



**PLANNING COMMISSION
REGULAR MEETING AGENDA**

December 5, 2019

7:00 p.m.

- 1) **Call to Order** – Chairman Tip Stinnette
- 2) **Pledge of Allegiance**
- 3) **Agenda Amendments** (Planning Commission and Staff)
- 4) **Commissioner Disclosures**
- 5) **Public Hearings**
 - a) **None**
- 6) **Presentations**
 - a) **None Scheduled**
- 7) **Citizen Comments**
- 8) **Discussion Items**
 - a) **SUP19-01 Dogtopia of Purcellville @ 201 N. Maple Ave.**
- 9) **Action Items**

Note: Any Discussion Item may be added as an Action Item during the meeting by motion of the Planning Commission.

 - a) **To Vote On Plan Purcellville Certified Comprehensive Plan Version 6.0**
- 10) **Information Items**
 - a) **None Scheduled**
- 11) **Council Representative's Report**
- 12) **Chairman's Comments**
- 13) **Planning Commissioners' Comments**
- 14) **Approval of Minutes**
 - a) **November 21, 2019 Regular Meeting Minutes**

15) 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 Stefanie Longerbeam 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
INFORMATION ITEM

Item # 8a

SUBJECT: SUP19-01 Dogtopia of Purcellville – Notice of Application
Acceptance

DATE OF MEETING: December 5, 2019

STAFF CONTACTS: Andy Conlon – Senior Planner

BACKGROUND:

The Town of Purcellville has formally accepted a legislative application for a special use permit, for a use to be located at 201 N. Maple Avenue: SUP19-01 Dogtopia of Purcellville. Please see the attached Written Statement for additional details. All other associated materials can be found on the Town’s website at www.purcellvilleva.gov/activeapps or are available by request to the Department of Community Development.

The next step in the process is an administrative review by staff in Community Development. This will include referrals to other departments and agencies, including Public Works and VDOT. Upon receipt of referral comments, staff will provide those back to the applicant for their consideration. During this time, it is likely that some details of the application may change due to review by these agencies and other decisions by the applicant. The applicant will then submit revised (and potentially new) documents in response to these review comments, and staff will review the new submission and make additional comments, as needed. This cycle of submittal and review will continue until the applicant has adequately responded to all review comments.

Once the administrative review of the application is complete, the application will then be forwarded to the Planning Commission for a public hearing. At this time, formal public input will be received and the Planning Commission will review the application. The Planning Commission may then recommend that the application be approved, denied, or approved with conditions by Town Council.

Subsequent to a recommendation by the Planning Commission, the application will be forwarded to the Town Council for a public hearing, at which time the public can once again provide formal input on the proposal. After reviewing the application, Town Council will then take final action.

Throughout the process, input can be provided to staff in Community Development, the Planning Commission, or the Town Council via email or via message at the main Town Hall phone number.

ATTACHMENT:

1. Written Statement

Purcellville Plaza
201 North Maple Ave.

Statement of Justification for
Special Use Permit (SUP) – MC (Mixed Commercial) Zoning District

Kennel

October 30, 2019

Ruff & Tumble Corp, DBA: Dogtopia of Purcellville. (the “Applicant” and the “Owner”) requests a Special Use Permit to allow for a retail Dogtopia dog daycare to be placed on an approximately 1.88-acre parcel of land located on the west side of North Maple avenue and identified in the Loudoun County land records as PIN: 488301193 (the “Property”). The Property is zoned PV:MC, Mixed Commercial, and is subject to ZONING ORDINANCE Town of PURCELLVILLE, VIRGINIA Codified through Ordinance No. 17-12-01, enacted December 12, 2017. (Supp. No. 4).

The Applicant intends to develop the Property first floor suites A, B, C & D with an approximate 6,000 SF (gross floor area) with an adjacent outdoor fenced play area into a state-of-the-art retail Dogtopia store providing dog daycare, spa, grooming and overnight boarding services for safety and convenience of residents. There are currently over 100 Dogtopia stores in the United States and Purcellville will become the next community served by an exceptional dog care facility designed to provide dogs and dog parents with the best experience possible by reducing odors, noise levels and the risk of illness and accidents. Like many popular retailers, the niche of our business use does not fit neatly into current definitions. By the zoning ordinance, the closest definition and basis for this SUP, is a “kennel” because we offer overnight boarding as an ancillary part of our business. Our focus is on safe, open play, daycare services. The Dogtopia store will fill the void created by the relocation of the Virginia ABC store in the two-story retail/office building with approximately total 32,000 SF and located at 201 North Maple Avenue in Purcellville, Virginia 20132. In accordance with Article 4, Section 1.1 of the Town of Purcellville Zoning Ordinance (“Zoning Ordinance”), the Applicant seeks a Special Use Permit for the construction and operation of a “kennel.”

VICINITY MAP



Article 8, Section 1.4 of the Zoning Ordinance describes the “Procedures for approval of special use permits which require approval by the town council.” Specifically, Section D lists the “Issues for consideration” in reviewing a special use permit request. The following is a discussion of the issues relevant to the request for a “kennel” use on the Property:

1. Whether the proposed application is consistent with the comprehensive plan.

Article 4, Section 1.1 of the Zoning Ordinance permits the location of a Dogtopia store in the MC Zoning District, subject to approval of a Special Use Permit (SUP) by the Town of Purcellville Town Council. The Property, which is zoned mixed commercial, has been serving the residents of Purcellville for more than a decade as an established commercial location. The nearest residential property is located approximately 200 feet from the store and separated by several plaza businesses, a street and green space with trees. The Dogtopia store will be located on the south side of the plaza building. The outdoor play area will be closest to the back entrances used for loading/unloading and waste for 609 E Main St. plaza building located approximately 150 feet from the south side of 201 N. Maple Ave. The location is ideal.

The adopted *Town of Purcellville 2025 Comprehensive Plan* dated 12/19/06 reclassified the area around 201 North Maple Avenue from Commercial to Mixed Commercial (MC). The plan states, “A new mixed-use commercial land use category is recommended for the commercial areas of East Main Street. The intent of this district is to provide for a variety of retail shopping, office uses, and miscellaneous recreational and service activities in compact clusters” (2025 Purcellville Comprehensive Plan, pg. 114). The *Town of Purcellville 2018 Comprehensive Plan v5.0*, currently under review, builds upon the 2025 Comprehensive Plan and identifies 201 N. Maple Ave within the Area 1

boundary (pg. 69) of the East Main Focus Area. Within area 1, the proposed plan seeks to “Encourage redevelopment with small- to medium-scale mixed-use buildings including commercial, office, and residential uses.” The development of the proposed Dogtopia store is a redevelopment of an existing space by a local family owned small business and is consistent with both the approved 2025 Comprehensive Plan and the most current update under review.

2. *Whether the proposed special use at the specified location will contribute to or promote the welfare and convenience of the public.*



Dogtopia is the leading provider of dog daycare services in the U.S. When you and your furry friend visit a Dogtopia near you, you'll typically find the following:

- Free live webcams which allow you to see your pup playing with their furry friends, exercising and enjoying their day.
- Spacious playrooms that separate dogs by size and temperament. Dogs need to feel safe before they can have fun. That's why we ensure all of our pups who spend time together have similar play styles
- Playrooms that are supervised for all-day play by our certified Canine Coaches, who have extensive training and experience in managing multiple dogs at once.
- A comfortable, climate-controlled environment. Our HVAC systems keep your pup the perfect temperature during playtime and naptime, and constantly circulate fresh and clean air to keep the facility odor-free.



- Playroom floors that are made from compressed rubber to reduce the impact on the pads of dog's feet, joints and hips. The material is also easy to clean and reduces odor. Best of all, it will not adversely affect your house training.
- Safe and fun playrooms that provide everything an active dog needs, including plenty of space, climbing equipment and Canine Coach education to keep pups engaged and having the Most Exciting Day Ever.
- Each playroom has double-barrier doors to ensure safe and controlled entries and exits.
- A fully stocked kitchen where meals are prepared according to each pet parent's direction.
- Precise tracking of medication.
- A custom cleaning program that utilizes pet-safe cleaning products which clean and disinfect while also offering the highest level of safety available. By using a bio-enzymatic cleaner for spot cleaning when the dogs are in open play, we are ensuring your pup is safe from hazardous chemicals. Daily cleaning happens twice a day with a sanitizer when pups are resting. We also perform routine detail cleaning to maintain our high standards.
- Home-style crates for naps, feeding, administering medications when applicable and overnight stays.
- Enclosed boarding suites for parents who prefer greater privacy for their dog during naps and overnight stays (available at select locations).
- A free mobile app, which registered pet parents can use to request daycare, boarding and spa appointments, watch their pup play on our webcams, and more.



- Soundproofing throughout our facilities to keep nervous dogs at ease.
- A fully-equipped and professionally designed spa.
- Periodic report cards so you can keep track of your furry child's progress and learn about new BFFs (Best Furry Friends Forever).

Dogtopia seeks to enhance the joy of dog parenthood and enable dogs to positively change our world. The proposed Dogtopia store will unequivocally contribute to the well-being of Purcellville families and provide services currently unavailable and much needed for residents.

3. Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.

The proposed Dogtopia store is highly compatible with nearby MC zoned business and offers residents a convenient place for their dog to be cared for while utilizing nearby retail shopping, services and for working professionals. The store is well separated from the closest residential townhouse located more than 200 feet to the north of the store and separated by several plaza businesses, a street and green space with trees. Dogtopia stores are designed from the ground up to be in retail locations and compatible with the other mixed commercial uses approved in the immediate area.

4. Whether the level and impact of any noise or odor emanating from the site, including that generated by the proposed special use, negatively impacts the uses

in the immediate area.

Article 4, Section 1.2.107 of the Zoning Ordinance, “a kennel shall be maintained within a completely enclosed, soundproof building, and shall be operated in such a way as to produce no objectionable noise or odors outside its walls.” Dogtopia is a leader in designing state of the art dog daycare facilities.

Odor control is managed through the Dogtopia Waste Management Plan included as a separate attachment. An overview of odor controls that will be applied:



Odor Control

Requirements for Odor Reduction

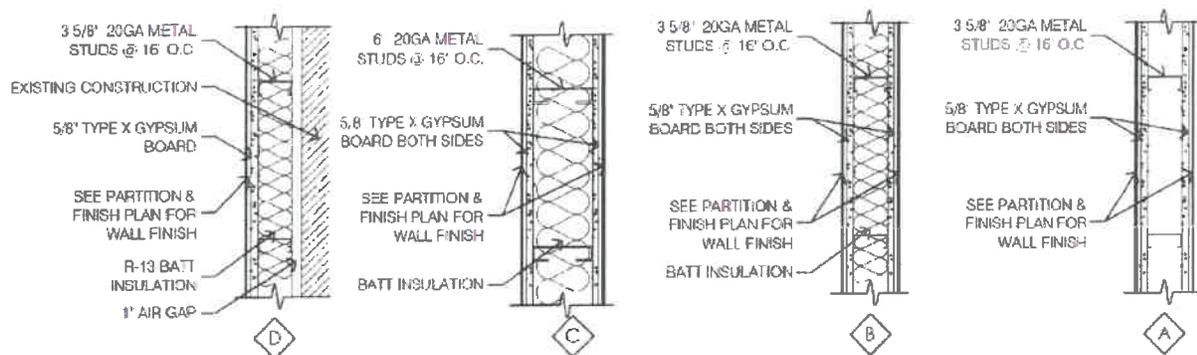
- Playrooms on Separate HVAC Systems. Each System has an Outside Air Intake Requirement
- Steril-Aire UV-C Emitters Installed on each HVAC System
- HVAC System Installed with Economizers and Dehumidification
- Temp design / relative humidity requirement:
 - Playrooms/Spa
 - 75-78 Degrees in Summer
 - 68-70 Degrees in Winter
 - 30%-60% Relative Humidity
 - Rest of the Daycare
 - 72-75 Degrees in Summer
 - 70-72 Degree in Winter
 - 30%-60% Relative Humidity
- Walls Extend to the Deck to Avoid One Land Sound Transfer Between Playrooms
- Rooms Cleaned Three Times per Day
- ScentAir System Installed
- HVAC Air Filters Replaced Quarterly versus Annually

A noise control plan is also included as a separate attachment. Sound controls are built into our store design as follows:

Sound Control

Requirements for Sound Reduction

- Special Wall Type at Demising Wall(s) that Extend to the Roof Deck
- Special Wall Type Between Playroom and PeopleSpace that Extend to the Roof Deck
- All Gap at the Demising Wall
- Type A: Wall for Bathroom, Dog Food Prep Area, etc. (Non-Dog Room)
- Type B: Wall Between the Dog Playrooms.
- Type D: Demising Wall (Adjacent/Shared wall with Neighboring Tenant(s))
- Type C: Wall Between Playroom and People Space (i.e. = Hallways, Restroom, Spa/Bronch etc) Extends to Roof Deck



The Dogtopia store will meet Article 4, Section 1.2.107 requirements of the Zoning Ordinance, with state-of-the-art engineering and processes. There is no anticipated negative impact of noise or odor emanating from dogs in the building. Dogs using the outdoor play area will always be personally supervised by trained and certified canine coaches in a controlled off-leash environment within the fenced area adjacent to the building. The outside area is an important aspect of our store design that allows us to provide fresh air and a change of environment for our dogs but, it will rarely be used more than 2 hours per day.

5. *Whether the proposed special use will result in the preservation or damage of any existing habitats, vegetation, topographic or physical, natural, scenic, archeological, or historic feature of significant importance.*

The Property does not contain topographic, physical, natural, scenic, archeological, or any historic features of significant importance. The grass area within the fenced outdoor space will be replaced by an engineered base with artificial turf. This surface is required for us to maintain our cleanliness standards for the safety of our dogs. We will joyfully keep the tree. Separate attachments (Outdoor Pay Details) detail the design and construction techniques used for the outdoor play area and an acoustic study that shows

it will not create noise problems.



6. Whether the proposed special use will impact existing water quality or air quality.

The proposed Dogtopia store will be served by the Town of Purcellville Public Water and Sewer Service, thus there are no impacts on the water quality.

Dogtopia's Pet Safe cleaning program uses a safe bio-enzymatic cleaner formulated to consume odor causing bacteria while dogs are present and a disinfectant when dogs are resting midday and at the end of the day. Dog feces are immediately picked up and disposed of, and urine is mopped up immediately, by canine coaches supervising the dogs during open play periods (7am-12pm and 2-7pm). In the outdoor area those areas where feces have been picked up will also be rinsed via water hose in addition to our Pet Safe cleaning protocol. Therefore, the store will not adversely impact on air or water quality.

7. Whether the traffic generated by the proposed use will be adequately and safely served by roads, pedestrian connections, and other transportation services.

The proposed store is anticipated to have a maximum capacity of approximately 125 dogs with a percentage of that capacity utilizing boarding services. Store hours of operation are planned to be 6AM-7PM Monday through Friday and 10AM-5PM Saturday and Sunday. We anticipate seasonal changes in the percentage of dogs boarding with more dogs boarding during holidays and summer months and fewer dogs boarding during the school year. The maximum volume of store traffic will be generated during high percentage daycare days with a peak volume of approximately 200 customer trips daily. The high-volume period for pet drop-off is between 6-8am and pick-up is 5-7pm. Our peak periods should deconflict with those of Loudoun Valley High School (9:10am bell & 3:58pm bell) and will decrease traffic by more than 50% from the 430 daily visitors to Virginia ABC store. Thus, the proposed use will not only will be adequately and safely served by roads, pedestrian connections, and other transportation services, it will improve conditions.

8. *Whether the proposed use will negatively impact orderly and safe road development and transportation in accordance with the comprehensive plan and all relevant transportation and corridor plans.*

The Dogtopia store is located on Maple avenue two blocks from E Main Street in a well-developed area in Purcellville. Therefore, this project would have no impact on road or proposed bicycle recommendations for Maple Avenue (The *Town of Purcellville 2018 Comprehensive Plan v5.0, page 93*).

9. *Whether the proposed use will be served adequately by essential public facilities and services.*

The proposed kennel will be served by the Town of Purcellville Public Water and Sewer Service that will meet the needs of the kennel (Dogtopia store).

10. *Whether, in the case of existing structures to be converted to uses requiring a special use permit, the existing structures can be converted in such a way that retains the character of the neighborhood in which the existing structures are located, especially when an application seeks to convert a building of historic significance.*

There are no buildings of historic significance present on the property. The modifications necessary to convert the interior of the building to meet Dogtopia store needs will not alter the exterior with the exception of the adjacent outside play area. That area will be accessed via a steel door added to the south side of the building that faces the rear of the 609 E. Main Street Plaza building. The steel door will include a tempered glass window for safety to see the dogs from the building while they are in the outdoor play area. The outdoor play area will be surrounded by an 8 ft. white vinyl fence that will extend from the ground. It is understood from the pre-development conference that a 7 ft. fence is

preferred, but for purposes of canine safety, we need to maintain our 8 ft. standard height as some breeds of dogs can literally jump over a 7 ft. fence.

11. Whether the proposed special use contributes to the economic development needs of the town.

The Economic Development section of the 2025 Comprehensive Plan - Guideline 3 states, "Provide a favorable business environment that supports existing businesses and encourages new business" (2025 Purcellville Comprehensive Plan, pg. 68). The proposed use meets an existing and growing need within the community. The proposed special use contributes to the economic development needs of the town by encouraging the new Dogtopia store.

12. Whether adequate on and off-site infrastructure is available.

All necessary infrastructure shall be provided for the development of the Property.

13. Whether the proposed special use illustrates sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and schools.

All construction traffic will access the Property from Maple Ave. There will be no traffic through residential neighborhoods.

SUMMARY

As noted above, the Applicant respectfully requests the approval of a Special Use Permit for a kennel in the Mixed Commercial Zoning District on a parcel of land identified in the Loudoun County Land Records as PIN: 488301193. The Applicant wishes to redevelop the site with a 6,000 SF kennel (Dogtopia store) to provide dog daycare, boarding, spa and grooming services. The Property will be developed consistent with and subject to the proffers approved with MC and any conditions approved with this proposed SUP. The applicant submits that all land use issues and impacts have been addressed in this application. The Kennel will serve the convenience, safety, and economic interests of the Town of Purcellville and its residents.

For the reasons stated above, the Applicant respectfully requests the Town of Purcellville approve this Special Use Permit for a kennel in the Mixed Commercial Zoning District.



STAFF REPORT
ACTION ITEM

Item # 9a

SUBJECT: Plan Purcellville Comprehensive Plan – Resolution

DATE OF MEETING: December 5, 2019

STAFF CONTACTS: Andy Conlon – Senior Planner

BACKGROUND:

The Town of Purcellville Planning Commission conducted a duly advertised public hearing of the Plan Purcellville Comprehensive Plan, Version 6.0, on November 21, 2019. Public comments were accepted and transcribed into the official record. The public hearing was closed, and now the public hearing comments are to be transmitted to Town Council without deliberation or recommendation of the public hearing comments by the Planning Commission.

Tonight the Planning Commission is to vote to (a) approve, (b) amend and approve, or (c) disapprove the plan. Upon approval of the comprehensive plan by the Planning Commission, the clerk of the Planning Commission will certify each page of the approved plan as that which was lawfully approved by the Planning Commission. When the Planning Commission adopts a resolution recommending the certified comprehensive plan for adoption by Town Council, the resolution, the certified copy of the comprehensive plan, and the transcription of public comments, will be transmitted to the Town Clerk, no later than January 8, 2020, for distribution to the Town Council.

Materials associated with the Plan Purcellville Comprehensive Plan can be found on the Town's website at www.purcellvilleva.gov/planpurcellville or are available by request to the Department of Community Development.

ATTACHMENT:

1. Resolution 19-12-01
2. Transcription of Public Hearing Comments

Mayor
Kwasi A. Fraser



Town Manager
David A. MekarSKI

Council
Chris Bledsoe
Ryan J. Cool
Theodore Greenly
Joel D. Grewe
Nedim Ogelman
Tip Stinnette

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TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA

RESOLUTION NO. 19-12-01 **PRESENTED: DECEMBER 5, 2019**
ADOPTED: DECEMBER 5, 2019

A RESOLUTION: OF THE TOWN OF PURCELLVILLE PLANNING COMMISSION, RECOMMENDING TO THE PURCELLVILLE TOWN COUNCIL, ADOPTION OF THE TOWN OF PURCELLVILLE COMPREHENSIVE PLAN, PLAN PURCELLVILLE, INCLUDING THE POLICY DOCUMENT IDENTIFIED AS PLAN PURCELLVILLE, COMPREHENSIVE PLAN, VERSION 6.0; AND A LISTING OF PUBLIC COMMENTS GENERATED DURING THE NOVEMBER 21, 2019 PLANNING COMMISSION PUBLIC HEARING (AS DRAWN FROM THE DRAFT MINUTES); AS WELL AS ALL SUPPORTING DOCUMENTS INCORPORATED BY REFERENCE, (“PLAN PURCELLVILLE COMPREHENSIVE PLAN.”)

WHEREAS, the purpose of the Comprehensive Plan is to guide and accomplish the coordinated, adjusted and harmonious development of the Town which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the Town of Purcellville and its citizens, including the elderly and persons with disabilities; and

WHEREAS, the Planning Commission, in concert with the Community Development Department, drafted a Comprehensive Plan for the Town of Purcellville following extensive public outreach and numerous work sessions, including: 6 public engagement sessions, more than 75 Planning Commission meetings, and outreach through the Plan Purcellville web site and social media. This was done in order to determine the existing conditions and trends of growth, the probable future requirements, the needs and desires of the general public and businesses, as well as environmental, agricultural, cultural, and other groups; and

A RESOLUTION:

OF THE TOWN OF PURCELLVILLE PLANNING COMMISSION, RECOMMENDING TO THE PURCELLVILLE TOWN COUNCIL, ADOPTION OF THE TOWN OF PURCELLVILLE COMPREHENSIVE PLAN, PLAN PURCELLVILLE, INCLUDING THE POLICY DOCUMENT IDENTIFIED AS PLAN PURCELLVILLE, COMPREHENSIVE PLAN, VERSION 6.0; AND A LISTING OF PUBLIC COMMENTS GENERATED DURING THE NOVEMBER 21, 2019 PLANNING COMMISSION PUBLIC HEARING (AS DRAWN FROM THE DRAFT MINUTES); AS WELL AS ALL SUPPORTING DOCUMENTS INCORPORATED BY REFERENCE, (“PLAN PURCELLVILLE COMPREHENSIVE PLAN.”)

WHEREAS, during the July 19, 2018, June 6, 2019, and November 21, 2019 Planning Commission Meetings, the Purcellville Planning Commission held public hearings and received public input concerning the proposed Town of Purcellville Comprehensive Plan, *Plan Purcellville*, the most current version is attached hereto and made a part hereof, including (I) the policy document identified as Plan Purcellville, Comprehensive Plan, Version 6.0; and a listing of public comments generated during the November 21, 2019 Planning Commission Public Hearing (as drawn from the draft minutes); as well as all supporting documents incorporated by reference, (“Plan Purcellville Comprehensive Plan”.)

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the Town of Purcellville, Virginia hereby transmits the attached certified copy of the Plan Purcellville Comprehensive Plan and recommends its adoption by the Purcellville Town Council after consideration of the public’s comments from a November 21, 2019 Planning Commission public hearing.

PASSED THIS _____ DAY OF _____, 2019.

Murrell “Tip” Stinnette, Chairman
Town of Purcellville Planning
Commission

ATTEST:

Stefanie Longerbeam, Clerk to the Planning Commission

Kate Struckmann, I am writing to you with comments regarding the **Hirst East** parcel designation on the Comprehensive Plan. I wrote a couple months ago, but in light of recent developments, I believe it is important to comment further.

The recent development I am referring to is the proposed floodplain map adjustment that designates my home and several others as being in the floodplain. As you know, the changes already done to the Chapman property have raised the floodplain 6 vertical inches. It is significant enough to move the floodplain onto my property. Additional development done to that property will have further negative ramifications. I feel strongly that no decision be made regarding the type of development that can be done in that area until the floodplain issue has been resolved.

Also, I had the opportunity to speak with Vice Mayor Stinette earlier this week. He explained his proposed use of the medium mixed neighborhood scale (I'm paraphrasing as I don't remember the exact term), which would result in development similar to that found on Hatcher, between the trail and Main. I have a couple concerns I would like to express -

First is that the plan specifically state that **no high density housing** be permitted in this area. I realize that the definition of the mixed neighborhood allows for low density housing, but further in the plan it allows for high density housing to be built, regardless, on major roads. There is so much traffic on Hirst already, with traffic backing up at 287 and Hatcher. High density housing would further congestion issues along this stretch.

My second concern is traffic pulling out onto Hirst and also traffic on Hirst making left hand turns into businesses. Traffic moves at a fairly high rate of speed along there and there are blind spots. It is also not currently wide enough for a turning lane. I'm not sure how it would be addressed in the plan, but I think it would be wise to consider this now.

Thank you for taking the time to read my comments and again, thank you all for the time and tremendous effort being put into the plan!

Please read my letter into the official record.

Tom Rust, Managing Member, Rust Properties, LC. The West End Focus Area opening comments on Page 60 of the Comprehensive Plan refer to #2 area as having two residences. This is incorrect. While there are residential structures at 611 and 621 West Main Street, the buildings at 621 has been used commercially since the 1960's: first by Dr. A. C. Echols as a medical office, subsequently by Walsh and Associates as Real Estate sales offices and occupied since 2003 by Stribling Counseling Services. The structure at 611 has been predominately a residential rental over the past 40 years, but has also house home businesses.

Walt Peter, representing Beverly O'Toole's interests, added these comments to the presentation made to Town Council about a month ago concerning Beverly O'Toole's property in the East End Focus Area.

- 1) When the property was first annexed into the Town it was under the express understanding that it could be developed commercially;
- 2) At a charrette nine or ten years ago, what was happening at the east end of Town and the possibility of mixed-use development on the site was discussed;
- 3) My sense is that the Town Council and the Planning Commission have decided to designate this area as Agricultural based on some sense that the people of the Town don't want to see more commercial development. You just have to go to the Gateway and Catocin to see what the people of this Town really want - they want convenience and they want options. To designate the O'Toole site as Agricultural denies the opportunity for further development and to give them those options;

- 4) To designate this site as Agricultural is to strip all value from it. As far as we're concerned, that's tantamount to a taking. If the Town wants open space, let them pay for it.

Jimmy Reynolds, After 5 years of countless PC meetings & work sessions, 3 public hearings, numerous public sessions, and a plan that has been "cooked & baked" as "complete" several times, the CP continues to change. The plan has been resolved to the Town Council twice and remanded back as many times. And why is that? Because the most appropriate proposed land uses have not been designated. It is unfortunate that so much time has been put in over the past 5 years on a plan that still lacks substance and the argumentative support for its content and the rationale for changes from the existing 2020 Plan.

This plan, its land use designations and associated descriptive text and aspirational proposed development uses is mostly the result of the accommodation of the self-interests of the PC and NOT the "will of the people" as the PC purports it to be. Listening to the audio of the PC meetings & work sessions, it is clear that many PC members do not believe that the public was provided sufficient or accurate information from which to aspirational state their wishes or desires for proposed land uses for property parcels in the town.

For example: During NONE of the public sessions held on the plan, was a proposed land use of AGRICULTURE, ever provided to the public as a category to select for the aspirational land use choices. Yet, in the proposed plan, several town properties have been tagged as AGRICULTURE under the guise of "what the people want". The PC's assignment of the AGRICULTURE is purely and blatantly an attempt to restrict development of properties and create the "open space" that the Town cannot or mandate without actually buying the properties.

Absent and supportable, defensible arguments or reasons, or definitive analysis of what is wrong with the current plan & what needs fixing, and most importantly WHY, the land use designations in the current 2025 Plan should not be changed. There has been no analysis of the current plan land uses, no comparison to zoning and whether any perceived issues are attributable to land use categories or shortcomings in the permitted uses in the corresponding zoning district, and no identification of any "real" as opposed to "perceived" negative impacts on the town and its citizens.

The arbitrary and capricious changing of land use designations without substantive or overriding evidence, and the failure to provide clear explanations to the public as to the WHY underlying the proposed changes, is a disservice to the public and an abuse of the power ascribed to those developing the plan. Just as "lie" doesn't become the "truth" because a preponderance of the people believe it, a "lacking plan" doesn't become a "good plan" just because a majority votes to indorse it.

Thank you for the opportunity to present these thoughts, and thank you for listening.

Patricia A. DiPalma Kipfer, I have been actively following the development of this plan for more years than I care to mention. During the past five years the PC has managed to disregard a fundamentally sound 2025 Comp. Plan.

In November 2017, in Version 1 of the proposed Comp. Plan my property was identified as MIXED-USE MEDIUM SCALE. This was the new label for MIXED-USE COMMERCIAL Land Use from the 2025 Comprehensive Plan. At an "open mic" public session December 2017, my property was portrayed to the public on large scale posters as MIXED-USE, MEDIUM SCALE. The attendees were asked to write down their comments on these posters or chat with Planning Commission or the Consultant to share their thoughts and the Planning Commission would record their comments. However, I can find no there no audio or written documentation of this meeting.

In April 2018, the land use for my property was changed from MIXED-USE MEDIUM SCALE to AG/COMMERCIAL. This change supposedly was based on recorded comments provided by attendees from the misrepresented “open mic” session in December 2017. However, there is no matrix of these recorded comments on the Plan Purcellville website.

After the July 2018 Public Hearing, the land use of my property changed to RURAL TRANSITION by the PC. Subsequently, in August 2018 public comments suggested a risk of possible lawsuit for the RURAL TRANSITION identification. The PC changed RURAL TRANSITION back to AG, not AG-COMMERCIAL just AG. And why? PC members did not like the word COMMERCIAL. Additionally, the PC limited uses within the designation to stifle development, control density, and create open space with BTW is not a land use.

According to the Loudoun Times Mirror, the Town’s legal “Public Notice” publication, the current PC label for the 2025 Plan MIXED-USE COMMERCIAL designation is now comprised of four new commercial land uses. One of the four new categories: COMMERCIAL MEDIUM SCALE is the most compatible and appropriate use for the MIXED-USE COMMERCIAL designation of Town Council approved for my property in 2011 and resolved in 2017. This designation is consistent with the maps portrayed in the 2025 Plan for the Eastern Commercial Corridor North of Main. And as far as I know, the Commercial Corridor has not changed North of Main. So, any proposed land use other than COMMERCIAL MEDIUM SCALE for my property is unfounded and unsupported by any analysis or trends. Applying an AG land use to my property is a contrived and blatant attempt to create “open space” for the Town, without the Town having to purchase my property at fair market value. The courts may consider this discriminatory and/or one step away from a “take”. These are the faces and they are not in dispute. Therefore, absent any compelling argument or justification to the contrary my land use designation should be COMMERCIAL MEDIUM SCALE.

Heather Ross said she’s requesting that the Hirst East Focus Area be designated as office. This would mean buildings not exceeding two stories and would generate less traffic rather than introducing multi-use commercial activity. In the Hirst East Focus Area, there is currently a recommendation of mixed-use neighborhood small scale on parcels 1 and 5, and mixed-use medium scale and parcels 2 and 3, and a designation of industrial business. This is not what we want as it introduces the designation of multi-use commercial and multi-use family to the area that will harm the current infrastructure due to the proximity of the homes nearby introducing intrusive and noisy businesses to a relatively quiet area. With the designation of office, this will keep the traffic down in the area which is already burdened. The hours of traffic will be office hours which is less intrusive than mixed-use. Mixed-use would allow for fast food and other businesses that would have a negative impact on the homes that use Hirst Road to get in and out of their neighborhoods. This designation will be the least intrusive for this area. So much of this area is flood-prone and is in the flood zone. We support parcel 4 that you have designated as agricultural commercial due to the fact that it is in the floodplain. The introduction of senior living should be done through the comprehensive plan and zoning amendments since it is in interest of the Town to collect proffers wherever possible instead of creating by-right zoning that enriches developers to the detriment of the Town. In the past two elections, the Town citizens have spoken loud and clear about the direction in which they want this Town to go.

Uta Brown said that people do not seem to realize that it’s so obvious that growth will raise your taxes and increase the debt and that’s because developers don’t pay impact fees. When the Town annexed the Southern Collector Road property and the O’Toole property and Patrick Henry College, it was an illegal annexation. The Harris Teeter shopping center should never have been put there; that was a beautiful farm that should not have been destroyed. Everything is put on a Special Use Permit. Look at the Special Use Permit: they don’t make it through two or the three of the definitions of what a Special Use Permit has to be used for. They lied and they cheated and they got what the developers always wanted, and by the way,

how many developers own townhomes that are now on Main Street? All I can say is I appreciate the fact that in the past few years there has been some more sanity and some more honesty in the way this Town Council and this Planning Commission have treated the people of this Town. I have to say this has improved a great deal. I have to thank some of you particularly on the Planning Commission and Town Council for that, but I'm just saying the worst thing you could do right now, especially with Amazon to the right of us and Proctor and Gamble on the other side of us is that we know perfectly well that they look at Loudoun County as their residential territory, in which case, "...", we keep saying save Western Loudoun. We're already talking about affordable housing at the west end of the Town. I know I said this before: stop growth completely; that's exactly what I mean, because we have to stop it completely just to slow it down. If you want to extend and start building again, including the West End and Hirst Road with some ridiculous ten story-high building which will completely ruin the whole scenic value of that road, and you don't care enough about the beauty that you've got out there, and the relatively clean air and the relative quiet, then you might as well just throw the whole thing away. Nobody's going to save western Loudoun County unless you really top the growth.

November 21, 2019



**PLANNING COMMISSION
REGULAR MEETING
November 21, 2019**

PRESENT: Tip Stinnette, Chair/Town Council Liaison
Theresa Stein, Vice-Chair/Planning Commissioner
Mary Frances Bennett, Planning Commissioner
Nan Forbes, Planning Commissioner
Stosh Kowalski, Planning Commissioner
Chip Paciulli, Planning Commissioner

STAFF: Patrick Sullivan, Director of Community Development
Andy Conlon, Senior Planner
Stefanie Longerbeam, Planning and Zoning Technician

ABSENT: Ed Neham, Planning Commissioner

Note: The audio recording of this meeting is available at:

<https://www.purcellvilleva.gov/ArchiveCenter/ViewFile/Item/5199>

Selected references to specific locations in the audio recording are given in square brackets. For example, a discussion that began at 1 hour, 5 minutes and 55 seconds after the beginning of the recording would appear as [1:05:55].

CALL TO ORDER OF REGULAR MEETING:

Chair Stinnette called the Planning Commission Regular Meeting to order at 7:00 PM. The Pledge of Allegiance followed.

AGENDA AMENDMENTS

None.

COMMISSIONER DISCLOSURES

None.

PUBLIC HEARINGS [1:32]

[2:00] Chair Stinnette formally opened the public hearing for the Plan Purcellville Comprehensive Plan, the purpose of which is to solicit comments on updates to the Plan. Chair Stinnette then read the Town Council's resolution of October 8, 2019 remanding the Comprehensive Plan back to the Planning Commission to make certain amendments and to conduct a public hearing (see Attachment 1). Chair Stinnette emphasized that even though the

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Planning Commission will not adjudicate this evening's citizens' comments, those comments will go forward to the Town Council for them to adjudicate, and furthermore, recommended that the citizens continue to advocate for their positions with the Town Council.

[10:15] Andy Conlon commented that the "clean" version of the Plan Purcellville Comprehensive Plan document is designated Version 6.0.

[10:55] Chair Stinnette stated that there are five important points to be made about the Comprehensive Plan:

- 1) The Plan is inward focused without aspiration for further expansion beyond the existing Town boundaries;
- 2) The Plan significantly constrains density growth;
- 3) The Plan focuses on scale, form, fit and use;
- 4) The Plan focuses on the Main Street and Hirst Road corridors; and
- 5) The Plan advocates for the development of regional transportation traffic plan and the development of an updated water resource plan.

[12:20] With respect to affordable housing, Chair Stinnette pointed to page 78 of the Plan that states: "In accordance with the Code of Virginia, an implementation plan for construction, rehabilitation, and maintenance of affordable housing must be put in place. The Hirst East, West End, Downtown South, and East Main focus areas all have room to accommodate affordable housing in the form of single family residential, multifamily residential, mixed use buildings, or senior living." In addition, the Planning Commission will address specific measures to construct, maintain and rehabilitate affordable houses in an adjunct document to the Plan.

[14:23] Chair Stinnette read comments received from Rust Properties into the record (see Attachment 2).

[15:55] Chair Stinnette read comments received from Kate Struckmann into the record (see Attachment 3).

[20:30] Walt Peter, representing Beverly O'Toole's interests, added these comments to the presentation made to Town Council about a month ago concerning Beverly O'Toole's property in the East End Focus Area.

- 1) When the property was first annexed into the Town it was under the express understanding that it could be developed commercially;
- 2) At a charette nine or ten years ago, what was happening at the east end of Town and the possibility of mixed-use development on the site was discussed;
- 3) My sense is that the Town Council and the Planning Commission have decided to designate this area as Agricultural based on some sense that the people of the Town don't want to see more commercial development. You just have to go to the Gateway and Catoctin to see what the people of this Town really want - they want convenience and they want options. To designate the O'Toole site as Agricultural denies the opportunity for further development and to give them those options;

November 21, 2019

- 4) To designate this site as Agricultural is to strip all value from it. As far as we're concerned, that's tantamount to a taking. If the Town wants open space, let them pay for it.

[22:32] Jimmy Reynolds addressed the Planning Commission (see Attachment 4).

[25:50] Patti DiPalma Kipfer addressed the Planning Commission (see Attachment 5).

[29:55] Heather Ross said she's requesting that the Hirst East Focus Area be designated as office. This would mean buildings not exceeding two stories and would generate less traffic rather than introducing multi-use commercial activity. In the Hirst East Focus Area, there is currently a recommendation of mixed-use neighborhood small scale on parcels 1 and 5, and mixed-use medium scale and parcels 2 and 3, and a designation of industrial business. This is not what we want as it introduces the designation of multi-use commercial and multi-use family to the area that will harm the current infrastructure due to the proximity of the homes nearby introducing intrusive and noisy businesses to a relatively quiet area. With the designation of office, this will keep the traffic down in the area which is already burdened. The hours of traffic will be office hours which is less intrusive than mixed-use. Mixed-use would allow for fast food and other businesses that would have a negative impact on the homes that use Hirst Road to get in and out of their neighborhoods. This designation will be the least intrusive for this area. So much of this area is flood-prone and is in the flood zone. We support parcel 4 that you have designated as agricultural commercial due to the fact that it is in the floodplain. The introduction of senior living should be done through the comprehensive plan and zoning amendments since it is in interest of the Town to collect proffers wherever possible instead of creating by-right zoning that enriches developers to the detriment of the Town. In the past two elections, the Town citizens have spoken loud and clear about the direction in which they want this Town to go.

[32:20] Uta Brown said that people do not seem to realize that it's so obvious that growth will raise your taxes and increase the debt and that's because developers don't pay impact fees. When the Town annexed the Southern Collector Road property and the O'Toole property and Patrick Henry College, it was an illegal annexation. The Harris Teeter shopping center should never have been put there; that was a beautiful farm that should not have been destroyed. Everything is put on a Special Use Permit. Look at the Special Use Permit: they don't make it through two or the three of the definitions of what a Special Use Permit has to be used for. They lied and they cheated and they got what the developers always wanted, and by the way, how many developers own townhomes that are now on Main Street? All I can say is I appreciate the fact that in the past few years there has been some more sanity and some more honesty in the way this Town Council and this Planning Commission have treated the people of this Town. I have to say this has improved a great deal. I have to thank some of you particularly on the Planning Commission and Town Council for that, but I'm just saying the worst thing you could do right now, especially with Amazon to the right of us and Proctor and Gamble on the other side of us is that we know perfectly well that they look at Loudoun County as their residential territory, in which case, "...", we keep saying save Western Loudoun. We're already talking about affordable housing at the west end of the Town. I know I said this before: stop growth completely; that's exactly what I mean, because we have to stop it completely just to slow it down. If you want to extend and start building again, including the West End and Hirst Road with some ridiculous ten story-high

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building which will completely ruin the whole scenic value of that road, and you don't care enough about the beauty that you've got out there, and the relatively clean air and the relative quiet, then you might as well just throw the whole thing away. Nobody's going to save western Loudoun County unless you really top the growth.

[37:20] Chair Stinnette thanked all the citizens who have come out to give their comments on the Comprehensive Plan and encouraged them to remain engaged in this process as the Plan moves to the Town Council. Chair Stinnette stated: "All comments received this evening will be made a part of a written public record, and each comment will be adjudicated in a future public meeting. The Planning Commission anticipates forwarding the Comprehensive Plan, together with the record of the comments received this evening, to Town Council for their consideration. After Town Council has an opportunity to review and revise the Comprehensive Plan, they will also conduct a public hearing. Town Council may then choose to adopt the Comprehensive, or take other action as they deem appropriate. We promise to keep everyone informed thorough the Plan Purcellville.com page as well as the normal public hearing and meeting announcements that Staff broadcasts to our community."

[39:23] Chair Stinnette formally closed the public hearing.

PRESENTATIONS

None.

CITIZEN COMMENTS

None.

DISCUSSION ITEMS

None.

ACTION ITEMS

None.

INFORMATION ITEMS

None.

COUNCIL REPRESENTATIVE'S REPORT [40:13]

Chair Stinnette reported on Monday, Heather Ross and a number of her neighbors met with John Chapman and the engineers regrading the changes to the floodplain in the Hirst West Focus Area. The main point coming out of this meeting is the Town Manager will not sign off on the pending Letter of Map Revision for the Chapman property at this time. The Town Manager wants to have a meeting with representatives of the Chapman property, representatives from the

November 21, 2019

affected community, a representative from the County, and a representative from FEMA to come to an understanding of what the issues are and what potential mitigations may be available. Wednesday evening the Town Council held a working meeting to discuss the utility and water rates. In addition, an applicant has asked the zoning administrator to provide a Town position of Catocin Corner regarding an open lot on which they wish to build a Panera Bread restaurant to include a drive-thru. The zoning administrator made a determination that the drive-thru is consistent with the 2010 site plan. If the Town Council decides against the drive-thru, the matter may come up before the Board of Zoning Appeals for their determination.

CHAIR'S COMMENTS [49:30]

The Planning Commission is scheduled to meet on December 5, 2019 to determine what the Commission will do with the Comprehensive Plan.

PLANNING COMMISSIONERS' COMMENTS

[50:15] Vice Chair Stein asked about the zoning administrator's determination regarding the Catocin Corner drive-thru just discussed:

- 1) When was the determination made? Patrick Sullivan replied: About a month ago. There is no application before the Town and there is no violation of the zoning ordinance, so there is nothing to appeal.
- 2) Was that an official determination? Patrick Sullivan replied: It was supposed to be.
- 3) Will the zoning administrator will re-issue the determination and start the 30-day clock on the appeal timeline? Patrick Sullivan replied: Yes, I believe so, but I need the Town attorney's interpretation first.

[53:30] Commissioner Kowalski expressed his thanks to the community members who participated in the Comprehensive Plan process.

[54:08] Commissioner Forbes said it takes a lot of effort to come to a meeting and it is important to know that our citizens' voices are being heard.

APPROVAL OF MINUTES [54:50]

Commissioner Forbes made a motion to waive reading and to approve the minutes of the November 7, 2019 Planning Commission Regular Meeting. Seconded by Vice Chair Stein. Passed: 6-0-1.

STAFF COMMENTS [55:48]

Patrick Sullivan said the Town is bringing the ability to stream our meetings online. This functionality may be available for the next Planning Commission meeting. Andy Conlon said he attended the Affordable Housing seminar and didn't find it to be of any particular value.

November 21, 2019

ADJOURNMENT [1:01:32]

With no further business, Commissioner Forbes made a motion to adjourn the meeting at 8:02 PM, seconded by Commissioner Kowalski. Passed: 6-0-1.

Tip Stinnette, Chair

Ed Neham and Stefanie Longerbeam, Recorders

ATTACHMENT 1

Town Manager
David A. Mekarski

Town Attorney
Sally Hankins

221 S. Nursery Avenue
Purcellville, VA 20132
(540) 338-7421
(540) 338-6205 Fax
www.purcellvilleva.gov



Chief of Police
Cynthia A. McAlister

Town Clerk
Diana Hays

Department Directors
Elizabeth Krens, Finance
Buster Nicholson, Public Works
Patrick Sullivan, Community Development
Shannon Bohince, Information Technology
Hooper McCann, Administration

TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA

RESOLUTION NO. 19-10-01

PRESENTED: OCTOBER 8, 2019
ADOPTED: OCTOBER 8, 2019

A RESOLUTION: REMANDING THE COMPREHENSIVE PLAN TO THE PLANNING COMMISSION FOR CERTAIN AMENDMENTS AND PUBLIC HEARING

WHEREAS, the Purcellville Planning Commission held a duly advertised public hearing on June 6, 2019, to receive public comments on version 5.0 of the draft comprehensive plan, dated October 2018 (“**Comprehensive Plan Version 5.0**”), and ancillary documents to the draft comprehensive plan that are entitled: the *2018 Change Matrix*, and the *2018 Errata* (“**2018 Ancillary Documents**”); and

WHEREAS, during the period between June 6, 2019 and September 5, 2019, the Planning Commission held a number of public work sessions to deliberate and adjudicate the comments it received during the June 6, 2019 public hearing; and

WHEREAS, as a result of these work sessions, the Planning Commission developed additional ancillary documents to the Comprehensive Plan Version 5.0 entitled: the *2019 Change Matrix*, and the *2019 Errata* (the “**2019 Ancillary Documents**”), which contained numerous comments on the Comprehensive Plan Version 5.0 and, for each comment, the Planning Commission’s recommended approach for addressing the comment; and

WHEREAS, on September 5, 2019, the Planning Commission adopted Resolution 19-09-07, recommending that Town Council adopt the Comprehensive Plan Version 5.0, as amended by the 2018 and 2019 Ancillary Documents; and

November 21, 2019

A RESOLUTION: REMANDING THE COMPREHENSIVE PLAN TO THE PLANNING COMMISSION
FOR CERTAIN AMENDMENTS AND PUBLIC HEARING

WHEREAS, the Town Council desires that the Planning Commission incorporate into the Comprehensive Plan Version 5.0 all of the Planning Commission's recommended changes contained in both the 2018 and 2019 Ancillary Documents, so that a single clean document is advertised by the Planning Commission for a final Planning Commission public hearing.

NOW THEREFORE, BE IT RESOLVED that the Purcellville Town Council hereby remands the Comprehensive Plan to the Planning Commission and directs the Planning Commission to take the following actions:

- (i) post on the *Plan Purcellville* website the comprehensive plan as it is to be considered by the Planning Commission for recommendation to the Town Council, in the form of a single clean document that includes all changes as recommended in the 2018 and 2019 Ancillary Documents; and
- (ii) give notice of a Planning Commission public hearing in accordance with Va. Code § 15.2-2204 and give any additional notice as the Planning Commission or its staff may be deem prudent; and
- (iii) hold a public hearing to receive comments on the proposed comprehensive plan no later than December 19, 2019; and
- (iv) transcribe all comments received at the public hearing, and transmit such comments to the Town Council without deliberation or recommendation by the Planning Commission; and
- (v) after the public hearing is closed, vote to (a) approve, (b) amend and approve, or (c) disapprove the plan; and
- (vi) upon approval of the comprehensive plan by the Planning Commission, have the clerk to the Planning Commission certify each page of the approved plan as that which was lawfully approved by the Planning Commission; and
- (vii) adopt a resolution recommending the certified comprehensive plan for adoption by the Town Council, and transmit to the Town Clerk no later than January 8, 2020 for distribution to the Town Council: the resolution, certified copy of the comprehensive plan, and the transcription of public comments.

November 21, 2019

A RESOLUTION: REMANDING THE COMPREHENSIVE PLAN TO THE PLANNING COMMISSION
FOR CERTAIN AMENDMENTS AND PUBLIC HEARING

PASSED THIS 8th DAY OF OCTOBER, 2019.


Kwasi A. Fraser, Mayor
Town of Purcellville

ATTEST:


Diana Hays, Town Clerk

November 21, 2019

ATTACHMENT 2

Rust Properties, LC

PO Box 850

Purcellville, Va. 20134

November 21, 2019

Purcellville Town Planning Commission
Purcellville, Virginia

Regarding Purcellville Comprehensive Plan November 21, 2019
Public Hearing

Please include the following in Public Comments

The West End Focus Area opening comments on Page 60 of the Comprehensive Plan refer to #2 area as having two residences. This is incorrect. While there are residential structures at 611 and 621 West Main Street, the building at 621 has been used commercially since the 1960's: first by Dr. A. C. Echols as a medical office, subsequently by Walsh and Associates as Real Estate sales offices and occupied since 2003 by Stribling Counseling Services.

The structure at 611 has been predominately a residential rental over the past 40 years, but has also often housed home businesses.

Rust Properties, LC

A handwritten signature in black ink, appearing to read "Tom Rust", written over a horizontal line.

Tom Rust, Managing Member

November 21, 2019

ATTACHMENT 3

From: Kate Struckmann <katestruckmann@gmail.com>
Sent: Thursday, November 21, 2019 3:02 PM
To: Planning Commission
Subject: Comprehensive Plan Comments

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear CompreHensive Plan Committee Members:

I am writing to you with comments regarding the **Hirst East** parcel designation on the Comprehensive Plan. I wrote a couple months ago, but in light of recent developments, I believe it is important to comment further.

The recent development I am referring to is the proposed floodplain map adjustment that designates my home and several others as being in the floodplain. As you know, the changes already done to the Chapman property have raised the floodplain 6 vertical inches. It is significant enough to move the floodplain onto my property. Additional development done to that property will have further negative ramifications. I feel strongly that no decision be made regarding the type of development that can be done in that area until the floodplain issue has been resolved.

Also, I had the opportunity to speak with Vice Mayor Stinette earlier this week. He explained his proposed use of the medium mixed neighborhood scale (I'm paraphrasing as I don't remember the exact term), which would result in development similar to that found on Hatcher, between the trail and Main. I have a couple concerns I would like to express -

First is that the plan specifically state that **no high density housing** be permitted in this area. I realize that the definition of the mixed neighborhood allows for low density housing, but further in the plan it allows for high density housing to be built, regardless, on major roads. there is so much traffic on Hirst already, with traffic backing up at 287 and Hatcher. High density housing would further congestion issues along this stretch.

My second concern is traffic pulling out onto Hirst and also traffic on Hirst making left hand turns into businesses. Traffic moves at a fairly high rate of speed along there and there are blind spots. It is also not currently wide enough for a turning lane. I'm not sure how it would be addressed in the plan, but I think it would be wise to consider this now.

Thank you for taking the time to read my comments and again, thank you all for the time and tremendous effort being put into the plan!

Please read my letter into the official record.

Sincerely,
Kate Struckmann
321 E Skyline Drive

November 21, 2019

ATTACHMENT 4

Thursday 11.21.2019

Planning Commission (PC) Public Hearing on 2020 Comprehensive Plan

Jimmy Reynolds

801 Cobblestone Blvd Apt 107

Fredericksburg, VA 22401

Please attach my comments to the official minutes of this PC Public Hearing.

After 5 years of countless PC meetings & work sessions, 3 public hearings, numerous public sessions, and a plan that has been “cooked & baked” as “complete” several times, the CP continues to change. The plan has been resolved to the Town Council twice and remanded back as many times. And why is that? Because the most appropriate proposed land uses have not been designated. It is unfortunate that so much time has been put in over the past 5 years on a plan that still lacks substance and the argumentative support for its content and the rationale for changes from the existing 2020 Plan.

This plan, its land use designations and associated descriptive text and aspirational proposed development uses is mostly the result of the accommodation of the self-interests of the PC and NOT the “will of the people” as the PC purports it to be. Listening to the audio of the PC meetings & work sessions, it is clear that many PC members do not believe that the public was provided sufficient or accurate information from which to aspirationally state their wishes or desires for proposed land uses for property parcels in the town.

For example: During NONE of the public sessions held on the plan, was a proposed land use of AGRICULTURE, ever provided to the public as a category to select for the aspirational land use choices. Yet, in the proposed plan, several town properties have been tagged as AGRICULTURE under the guise of “what the people want”. The PC’s assignment of the AGRICULTURE is purely and blatantly an attempt to restrict development of properties and create the “open space” that the Town cannot or mandate without actually buying the properties.

Absent and supportable, defensible arguments or reasons, or definitive analysis of what is wrong with the current plan & what needs fixing, and most importantly WHY, the land use designations in the current 2025 Plan should not be changed. There has been no analysis of the current plan land uses, no comparison to zoning and whether any perceived issues are attributable to land use categories or shortcomings in the permitted uses in the corresponding zoning district, and no identification of any “real” as opposed to “perceived” negative impacts on the town and its citizens.

The arbitrary and capricious changing of land use designations without substantive or overriding evidence, and the failure to provide clear explanations to the public as to the WHY underlying the proposed changes, is a disservice to the public and an abuse of the power ascribed to those developing the plan. Just as “lie” doesn’t become the “truth” because a preponderance of the people believe it, a “lacking plan” doesn’t become a “good plan” just because a majority votes to indorse it.

Thank you for the opportunity to present these thoughts, and thank you for listening.

VR,
Jimmy

November 21, 2019

ATTACHMENT 5

Thursday 11.21.2019

Planning Commission **Public Hearing** on Comp. Plan 2018

Citizen Comments – Please attach my comments to the official minutes of this meeting. Thank you.

My name is:

Patricia (Patti) A. DiPalma Kipfer
38038 W Colonial Hwy
Town Resident

Good Evening Chairman Stinnette, and Planning Commissioners.

I have been actively following the development of this plan for more years than I care to mention. During the past five years the PC has managed to disregard a fundamentally sound 2025 Comp. Plan.

In November 2017, in Version 1 of the proposed Comp. Plan my property was identified as MIXED-USE, MEDIUM SCALE. This was the new label for the MIXED-USE COMMERCIAL Land Use from the 2025 Comprehensive Plan. At an "open mic" public session in December 2017, my property was portrayed to the public on large scale posters as MIXED-USE, MEDIUM SCALE. The attendees were asked to write down their comments on these posters or chat with Planning Commissioners or the Consultant to share their thoughts and the Planning Commissioners would record their comments. However, I can find no there no audio or written documentation of this meeting.

In April 2018, the land use for my property was changed from MIXED-USE, MEDIUM SCALE to AG/COMMERCIAL. This change supposedly was based on recorded comments provided by attendees from the misrepresented "open mic" session in December 2017. However, there is **no** matrix of these recorded comments on the Plan Purcellville website.

After the July 2018 Public Hearing, the land use of my property changed to RURAL TRANSITION by the PC. Subsequently, in August 2018 public comments suggested a risk of a possible lawsuit for the RURAL TRANSITION identification. The PC changed RURAL TRANSITION back to AG, not AG-COMMERCIAL just AG. And why? PC members did not like the word COMMERCIAL. Additionally, the PC limited uses within the designation to stifle development, control density, and create open space which BTW is not a land use.

According to the Loudoun Times Mirror, the Town's legal "Public Notice" publication, the current PC label for the 2025 Plan MIXED-USE COMMERCIAL designation is now comprised of four new commercial land uses. One of the four new categories: COMMERCIAL, MEDIUM SCALE is the most compatible and appropriate use for the MIXED-USE COMMERCIAL designation the Town Council approved for my property in 2011 and resolved in 2017. This designation is consistent with the maps portrayed in the 2025 Plan for the Eastern Commercial Corridor North of Main. And as far as I know, the Commercial Corridor has not changed North of Main. So, any proposed land use other than COMMERCIAL, MEDIUM SCALE for my property is unfounded, unjustified and, unsupported by any analysis or trends. Applying an AG land use to my property is a contrived and blatant attempt to create "open space" for the Town, without the Town having to purchase my property at fair market value. The courts may consider this discriminatory and/or one step away from a "take". These are the facts and they are not in dispute. Therefore, absent any compelling argument or justification to the contrary my land use designation should be COMMERCIAL, MEDIUM SCALE.

Thank you.

November 21, 2019