling would fit on the site under current zoning standards.

Existing Use and Character of Property, Suitability of the Property for Various Uses & The Most Appropriate and Best Use of Land Throughout the Locality

The Property currently contains a building that was originally a single-family detached dwelling but is now occupied by Mary’s House of Hope which provides transitional housing to single mothers and their children. As a site of approximately 0.35 acres, its possible use

is constrained due to its small size, but its continued use for transitional housing or possible use as a single-family detached dwelling, the primary use of the proposed R-2 district, would be suitable for the site.

OA15-04 ANALYSIS:

Any proposed amendment to the Zoning Ordinance for the Town of Purcellville, Virginia should comply with the various purposes noted in Article 1, Section 3. In the case of a request to add a specific use to a district, consideration of these purposes can be condensed in to the following questions:

1. Is the request supported by or contrary to the comprehensive plan?
2. Is the request suitable for the effected district(s)?
3. Are there any town-wide effects of the request?

Consistency with the Comprehensive Plan

The Purcellville, Virginia 2025 Comprehensive Plan (2025 Plan) was adopted in 2006 to “provide guidance for the coordinated and harmonious development of the territory in accordance with present and future needs and resources that will best promote the health, safety, morals, order, convenience, prosperity and general welfare of the community” (2025 Plan, p. 1). Accordingly, the Plan should serve as the basis for Town land use decisions, but its policies are silent regarding transitional housing.

Financial Planning for the Future

Purcellville continues to face costs for capital improvements and other enhancements designed to benefit the community, and this presents the challenge of maintaining fiscal balance and stability while paying for needed improvements. One method provided in the Plan to address this challenge is “to better balance the Town’s tax base by working toward 30 percent of the value of the Town’s real property tax base from commercial property and 70 percent from residential property” (2025 Plan, p. 22).

1. The addition of transitional housing as a permissible use would not help to increase the Town’s commercial property tax base.
2. The Town’s motivation for pursuing this application and the related RZ15-01 application is to monetize a Town-owned asset, and while this specific strategy is not mentioned by the 2025 Plan, it is an attempt by the Town to support the maintenance of fiscal balance and stability.

Staff Determination: OA15-04 is partially in compliance with this portion of the Plan.

2025 Land Use Polices

The Plan expresses a desire to “*achieve a better balance between residential and commercial and industrial development*” as well as “*increase opportunities for commercial and industrial growth*” (2025 Plan, p. 110). The Plan also includes policies to “*provide for managed community growth and land development that ensures harmonious, compatible and orderly*

land use patterns” (2025 Plan, p. 111) and “provide a diversity of land uses that support the residential and business needs of Purcellville while ensuring economic, social and financial stability” (2025 Plan, p. 111).

1. Approval of OA15-04 would have no effect on the balance between residential and commercial development, as transitional housing could only be operated by a government or nonprofit agency.
2. By requiring a special use permit for transitional housing and ensuring that such uses meet the proposed standards, any necessary conditions could be imposed to ensure its compatibility with surrounding development.
3. Adding transitional housing as a use in the district would increase the diversity of land uses and could one day support a Town resident in need of such temporary housing.

Staff Determination: OA15-04 generally complies with this portion of the Plan.

Other 2025 Policies

Staff Determination: OA15-04 is not particularly applicable to the Plan’s policies for: Housing; Parks, Recreation and Open Space; Historic Resources; Economic Development; Public Services; Public Utilities; Transportation; or the Environment.

Suitability for the R-2 District

Article 2, Section 1 of the Zoning Ordinance for the Town of Purcellville, Virginia states that zoning districts are established “in order to regulate and restrict the location and use of buildings and land...in accordance with the comprehensive plan.” In addition, the same section notes that:

The purpose statements which accompany each district are intended to describe in a general way the character of uses to be encouraged in the district, to assist with selection of appropriate districts for application to various conditions of land use, existing or planned, and to assist with interpretation of questions which may arise with respect to particular land uses in particular locations. In any case of difference between the purpose statement and the use regulations for the district the use regulations shall control.

The purpose of the R-2 District states that it provides for:

low-density single-family detached residential development together with those public and semi-public uses...as may be necessary or are normally compatible with residential surroundings[, and] certain special care facilities...are allowed by special use permit subject to such restrictions and requirements as will ensure compatibility with residential surroundings.

Since transitional housing would be restricted to being operated by a government or non-profit agency, it would be a public or semi-public use that could be a special care facility in certain situations. Additionally, the use would be restricted to a maximum occupancy of nine as well as a minimum separation of 250 feet from existing residential dwellings.

Staff Determination: The purpose of the Town's R-2 district supports OA15-04's request to add transitional housing as a SUP.

Town-wide Effects

The proposed requirement that transitional housing be at least 250 feet from any existing residential dwelling greatly limits the places it could be located in the Town's R-2 district. The Property and the Ball Property are the only locations staff has identified that could meet this requirement. Given the limited locations, few transitional housing facilities could be placed in Purcellville, so it is unlikely that there would be any town-wide effects if OA15-04 were approved.

Staff Determination: OA15-04 presents no obvious town-wide effects.

FINDINGS:

1. RZ15-01 is partially supported by the *Financial Planning for the Future* and generally supported by the *2025 Housing Policies* sections of the Purcellville, Virginia 2025 Comprehensive Plan; however, it is currently contrary to the *2025 Land Use Policies*. If CPA15-02 is approved, RZ15-01's proposed rezoning to R-2 would then be supported by the *2025 Land Use Policies*.
2. CPA15-02 is a suitable amendment to the Purcellville, Virginia 2025 Comprehensive Plan's Planned Land Use Map as it respects the built density and residential character of nearby developments.
3. OA15-04 is partially supported by the *Financial Planning for the Future* and generally supported by the *2025 Land Use Policies* sections of the Purcellville, Virginia 2025 Comprehensive Plan.
4. OA15-04 is supported by the purpose statement of the R-2, Single-Family Residential District.
5. There are no obvious town-wide effects of OA15-04.

ATTACHMENTS

1. RZ15-01 Application
2. RZ15-01 Statement of Justification and Explanation
3. Property Diagram (Copy of Subdivision Plat Creating the Parcel)
4. Proposed Zoning Ordinance Text Amendments for Transitional Housing

Town of Purcellville
Department of Planning and Zoning
 221 S. Nursery Avenue, Purcellville, VA 20132
 (540)338-2304 Fax (540)338-7460

**Rezoning &
 Proffered Conditional Amendment
 Application**

Date 9/10/2015 PIN 489 3844 77000

Street Address 781 S. 20th Street, Purcellville VA

Parcel Acreage 0.3471 acres Parcel Zoning District Institutional

Agent's Name _____
 Fax No. _____ Phone No. _____
 E-mail _____
 Mailing Address _____

Owner's Name Town of Purcellville
 Fax No. _____ Phone No. _____
 E-mail _____
 Mailing Address 221 S. Nursery Ave.
 Purcellville VA

Requested Zoning R-2 Proposed Density (Residential) _____

Description of request Revise zoning from Institutional to R-2,
 single family residential

Justification for request Property use is residential currently.

Please Note – during review by the Town or other referral agencies, additional information may be requested to aid in the review process of this application.

Proffers are included with application (If so, please attach).

Please see reverse for application process.

Owner:

I have read this completed application, understand its intent and freely consent to its filing. The information provided is accurate to the best of my knowledge. I understand that the Town may deny, approve, or conditionally approve that for which I am applying. Furthermore, I grant permission to the Town or authorized government agents to enter the property and make such investigations and tests as they deem necessary.

Robert White
 Owner Signature

9/10/15
 Date

For Town Use Only

Application Received:		Hearing Date:	T.C. P.C.	<input type="checkbox"/> Fees Paid Amount \$ _____ Rezoning # <u>RZ15-01</u>
Town Council Action:	Approved: Denied:		Ordinance # _____	

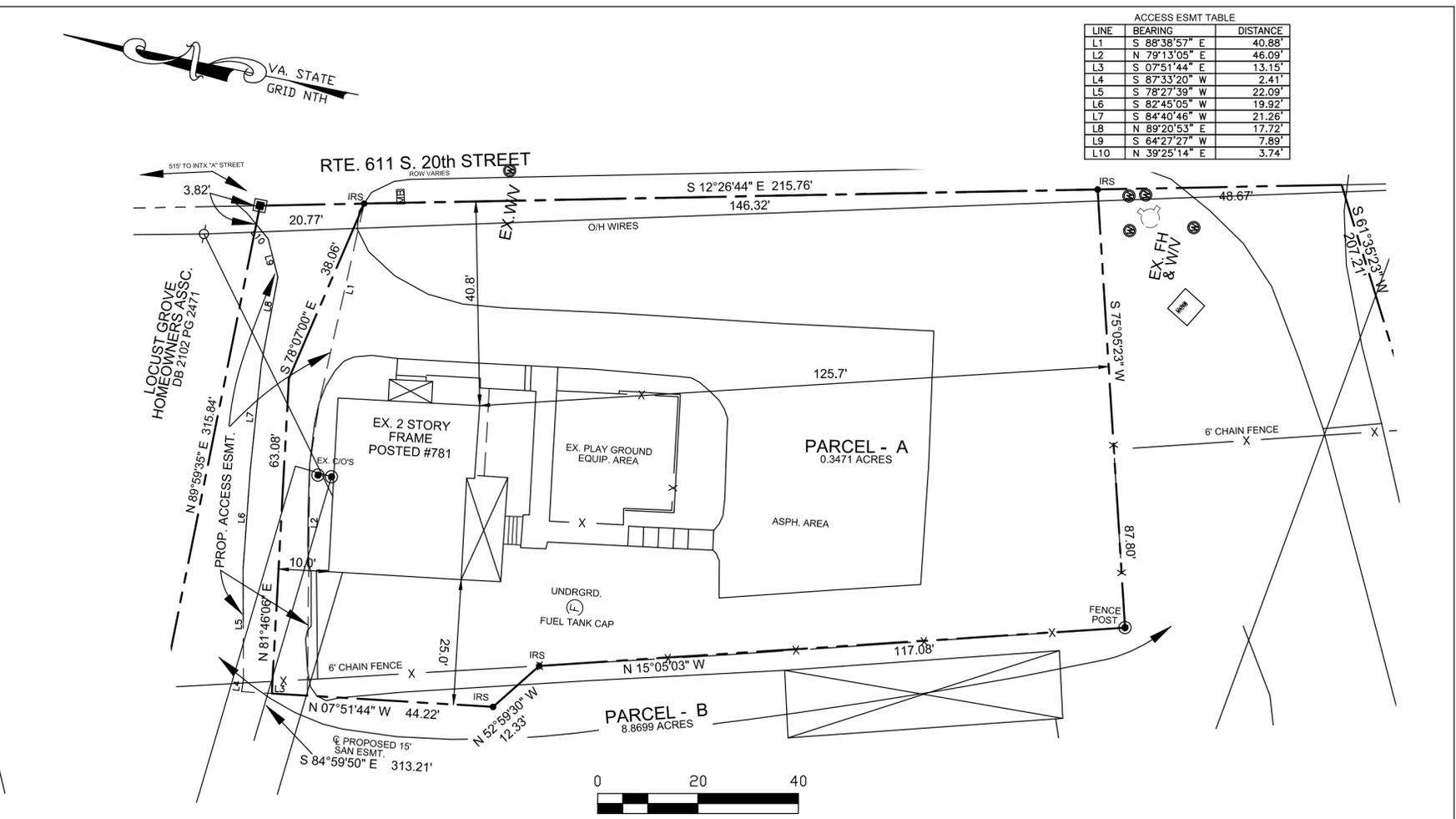
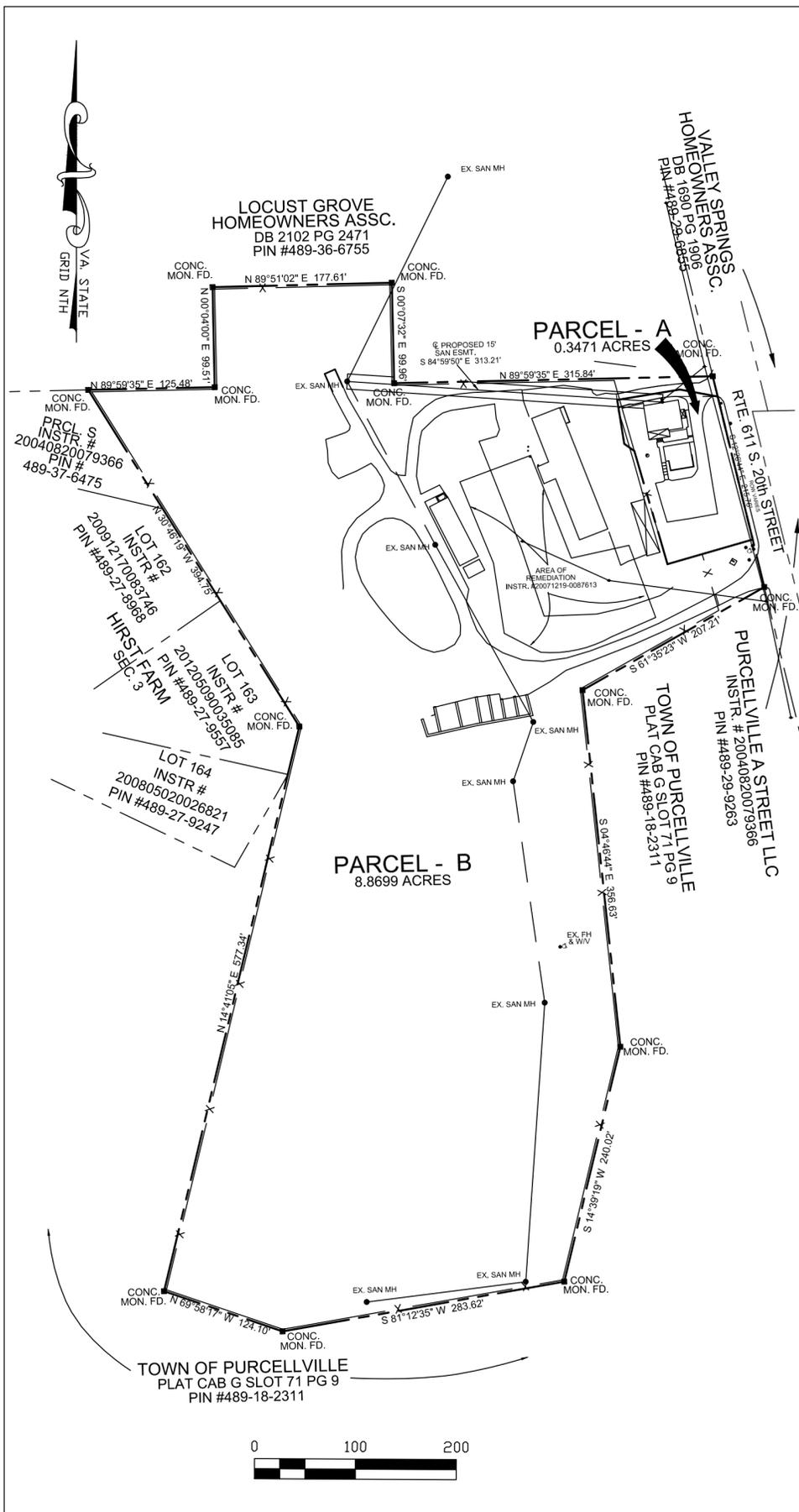
Statement of Justification and Explanation

The Town of Purcellville is requesting a rezoning of 781 S. 20th Street (PIN 489384477000) from IP Institutional and Public Use to R-2 Single-family Residential zoning. The property for which rezoning is being requested is a 0.3471 acre parcel with a house. The house is currently being used for transitional housing, and allows single mothers (and their children as old as 12 years old) up to two years to stabilize their living situation, become stable in their jobs and learn to be solid parents.

Properties to the north and east (across S. 20th Street) are zoned R-2. The Town property that borders this parcel to the west and south is zoned IP, and is the site of the old wastewater treatment plant and maintenance shop.

The Town of Purcellville acquired this property, as a part of a larger parcel, in 1973. The house continued to be used as a single family tenant home until May 2005, when the Good Shepherd Alliance leased the home and renovated the old tenant house. Since 2007, the home has been used for women's transitional housing, and has been well maintained by the Good Shepherd Alliance.

The current zoning is IP. The Town requests a rezone of this property, in combination with any necessary text amendment to the Zoning Ordinance, to allow the continued use of this property for transitional housing with a zoning of R-2. The proposed rezoning is consistent with the surrounding non-governmental property.



LINE	BEARING	DISTANCE
L1	S 88°38'57" E	40.88'
L2	N 79°13'05" E	46.09'
L3	S 07°51'44" E	13.15'
L4	S 87°33'20" W	2.41'
L5	S 78°27'39" W	22.09'
L6	S 82°45'05" W	19.92'
L7	S 84°40'46" W	21.26'
L8	N 89°20'53" E	17.72'
L9	S 64°27'27" W	7.89'
L10	N 39°25'14" E	3.74'

APPROVAL

BY: ZONING ADMINISTRATOR _____ DATE _____

OWNER'S CONSENT

THE ABOVE AND FOREGOING SUBDIVISION OF THE PROPERTY OF TOWN OF PURCELLVILLE AS APPEARS IN THE ACCOMPANYING PLAT, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

BY: TOWN OF PURCELLVILLE _____ DATE _____

NOTARY PUBLIC

STATE OF _____
 CITY/COUNTY OF _____
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2015
 BY _____ ON BEHALF OF TOWN OF PURCELLVILLE
 _____ NOTARY PUBLIC
 MY COMMISSION EXPIRES _____

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE LAND CONTAINED IN THIS SUBDIVISION IS THE SAME LAND CONVEYED TO THE TOWN OF PURCELLVILLE AS RECORDED IN DEED BOOK 1163 AT PAGE 1000 AND RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF LOUDOUN COUNTY, VIRGINIA.



OWNER: TOWN OF PURCELLVILLE, VA
 221 S. NURSERY AVE.
 DEED BOOK 1163 AT PAGE 1000
 TAX MAP 44-PARCEL 66
 PARCEL ID 489-28-2069
 TOWN OF PURCELLVILLE PROJECT
 NO. TP15-06
 PROPERTY ADDRESS # 781 AND #785
 S. 20TH STREET
 BOUNDARY INFORMATION SHOWN
 HEREON IS BASED ON VIRGINIA
 STATE GRID CONTROL FOR THE TOWN
 OF PURCELLVILLE.
 THIS PLAT MUST BE RECORDED
 WITHIN SIX MONTHS OF APPROVAL.

AREA TABULATION

ORIGINAL PRCL. = 9.2170 ACRES
 NEW PRCL. A = 0.3471 ACRES
 NEW PRCL. B = 8.8699 ACRES
 TOTAL = 9.2170 ACRES

VICINITY MAP
 NO SCALE
 THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT THEREFORE THIS PLAT MAY NOT SHOW ALL ENCUMBRANCES TO THE PROPERTY
 PARCEL A AND PARCEL B ZONED INSTITUTIONAL AT TIME OF PLAT APPROVAL
 ISSUANCE OF ZONING PERMITS SHALL BE SUBJECT TO PAYMENT OF WATER AND SANITARY SEWER CONNECTIONS.
 APPROVAL OF THIS SUBDIVISION DOES NOT GUARANTEE PROVISIONS OF WATER OR SEWER BY THE TOWN OF PURCELLVILLE.
 THERE ARE NO VISIBLE SIGNS OF ARCHEOLOGICAL, HISTORICAL FEATURES OR CEMETERIES.
 THIS PROPERTY FALLS IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOOD PLAIN ACCORDING TO FEMA FIRM MAP 51107C0089 D EFFECTIVE JULY 5, 2001.

DRAWN BY: DFS
 JOB NO.: 1503015
 SCALE: AS NOTED
 DATE: 05/22/15
 SHEET: 1/1



PAINTER-LEWIS, P.L.C.
 817 Cedar Creek Grade, Suite #120
 Winchester, Virginia 22601
 Telephone: (540) 662-5792
 Facsimile: (540) 662-5793
 Email: office@painterlewis.com

PROJECT:
 TOWN OF PURCELLVILLE
 PARCEL ID #489-28-2069
 LOUDOUN COUNTY, VIRGINIA

DRAWING TITLE:
 SUBDIVISION
 PLAT

NO.	DATE	DESCRIPTION	BY
	7/14/15	COUNTY COMMENTS	

PROPOSED ZONING ORDINANCE TEXT AMENDMENTS FOR TRANSITIONAL HOUSING

Amend Article 4, Section 1, Subsection 1.1: Use Table as follows:

Use	R2	R3	R3A	R8	R15	C1	MC	C4	CM1	M1	PDH	X	IP	AC	RT	Use Standard
Theater							SUP	SUP					SUP			
<u>Transitional housing</u>	<u>SUP</u>															<u>Art. 4, Sec. 1.2.179</u>
Upholstery shop							P	P	P	P						

Amend Article 4, Section 1, Subsection 1.2: Use Regulations as follows:

176-~~178~~181. *Reserved.*

179. Transitional housing.

a. General standards.

i. The facility shall have a maximum occupancy of three adults with up to two children each, excluding any resident staff persons.

ii. The facility shall be at least 250 feet from any existing residential dwelling.

b. Reserved.

180-181. Reserved.

Amend Article 15, Section 2: Definitions as follows:

Transitional housing. A residential facility managed by a government or nonprofit agency which provides temporary accommodations to women, with or without children, for a period of up to two years, and which also may provide meals, counseling, and other appropriate program activities designed to facilitate independent living.

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**MINUTES
PLANNING COMMISSION WORK SESSION
DECEMBER 3, 2015
HERITAGE ROOM**

The Work Session of the Purcellville Planning Commission convened at 8:52 PM and the following attended:

PRESENT: Theresa Stein, Vice Chair
Chip Paciulli, Planning Commissioner
Nedim Ogelman, Planning Commissioner
EJ Van Istendal, Planning Commissioner
Chris Bledsoe, Planning Commissioner

ABSENT: Doug McCollum, Chairman

STAFF: Daniel Galindo, Senior Planner

CALL TO ORDER:

The work session of the Planning Commission was called to order by Vice Chair Stein at 8:52 PM.

CHAIRMAN'S COMMENTS:

Vice Chair Stein stated that Emily Crow from McBride Dale Clarion would be showing a presentation for the upcoming Comprehensive Plan Update.

COMPREHENSIVE PLAN UPDATE

Emily Crow introduced herself and gave a brief history of some of the Comprehensive Plans she has worked on throughout Virginia. Ms. Crow named some of the other firms that will be working on the project: Kimley Horn for the transportation components, Tischler Bise for the fiscal impacts, and 801 Creative will be working on the renderings. Ms. Crow went over the schedule, and she explained initiation will start in January. Ms. Crow stated that on January 21 she will be back to meet with the Planning Commission, the next day other Departments and Boards and then Saturday January 23 will be the first public meetings. Ms. Crow noted that there is a public meeting scheduled for about every other month through September. Ms. Crow explained to the Planning Commission the different phases that will come with the review process: project initiation, research and analysis, visioning and scenario assessment, plan drafting and finally plan review and adoption. Ms. Crow stated that they hope to have a document by the summer of 2017 to present to Town Council for adoption.

Ms. Crow presented some ideas to the Planning Commission to increase public involvement and asked the Planning Commission to give suggestions of how to get the word out in the community, short of the public notice in the paper. Ms. Crow stated that the goal for the first day would be to have an attendance of 50-60 people in hopes that over the course of the project attendance will increase.

Ms. Crow asked the Planning Commission to give suggestions of what they would like to know from the public for the first meeting. The Planning Commissioners discussed including the youth of the Town and noted they would like to make it very visual for the community. Vice Chair Stein also suggested reaching out to the seniors in the community through the Carver Center. Ms. Crow suggested some other locations to hold the public meetings to reach out to different audiences. Ms. Crow noted that when she comes for her visits she will be in Purcellville from Thursday to Sunday and could possibly go into the schools one Friday with the school's permission.

Daniel Galindo noted that as discussed in the summer the Planning Commission is still encouraged to branch off into teams with different tasks to help with the Comprehensive Plan Review. Commissioner Paciulli asked Ms. Crow if that will fit into her schedule of the review process. Ms. Crow stated that is built into the schedule, and the Planning Commissioners can take the presentations that are done as a large group and present it to a smaller group such as a Boy Scout troop. Commissioner Van Istendal stated that he is still willing to help with making a video to put on the website.

Ms. Crow stated that she will be reaching out to stakeholders such as Town Council members, Boards, schools, and home owners associations. Ms. Crow stated that if the Planning Commissioners know any citizens who might challenge the review she would like the opportunity to speak with them early in the process to answer any questions. Commissioner Bledsoe noted that the area that the schools service is much larger than the Town limits. Ms. Crow stated that she would recommend limiting the stakeholders to the ones who fall into the growth area.

The Planning Commission confirmed the public meetings to be held on January 23rd and March 19th. Ms. Crow stated that each public meeting is trying to be coordinated with the regular Planning Commission meetings and each will have a theme. Ms. Crow stated that many of the exercises that will be done during the public meetings will also be available online for the citizens that are not able to attend, she noted that this also tends to reach other age groups.

Daniel Galindo asked the Planning Commission if there is a preference of where the meetings are held. Commissioner Ogelman stated that if the goal is to reach out to the colleges and schools it might be a good idea to try and hold the meetings at those locations. Ms. Crow noted that auditoriums are not recommended because they restrict how the crowd can interact. Commissioner Van Istendal noted that the citizens might feel more comfortable somewhere other than Town Hall. Daniel Galindo stated that he would look into the library and some of the other centers to check availability. Ms. Crow encouraged the Planning Commission to personally reach out to the citizens and invite

them to the meetings. The Planning Commission discussed tasks that will need to be done in the next few months such as, working on the website, producing flyers and other publications. The Planning Commission discussed the surveys that would be presented to the public. Ms. Crow recommended only giving four questions to be answered. Commissioner Ogelman asked if the Planning Commission will be seeing the material to be presented prior to the public meetings. Ms. Crow stated that the Planning Commission will see the information prior. Ms. Crow noted that after the first meeting in January a “mobile” template will be provided that the Planning Commission as a whole or a Commissioner can use to reach out to more groups and citizens; the materials presented will change depending on the phase.

ADJOURNMENT:

There being no further business, Commissioner Bledsoe made a motion to adjourn the meeting. The motion was seconded by Commissioner Van Istendal and the meeting adjourned at 9:58 PM.

Theresa Stein, Vice Chair

Diana Hays, Town Clerk

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**MINUTES
PLANNING COMMISSION REGULAR MEETING
JANUARY 7, 2016, 7:00 PM
TOWN HALL COUNCIL CHAMBERS**

The Regular Meeting of the Purcellville Planning Commission convened at 7:00 PM and the following attended:

PRESENT: Doug McCollum, Chairman
Theresa Stein, Vice Chair
Chris Bledsoe, Planning Commissioner
Chip Paciulli, Planning Commissioner
EJ Van Istendal, Planning Commissioner
Nedim Ogelman, Planning Commissioner

ABSENT: None

STAFF: Daniel Galindo, Senior Planner
Tucker Keller, Planning and Zoning Technician

CALL TO ORDER AND PLEDGE OF ALLEGIANCE:

The regular meeting of the Planning Commission was called to order by Chairman McCollum at 7:00 PM. The Pledge of Allegiance followed.

AGENDA AMENDMENTS:

Daniel Galindo requested to add to Information Items a review of the draft agenda for the January 21 Planning Commission Work Session and the January 23 public meetings on the comprehensive plan. Chairman McCollum approved the request.

PUBLIC HEARINGS:

- a) OA15-03 – Zoning Ordinance Text Amendment to Increase the Maximum Enrollment of a Home Child Care from Six to Twelve – Town Alternative

Chairman McCollum opened the public hearing at 7:02 PM. Staff had nothing new to report.

Pat Nevin of 121 Ivy Hills Terrace stated she lives in Purcellville Ridge and is on the HOA and that she is not speaking as an HOA representative. Ms. Nevin's added that she cannot support the proposed changes in the amendment. Ms. Nevin's talked about the increased traffic that would come with the proposal and feels it would be a nuisance. Ms. Nevin's also talked about the possible need for additional staff that would use parking.

Ana Maria Uceda of 130 Misty Pond Terrace noted she has been in business for seven years for twelve kids as the state allows and is not asking for an increase in the number but is asking the Town to respect the twelve kids she already has since 2008. Ms. Uceda added that she pays HOA dues and is entitled to visitor parking.

With no further speakers, Chairman McCollum closed the public hearing at 7:07 PM.

- b) CPA15-02 – Comprehensive Plan Amendment for 781 South 20th Street – Institutional/Government to Residential – 2 Dwelling Units Per Acre
- c) RZ15-01 – Zoning Map Amendment for 781 South 20th Street – IP to R-2
- d) OA15-04 – Zoning Ordinance Text Amendment to Add Transitional Housing as a SUP in R-2, Add a Definition for Transitional Housing, and Add Use Standards for Transitional Housing

Chairman McCollum opened the public hearings at 7:08 PM.

With no comments from the public or staff, Chairman McCollum closed the public hearings at 7:09 PM.

ACTION ITEMS:

None

DISCUSSION ITEMS:

- a) Amendment to Village Case Development Plan

Jason Brownell came forward to talk about the two undeveloped parcels in Village Case. Mr. Brownell added he represents the land ownership group as well as Brownell Inc. which has been contracted to manage the land use and the development process. Mr. Brownell stated he is looking for a comprehensive plan amendment so that Village Case PDH can be allowed to change the use of both undeveloped parcels of land. Mr. Brownell added that the first parcel is approximately two acres designated as NC (Neighborhood Commercial) and the second parcel is five acres designated as IG (Institutional Government). Mr. Brownell is pursuing an amendment that would allow them to build single family homes on both parcels, approximately 24 lots, similar in size to most of the existing residential lots in Village Case. Mr. Brownell stated his concerns that his application to change the use could be delayed due to the comprehensive plan review.

Mr. Brownell clarified via a question from Chairman McCollum that the two acre parcel is located within the Village Case HOA while the five acre parcel is not; however, there

is the ability to create a separate HOA. Mr. Brownell stated he does not want to submit an application and be told to wait eighteen months due to the comprehensive plan review.

Chairman McCollum added the Planning Commission may not be able to provide an immediate answer because they will need to talk amongst themselves and with staff.

Jeffrey Sheldon, 604 S. Maple Ave., President of the Village Case HOA, spoke on behalf of the Village Case residents. Mr. Sheldon stated that a survey went out to the Village Case residents, and a director's meeting was held after the survey at which Mr. Brownell gave a presentation about his proposal. Mr. Sheldon added that the consensus of the residents was that the site is unsightly and difficult to maintain, and the majority agreed that they would like to see the strip of Kinvarra taken out and more buffered. He added that flipping from a commercial to residential site would be a benefit. Mr. Sheldon stated he has concerns with what Mr. Sullivan has written to Mr. Brownell and talked about the proposed traffic circle (Kinvarra and Yaxley) that has not been built. He also commented on the traffic to and from the Community Garden.

Chairman McCollum stated he lives in a HOA community that has a private street that serves the library, and they have to maintain it although they have considered asking the Town to take it over.

Semon Samaha, 604 Greysands Lane stated the community would like to see a change in the commercial area and is in support of the request.

- b) OA15-03 – Zoning Ordinance Text Amendment to Increase the Maximum Enrollment of a Home Child Care from Six to Twelve – Town Alternative

Commissioner Ogelman requested an explanation of the special exception process which Daniel Galindo provided and stated involves the Board of Zoning Appeals.

Vice Chair Stein made a motion to move Public Hearing item OA15-03 Zoning Ordinance Text Amendment to Increase the Maximum Enrollment of a Home Child Care from Six to Twelve to an Action Item. The motion was seconded by Commissioner Bledsoe.

Commissioner Bledsoe added that he feels that over several meetings that this has been reviewed, the Planning Commissioners have done a diligent job in making sure there is protection in that it does not impact the Town as a whole and that it minimizes any negative impact to any community.

Commissioner Paciulli stated that it is pretty specific what you have to do with the homeowner's association as an independent body before it comes before the Planning Commission or the Board of Zoning Appeals.

Vice Chair Stein stated she feels this has been discussed thoroughly and feels the standards put in place will address the neighbor's concerns about the neighborhood, and while she appreciates the well run operation making the request that the Planning Commission needs to look at it more globally. She stated she would like to see it go forward and have a vote on it but stated she would like to make an amendment to the draft motion.

Chairman McCollum stated that the standards were compared with a number of jurisdictions and standards were selected that they believe are the most appropriate for the Town. Chairman McCollum added that the question is whether this is in the best interest of the Town.

Commissioner Ogelman stated that, not on this specific item necessarily but, on principal he is opposed to the Planning Commission putting together an agenda and then having the item turn into an action item. He prefers that it be disclosed in advance to make it more transparent to the citizens.

Chairman McCollum stated that he had asked Daniel Galindo that with any public hearing items that if they move to action that motions be prepared and available.

Commissioner Ogelman noted that his statement was not necessarily about this particular issue but a statement about the process.

Commissioner Paciulli noted he agrees with the general thoughts about the way it is set up and would like to discuss further under Discussion Items. Commissioner Paciulli added that he agreed with Commissioner Ogelman's comments.

Vice Chair Stein made a motion that the Purcellville Planning Commission forward OA15-03 to Town Council with a recommendation to approve the Town's alternative to OA15-03 with the following modification: that performance standard xviii be revised to strike the words "or allowed by this zoning ordinance" and that it end with "as may be required by the state family day home license."

Commissioner Bledsoe asked Chairman McCollum if the first motion needed to be acted upon first and asked if this was really an amendment to the motion. Chairman McCollum stated that the motion was made and a friendly amendment can be made if seconded which would make it a revised motion. Commissioner Bledsoe clarified that the first motion was to move it to an Action Item and that hasn't yet been voted on. Chairman McCollum agreed, and stated the vote needs to be held on moving the item to an Action Item.

The following reflects the vote to move the item to an Action Item:

Motion:	Vice Chair Stein
Second:	Commissioner Bledsoe

Carried: 5-1-0

Paciulli -	Aye
Ogelman -	Nay
Stein –	Aye
McCollum –	Aye
Van Istendal –	Aye
Bledsoe -	Aye

Commissioner Ogelman stated his vote does not reflect how he feels about the item but that he votes against moving it to an Action Item.

Chairman McCollum stated the item is now an action item and there is a proposed motion with amendment which was seconded by Commissioner Ogelman. Chairman McCollum asked Commissioner Stein if the recommended reasons 1, 2, and 3 are included.

Commissioner Stein restated the entire motion as follows:

Vice Chair Stein made a motion that the Purcellville Planning Commission forward OA15-03 to Town Council with a recommendation to approve the Town’s alternative to OA15-03 for the following reasons:

1. The Town’s alternative proposal would fulfill the basic intent of OA15-03 while ensuring future residential child cares are harmonious with their surroundings;
2. The Town’s alternative proposal is partially to generally supported by the *Financial Planning for the Future, 2025 Economic Development Guiding Principles* and *2025 Land Use Policies* sections of the Purcellville, Virginia 2025 Comprehensive Plan; and
3. The Town’s alternative proposal is generally supported by the purpose statements of the R-2, R-3, R-8 and R-15 districts.

Daniel Galindo noted that the presented motion was read and the proposed modification needs to be added.

Vice Chair Stein further motioned that she would like to make the following modification:

1. That the words “or allowed by this zoning ordinance” be struck from standard xviii and that it end with “what may be required by the State Family Day Home License.”

The motion was seconded by Commissioner Paciulli.

Commissioner Ogelman stated he was thinking about the clause in the context of this being the special exception process as opposed to the Planning Commission special use

permit process, and added it seems like the tool that is available to the Board of Zoning Appeals to discuss these kinds of things would be whether or not it is allowed by the zoning ordinance. Commissioner Ogelman asked what removing that clause does to the capabilities of the Board of Zoning Appeals to evaluate some parts of the ordinance. Commissioner Bledsoe added shouldn't it be an inclusive statement so it would have to be "and allowed by the zoning ordinance" meaning if it wasn't allowed by the zoning ordinance it wouldn't be provided for anyway, and confirmed he would prefer to change the word "or" to "and".

Vice Chair Stein stated the zoning ordinance does not require it. Daniel Galindo clarified where the "allowed" came from noting that the initial language was just "required by the state family day home license or by the zoning ordinance," but the zoning ordinance wasn't requiring anything in this case, and we wanted to give it the flexibility of "allowed." Daniel Galindo added that the intent is that there are very few things that any sort of home occupation can do in a residential district.

Commissioner Bledsoe stated that it now makes more sense than the original statement included the "or" because even if it is not required by the State is still under the zoning ordinance allowance.

Chairman McCollum added that by changing it to "and" you would have to have both requirements met before it could be done.

Commissioner Bledsoe added that as the motion stands that last phrase is struck and an additional amendment would be needed.

Daniel Galindo responded to earlier Commissioner statements by clarifying that the amendment has been formatted to give a HOA plenty of opportunity to speak, but even if the HOA is not on board the application would move forward. Daniel Galindo stated he does not read it that if the HOA says they are against an application that it binds the Board of Zoning Appeals in any way, but the language makes sure they are notified, can present any objections, and if the business is allowed to use any communal assets. He added that the HOA cannot just say they don't want it, and the BZA turns it down.

Commissioner Ogelman stated he understands that it is just a regular public hearing process, and the Board of Zoning Appeals makes the decision. Commissioner Ogelman noted the HOA is a player in that process if they want to be, but ultimately the BZA makes the decision under a special exception. Daniel Galindo confirmed and added that with a HOA there are potential overlapping regulations where the Town could allow something and the HOA would not or vice versa.

Vice Chair Stein stated she is ok with striking with language and if people want to put it back in they can vote against the motion.

Chairman McCollum stated the vote would be on the motion as presented by Vice Chair Stein which includes dropping the following language “or allowed by the zoning ordinance” from standard xviii.

Chairman McCollum further clarified that the motion as it stands is that Vice Chair Stein is proposing that the language in xviii stop after the word “license.”

Motion: Vice Chair Stein
Second: Commissioner Paciulli
Carried: 4-2-0

Paciulli -	Aye
Ogelman -	Nay
Stein -	Aye
McCollum -	Nay
Van Istendal -	Aye
Bledsoe -	Aye

Chairman McCollum invited Ms. Uceda to come forward and provide a statement.

Ms. Uceda stated that at the last public hearing she provided the letter from the HOA where they supported the increase in children and that the Planning Commission said it would accept that letter. Chairman McCollum added that two letters were received from the HOA with different positions. Ms. Uceda stated that at the first hearing it was decided that the first letter supporting the increase would be used for the request, and that she was not aware that another hearing would be needed. Chairman McCollum stated that the procedure is to forward the item to Board of Zoning Appeals as a special exception under the current zoning ordinance and that the BZA would need something from the applicant (at the applicants discretion), and that a hearing is required and procedures must be followed.

- c) CPA15-02 – Comprehensive Plan Amendment for 781 South 20th Street – Institutional/Government to Residential – 2 Dwelling Units Per Acre
- d) RZ15-01 – Zoning Map Amendment for 781 South 20th Street – IP to R-2
- e) OA15-04 – Zoning Ordinance Text Amendment to Add Transitional Housing as a SUP in R-2, Add a Definition for Transitional Housing, and Add Use Standards for Transitional Housing

The Planning Commission discussed the rezoning request to R-2 from transitional housing in IP. Daniel Galindo added that the applicant may not be interested in purchasing the property if the rezoning does not go through. Commissioner Paciulli asked about notices being sent to the residences that are near the applicant’s location.

Daniel Galindo stated that he could not remember whether the notices were sent and requested time to check the records for the application.

Chairman McCollum approved a recess at 8:17 PM. The Commission reconvened at 8:23 PM.

Daniel Galindo stated Public Works put together the application on behalf of the Town, and it was then forwarded to Community Development. He stated that it had not been clear who would send out the letters and that the three letter mailing did not go out. Daniel Galindo added that the Public Hearing would need to be rescheduled and proposed February 4.

Chairman McCollum requested that staff include notations on the agenda under discussion items that may have the potential for action, or relocate discussion items before action items on the agenda and alert the public that it could be possible for discussion items to take action the same evening.

Chairman McCollum stated that items 6c, 6d, and 6e would be deferred until the notifications have been sent.

INFORMATION ITEMS:

- a) Draft Agenda for Comprehensive Plan Work Session on January 21 and January 23

Daniel Galindo introduced the agenda provided by the consultants and noted that there are roles that need to be filled. Daniel Galindo added that there is not a requirement that states that Planning Commissioners must attend the meeting(s) on January 23. Daniel Galindo requested that by the January 21st Work Session the Commissioners let him know if they will be attending on January 23 and what meeting(s) and what station they would be interested in assisting.

Chairman McCollum, Commissioner Ogelman and Commissioner Bledsoe stated they would attend both meetings. Commissioner Stein stated she would attend the morning meeting and would assist with station one. Chairman McCollum handed out a diagram of the Carver Center.

CITIZEN COMMENTS:

None

CHAIRMAN'S COMMENTS & COUNCIL REPRESENTATIVE'S REPORT

Chairman McCollum stated he has put together a draft of the annual report which will be circulated to the Planning Commissioners for feedback. After Planning Commission approval, it will be forwarded to Town Council. Chairman McCollum encouraged Planning Commissioners to make comments on items. Chairman McCollum added that at the last meeting Commissioner Stein talked about disclosures that the Loudoun County Planning Commissioners do and is in favor of adding it to future meeting agendas. Chairman McCollum clarified that an example of disclosure would be meeting with anyone that has an application. The Commissioners were in favor of this suggestion and discussed further where to locate this item and determined it would fit best after the Pledge of Allegiance.

PLANNING COMMISSIONERS' COMMENTS:

Commissioner Bledsoe stated that he will be out of Town the week of April 7. Commissioner Bledsoe reminded the Commissioners about the webinar on sign ordinances next week. Commissioner Bledsoe asked about the status of the website for the Comprehensive Plan Review. Daniel Galindo noted he would send out an email soon regarding the status.

APPROVAL OF MINUTES:

- a) November 19, 2015 Regular Meeting
- b) December 3, 2015 Regular Meeting

Vice Chair Stein made a motion to approve the minutes for November 19 and December 3, 2015. The motion was seconded by Commissioner Bledsoe and approved unanimously.

Daniel Galindo stated he had released a press release earlier in the week announcing the meetings and would also place an ad in the newspaper.

ADJOURNMENT:

With no further comments, Commissioner Ogelman made a motion to adjourn the meeting at 8:56 PM. The motion was seconded by Commissioner Van Istendal and approved unanimously.

Doug McCollum, Chairman

Diana Hays, Town Clerk

MINUTES
PLANNING COMMISSION REGULAR MEETING
JANUARY 21, 2016, 7:00 PM
TOWN HALL COUNCIL CHAMBERS

The Regular Meeting of the Purcellville Planning Commission convened at 7:00 PM and the following attended:

PRESENT: Doug McCollum, Chairman
Theresa Stein, Vice Chair
Chris Bledsoe, Planning Commissioner
Chip Paciulli, Planning Commissioner
EJ Van Istendal, Planning Commissioner
Nedim Ogelman, Planning Commissioner
Tip Stinnette, Planning Commissioner

ABSENT: None

STAFF: Daniel Galindo, Senior Planner
Tucker Keller, Planning and Zoning Technician

CALL TO ORDER AND PLEDGE OF ALLEGIANCE:

The regular meeting of the Planning Commission was called to order by Chairman McCollum at 7:00 PM. The Pledge of Allegiance followed.

Chairman McCollum welcomed the newest Commissioner, Tip Stinnette, and an intern from Patrick Henry College, Megan “MJ” Elliott who will be working with the Community Development Department.

OATHS OF OFFICE:

Mayor Fraser issued Oaths of Office to all of the Planning Commissioners.

Chairman McCollum requested on behalf of the Town Clerk that each Commissioner read and sign the Code of Conduct.

AGENDA AMENDMENTS AND COMMISSIONER DISCLOSURES:

None

PUBLIC HEARINGS:

None

DISCUSSION ITEMS:

a) Amendment to Village Case Development Plan

Chairman McCollum invited Mr. Jason Brownell to speak about the two undeveloped parcels in Village Case. Mr. Brownell stated he is seeking to apply for a comprehensive plan amendment so that the use of the PDH can be changed while the comprehensive plan is being rewritten. Mr. Brownell expressed concerns with the costs associated with the application process and the possibility of delays because of the timing. He added that without the assurance of a vote from the Planning Commission, his program to amend could be delayed as the risk may be too great to file all of the applications at once and expedite the project. Mr. Brownell requested a vote as to whether the Planning Commission is prepared to accept and review a comprehensive plan amendment application and related applications to be filed by Brownell Incorporated for the vacant parcels while the Town rewrites the comprehensive plan.

Commissioner Stein stated that when an application is submitted, the Planning Commission is required to act upon it within a certain amount of time per the zoning ordinance. Chairman McCollum agreed.

Commissioner Ogelman added he feels that the public should be able to weigh in on this.

Chairman McCollum stated the application appears to have the support of the HOA of Village Case whom would be most affected, and they will also have a chance to speak at the public hearing for the comprehensive plan amendment. The Commissioners agreed that they do not feel there would be a delay with the application because of the comprehensive plan review.

b) Draft 2015 Annual Report of the Planning Commission

Chairman McCollum noted he would like the Commissioners to take another look at the draft and to send their comments to Daniel Galindo.

Commissioner Ogelman stated a few of his concerns to include the statement about voting and that it needs to state that it was an election by acclamation that there was only one nominee for each of the positions. Chairman McCollum added that it was Commissioner Bledsoe suggestion to strike that completely; however, Commissioner Ogelman noted he feels it is important to have the transparency.

Commissioner Ogelman added that there is only one place where there is any mention of how the public reacted – favorably or negatively – regarding the application to increase the home day care. He suggested either dropping that or adding an assessment of what the general tenor was in every place where the public is mentioned. In regards to 32nd Street, Commissioner Ogelman suggested stating that the Town has not yet heard back

from the representatives of the developers. Commissioner Ogelman suggested stopping comments after the note that the zoning uses were reduced from 315 to 113 as the clause after could be read to assume that a reduction in uses is necessarily better. Commissioner Van Istendal agreed, and Chairman McCollum added he could make the change.

Commissioner Paciulli asked about the Planning Commission supporting the selection committee's decision to retain the consultant as he doesn't recall that. Chairman McCollum added there was no formal vote on the choice and that it was Town Council's decision, and asked for comments on how to change it. Commissioner Ogelman suggested adding a statement that the Planning Commission had no position on it. The Commissioners agreed that the last sentence should be removed.

ACTION ITEMS:

None

INFORMATION ITEMS:

None

CITIZEN COMMENTS:

Stephanie McGuinn, 324 East D Street, came forward to talk about Article 9, Section 5 of the Zoning Ordinance referring to the size constraints for accessory dwellings in that it cannot exceed 25% of the total floor space of the original dwelling yet will not be less than 500 feet of the floor area.

Ms. McGuinn stated she and her husband were discouraged recently from going before the Board of Zoning Appeals to seek accessory dwelling approval because their basement exceeds 25% of the square footage of their house. They were seeking the approval so they can include a stove in the in-law suite that they are building where Mr. McGuinn's parents will live although, she noted, it would become a rental unit until they move in the next couple of years. Ms. McGuinn added that they have been approved to build the in-law suite as drawn except without a stove. Ms. McGuinn stated they feel the original intent of the ordinance is being misconstrued and seems to have been to restrict what size is allowed for new structures such as over the garage apartments or new buildings. Ms. McGuinn requested that the Commissioners consider adding an amendment to allow existing basements to be finished fully with stoves regardless of their size in relation to the rest of the house.

Chairman McCollum provided a summary of the accessory dwelling unit provision, and he requested that Ms. McGuinn contact the Community Development Department to ask where they stand on scheduling the public hearing for the previous request to make a similar amendment and invited her back at that time. Vice Chair Stein added that the issue is not the stove but with the size, as that section of the ordinance does not talk about

stoves. Chairman McCollum agreed and added that the Commission should consider her concern, as well as the other family that had an issue, and decide the best approach in terms of size. Chairman McCollum requested again that Ms. McGuinn contact staff and let them know she would like to pursue this along with the other family that is looking for an amendment to the accessory dwelling unit regulations so that it is included in the staff report for the Planning Commission's review.

CHAIRMAN'S COMMENTS & COUNCIL REPRESENTATIVES REPORT:

Chairman McCollum reminded everyone that the first of the comprehensive plan sessions was rescheduled from this coming Saturday to February 6 at the same times and location.

Chairman McCollum stated that Commissioner Bledsoe had asked about branding the comprehensive plan work, and Daniel Galindo had reminded Chairman McCollum that over the summer, "Plan Purcellville" was selected as a simple concept for people to find everything. Daniel Galindo added that the website is up and running.

PLANNING COMMISSIONER'S COMMENTS:

Vice Chair Stein thanked Chairman McCollum for putting together the Annual Report. Chairman McCollum added that it is a statutory requirement, and he is proud of the work of the Planning Commission.

Commissioner Bledsoe asked if the Commission would need to re-advertise the Comprehensive Plan Update Meetings. Daniel Galindo shared the documents that have been prepared for public outreach: a flyer prepared by the consultant, a copy of the public notice that will be in the Purcellville Gazette, and the Press Release – all of which reflect the new dates. Mr. Galindo also noted the Facebook page had been updated as well.

APPROVAL OF MINUTES:

- a) January 7, 2016 Regular Meeting

Before voting on the minutes, Vice Chair Stein stated that disclosures had not yet been reported during the meeting.

Commissioner Ogelman stated the Planning Commission had discussed adjusting various things on the agenda including announcing that when items might be voted on the same evening as public hearings and discussions are held. Daniel Galindo stated that the agenda does reflect the Commission's previous comments in that Discussion Items were moved before Action Items, and in the future, if there is a public hearing and a discussion, a note will be provided that states those items may be action items. Commissioner Ogelman added that the Disclosures should be mentioned, and Daniel Galindo pointed out that Disclosures were already added with the Agenda Amendments. Commissioner Paciulli asked for an explanation of what a Disclosure is. Chairman

McCollum stated that when he attended a Loudoun County Planning Commission meeting, they would disclose actions that they took that dealt with pending or potentially pending matters before the Planning Commission such as a site visit, application for rezoning, amendment, etc. Chairman Stein added that the Disclosure is meant for when you purposely have a conversation with a pending application that is land use related on an item that is currently or will be before the Planning Commission.

The Commissioners had no Disclosures to report.

Commissioner Bledsoe stated that the agenda reflects Disclosures from Commissioners and from Staff. Daniel Galindo stated that it was a holdover from Agenda Amendments, and he would separate those into two separate items on future agendas.

Commissioner Ogelman had a couple of amendments to the previous meeting minutes:

1. The statement where he noted he was opposed to putting together an agenda and moving an item to action the same day (top of page 4) stated that that should be before the vote because what affected his vote on the issue is the fact that the Commissioners were having to make the vote at the same time they had been discussing it.
2. Commissioner Ogelman also suggested that the statements as to how the votes were determined be added. Chairman McCollum noted that those comments are captured on page 4. Commissioner Ogelman noted it would be helpful to point out they were voting on the motion with the friendly amendment and not just the motion itself.

Chairman McCollum requested that Commissioner Ogelman send his language to Tucker and he will send his as well. Tucker Keller noted the minutes can be amended or voted on at the next meeting. The Commissioners agreed to vote on the minutes at the next meeting with the amendments included.

Chairman McCollum stated that a Code of Conduct has been issued to each Commissioner and requested that it be signed and left with Tucker or Daniel.

ADJOURNMENT:

With no further comments, Commissioner Ogelman made a motion to adjourn the meeting at 7:52 PM. The motion was seconded by Commissioner Van Istendal and approved unanimously.

Doug McCollum, Chairman

Diana Hays, Town Clerk