



STAFF REPORT

TO: Town Council and the Planning Commission
FROM: Daniel Galindo, AICP – Senior Planner
SUBJECT: Comprehensive Plan Amendment and Rezoning for the Brown Property
DATE: December 3, 2014

Application Information		
Applicant Town of Purcellville 221 South Nursery Avenue Purcellville, VA 20132	Property Owner Crooked Run Properties, LLC 37883 East Main Street Purcellville, VA 20132	Engineer/Land Planning N/A
Initiation Date October 14, 2014 <i>by Resolution No. 14-10-02</i>	Planning Commission Public Hearing Date December 9, 2014	Town Council Public Hearing Date December 9, 2014

Property Information				
PIN	Tax Map	Address	Current Zoning	Acres
454-49-1512-000	/36/////////51/	37883 East Main Street	X	8.09
<i>None</i>	<i>None</i>	<i>None</i>	X	2.00±

Application Requests	
CPA14-01	Incorporate an 8.09 acre property and a 2.00± acre property into the Planned Land Use Map with designations of Agricultural/Tourist Commercial
RZ14-04	Rezone an 8.09 acre property and a 2.00± acre property from X, Transitional to AC, Agricultural Conservancy/Commercial

SUMMARY

In response to the Town's recent settlement agreement with Howell Samuel Brown, Jr., Town Council has initiated a rezoning application (coded by the Town as RZ14-04) for the Brown Property and the Town Property (as described below) to change the zoning district designation of the properties from X, Transitional to AC, Agricultural Conservancy/Commercial. In addition, a comprehensive plan amendment application (coded as CPA14-01) would designate the properties with a planned land use of Agricultural/Tourist

Commercial. Joint public hearings before the Purcellville Town Council and Purcellville Planning Commission have been scheduled for these applications on December 9, 2014. Staff is recommending approval of both applications.

BACKGROUND

On October 8, 2014, the Town of Purcellville and Howell Samuel Brown, Jr. reached a settlement agreement to resolve litigation regarding the Town's previous condemnation of 7.1724 acres of land for construction of the Southern Collector Road (now named William T. Druhan, Jr. Boulevard). As part of the settlement, both parties agreed that:

On or before November 30, 2014, the Town shall, pursuant to Virginia Code § 15.2-2286(A)(7) and Article 10 of the Town of Purcellville Zoning Ordinance initiate by resolution a rezoning of the Owner's Property (including the land described in the Certificate) to the AC (Agricultural-Commercial) zoning district (the "Rezoning Application"). Owner believes such rezoning will provide reasonable uses of the Owner's Property and agrees not to file any applications for amendment of the Town's Comprehensive Plan, zoning, or special use permit during the pendency of the Rezoning Application and further agrees not to challenge the Rezoning Application or decisions of the Planning Commission and Town Council with respect to the Rezoning Application. The Rezoning Application shall be processed for review and public hearing in accordance with standard procedures. The Town's resolution to initiate a rezoning of the Owner's Property to the AC zoning district is not indicative of any given outcome of the rezoning process and the Town may approve or disapprove the Rezoning Application (Agreement After Certificate, p. 3-4).

Pursuant to this portion of the settlement, the Purcellville Town Council initiated consideration of rezoning the subject property through the passage of Resolution No. 14-10-02 on October 14, 2014 (attached). In order to maintain and promote compliance with the Town's Comprehensive Plan, Town Staff has interpreted the approved resolution to also warrant a comprehensive plan amendment application. Joint public hearings before the Town Council and Planning Commission on the rezoning and comprehensive plan amendment applications have been scheduled for December 9th at 7:00pm.

PROPERTY DESCRIPTION

Each application involves the same two properties. The first property is an 8.09 acre parcel that is currently owned by Crooked Run Properties, LLC and was previously owned by Howell Samuel Brown, Jr. (the "Brown Property"). The Brown Property is located to the southwest of the roundabout intersection of the following four roadways: East Main Street, Berlin Turnpike (Route 287), West Colonial Highway, and William T. Druhan, Jr. Boulevard (aka Southern Collector Road), and is addressed as 37883 East Main Street, Purcellville, Virginia. The Brown Property is further identified in the Loudoun County land records by Tax Map Number /36/////////51/ and Parcel Identification Number 454-49-1512-000.

The Brown Property is bounded to the east by the William T. Druhan, Jr. Boulevard right-of-way, to the north by East Main Street, to the south by a property owned by the Village Case Homeowner's Association that is preserved for open space, and to the west by a 41 acre property also owned by Crooked Run Properties, LLC that has been placed in a permanent conservation easement. The Village Case property has a planned land use designation of Private Open Space and a zoning district designation of PDH-5. The Crooked Run property has a planned land use designation of Agricultural/Tourist Commercial and a zoning district designation of AC.

The second property is owned by the Town of Purcellville and consists of 2.0± acres of the 7.1724 acres originally taken from Crooked Run Properties, LLC and Howell Samuel Brown, Jr. (the "Town Property"). The Town Property runs along the entire length of the Brown Property's eastern boundary, at variable widths; however, it is not assigned a parcel number or address. The Town Property is shown on the attached aerial overview diagram which displays the same information as Exhibit A in the settlement agreement. The Town Property is abutted to the west by the Brown Property, to the north by East Main Street, to the east by the William T. Druhan, Jr. Boulevard trail and the paved portion of William T. Druhan, Jr. Boulevard, and to the south by the same open space property owned by the Village Case Homeowner's Association that borders the Brown Property. Pursuant to the settlement agreement, the Town Property will be returned to Mr. Brown, and the Brown Property and the Town Property (collectively, the "Properties") will ultimately be combined into a single property as shown on the attached aerial overview diagram.

CPA14-01 COMPREHENSIVE PLAN AMENDMENT DESCRIPTION

The CPA14-01 comprehensive plan amendment application would amend the Town's Planned Land Use Map, as published on page 116 of the *Purcellville, Virginia 2025 Comprehensive Plan (2025 Plan)*, to incorporate the Properties with an Agricultural/Tourist Commercial planned land use designation. As detailed in the analysis of the CPA14-01 application, no official planned land use is currently designated for the Properties. However, they have long been a part of Crooked Run Orchard owned by the Brown family, and the proposed Agricultural/Tourist Commercial designation was created specifically for Crooked Run Orchard. This designation would be consistent with the rezoning to AC proposed by the RZ14-04 rezoning application.

CPA14-01 COMPREHENSIVE PLAN AMENDMENT ANALYSIS

The purpose of the *2025 Plan* is to provide guidance for the coordinated and harmonious development of the Town 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. A major component of the *2025 Plan* is the Planned Land Use Map which was developed after thorough analyses and evaluation to display the future land uses desired by the Town. It is this map which CPA14-01 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, changes to it should not be taken lightly. Typically, rezoning applicants also request an amendment to the Planned Land Use Map that changes a land use designation already shown on the map. In the case of CPA14-01, the Planned Land Use Map does not currently show a planned land use or planned density for the Properties because its adoption predates their annexation into the Town. When the *2025 Plan* was adopted in 2006, the Properties were governed by the *Purcellville Urban Growth Area Management Plan (PUGAMP)* which served the Town of Purcellville and Loudoun County as a joint comprehensive plan for a defined Joint Land Management Area (JLMA) outside of the Town's corporate limits. *PUGAMP's* Ultimate Land Use Map displayed that document's desired future land uses in the JLMA, and the Properties were given a Low Density Residential designation calling for one to three dwelling units per acre.

PUGAMP was rescinded effective July 1, 2013, so since that time, the Properties have not had an official planned land use designation. However, Crooked Run Orchard is a heritage "Century Farm" which has been operated by the same family for over 100 years, and the *2025 Plan* states that "special historic properties like...Crooked Run Orchard continue to represent unique aspects of Purcellville worthy of preservation for future generations" (*2025 Plan*, p. 47) noting further that:

Future development should retain the special landscapes, architectural and historic features of the properties and use building materials that are architecturally compatible and complementary. The unique features of these properties contribute to Town identity. Integrating them into new development can provide a transition for community change and growth (*2025 Plan*, p. 61).

It was for these reasons that Town Staff feels that the CPA14-01 comprehensive plan amendment application is warranted. CPA14-01 proposes the incorporation of the Properties into the Planned Land Use Map with a designation of Agricultural/Tourist Commercial as this designation is consistent with the proposed rezoning to AC. In fact, the

proposed Agricultural/Tourist Commercial designation was created for the adjoining 41 acre property also owned by Crooked Run Properties, LLC. As stated in the *2025 Plan*:

This new [Agricultural/Tourist Commercial] land use category was created to protect and enhance the last remaining agricultural property in Purcellville, Crooked Run Orchard...The category is intended to permit the continuation of the existing agricultural uses on the property, while allowing future commercial uses that may be compatible with agriculture, but provide additional options for income from the property. Planned uses could include traditional agricultural or horticultural uses, as well as restaurants; art galleries and shops; a hotel; a bed and breakfast inn; a spa; a conference center or corporate retreat; a winery; and wayside stands and other similar farm-based or tourist-oriented activities.

Buildings should be limited to a maximum height of 35 feet and should be setback from Main Street by at least 100 feet. Buildings and parking should cover no more than 30% of the property.

The Crooked Run Orchard property should also be considered by the Town as a priority tract for preservation through the Town open space preservation program. Preservation of all or portions of the property should be considered through acquisition of open space easements, fee simple purchase, or other means (*2025 Plan*, p. 115).

While arguments can be made for other planned land use designations, the shape of the Properties places significant development limitations that diminish their suitability for such land uses. These limitations are further detailed in the analysis of the RZ14-04 application. Overall, the Properties have long been a part of Crooked Run Orchard, and the Agricultural/Tourist Commercial planned land use designation was created specifically for the Orchard. Furthermore, as stated in the *Agreement After Certificate*, Mr. Brown believes the uses allowed in the AC zoning district are reasonable, and this zoning district is consistent with the proposed planned land use designation. For these reasons, Town Staff supports amending the Planned Land Use Map to incorporate the Properties with an Agricultural/Tourist Commercial designation.

RZ14-04 REZONING DESCRIPTION

The RZ14-04 application would amend the Town's Zoning Map by changing the zoning district designation of the Properties from X, Transitional to AC, Agricultural Conservancy/Commercial. This rezoning would allow the Properties to develop at a future time with the uses permitted by the AC zoning district. No specific development plan is currently proposed.

The existing X, Transitional zoning district designation for the Properties is an interim zoning designation automatically assigned to land that is annexed from Loudoun County under one of the following County zoning district designations: AR1, JLMA2, JLMA3, and

RC. Pursuant to Article 2, Section 6 of the *Zoning Ordinance for Town of Purcellville, Virginia*, the Transitional zoning district designation is intended to provide for the reasonable and orderly interim regulation of the use and development of land that has been annexed. Uses allowed in the Transitional zoning district include agricultural and forestry uses, single-family dwellings, private schools for 15 or fewer pupils, non-commercial fairgrounds, a temporary circus or carnival sponsored by a non-profit organization, churches, wildlife and game preserves, and bed and breakfasts.

Table 1: Comparison of Dimensional Regulations

Standard	X, Transitional	AC, Agricultural Conservancy/Commercial
Minimum Lot Size	3 acres	15,000 sq. ft. to 10 acres*
Minimum Lot Width	200 ft.	60 to 200 ft.*
Lot Depth	Maximum of 3.5x Lot Width	-
Minimum Front Yard	35 ft.	20 to 100 ft.*
Minimum Side Yard	12 ft.	10 to 100 ft.*
Minimum Rear Yard	25 ft.	30 to 100 ft.*
Maximum Height	35 ft.+	Residential: 35 ft. Non-residential: 45 ft.^
Minimum Open Space	-	25%**
Maximum Lot Coverage	-	See # below

* Depending on the use that is proposed – see Zoning Ordinance Article 4, Sections 15

+ Or 60 feet, if certain setbacks from the property line are met

^ No restriction for buildings used exclusively for agriculture or horticulture

** Except for (1) agricultural, horticultural, winery, recreational, and equestrian uses conducted outside of structures, and (2) residential uses located in “conservancy subdivisions” (in which all land not devoted to single-family detached lots, the building area of a conservancy lot, or road right-of-way must be permanently preserved as open space and must comprise at least 70% of the total land area within the conservancy subdivision).

The maximum amount of a lot that may be covered by buildings or structures is: (1) 30% for agricultural, horticultural, and winery uses, (2) 10% for all other non-residential uses unless otherwise specified under the AC zoning district regulations, (3) on conservancy residential lots, 35% of the lot area in which a building may be located, and (4) on non-conservancy residential lots, 35% of the lot area.

The proposed AC, Agricultural Conservancy/Commercial zoning district designation is intended to (1) accommodate and encourage the continuation of agricultural uses within the Town, (2) permit clustered residential development, (3) permit certain low-intensity non-residential uses that would maintain the majority of the existing open space, and (4) accommodate uses that would complement and enhance the historic character of the Town. Allowed uses in the AC zoning district include clustered single-family residential development and certain non-residential uses, including: animal hospital, antique shop, botanical garden, commercial nursery, conference center/corporate retreat with up to 100

guest rooms, country inn with up to 50 guest rooms, eating establishments, farm machinery sales and service, farm markets, coffeehouse/teahouse, and winery.¹

A comparison of the dimensional regulations in each district is provided in Table 1 above; however, it should be noted that a number of the AC regulations are use specific as detailed in Article 4, Sections 15 of the Zoning Ordinance.

RZ14-04 REZONING ANALYSIS

There are certain relevant factors that should be considered for any rezoning request. Article 1, Section 3 of the *Zoning Ordinance of 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 lengthy analysis of the components of the comprehensive plan covers many of Article 1's factors, so duplicate analysis will not be provided. In addition, an analysis is presented to demonstrate what proffers the Town may or may not be forgoing because this rezoning is Town-initiated.

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

¹ For a complete list of uses, see Zoning Ordinance Article 4, Sections 15.2-15.4

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. This application would convert approximately 10.09 acres from the Town's X, Transitional zoning district to AC, Agricultural Conservancy/Commercial which allows many more by-right commercial uses. This makes it likely that the rezoning will ultimately increase the commercial portion of the Town's real property tax base toward the goal of 30%; however, both districts also allow for the possibility of residential or institutional/public development.
2. The X district allows a number of very low intensity uses with detached, single-family dwellings at a density of 1 unit per 3 acres likely its highest value use. The AC district allows a different variety of mostly low intensity uses ranging from agriculture to residential and commercial to institutional/public. Without more information, it is impossible to determine what would likely be its highest value use as specific uses range from clustered single-family residential development to lodging and churches to farm machinery sales.

A major source of Town revenue is also realized from sewer and water availability fees and usage fees.

1. The current zoning would allow a maximum of 3 single family dwelling units which typically utilize the smallest meter size and have small usage rates. Most other uses in the X district would have similar characteristics. AC uses are also unlikely to require large meters or have large usage rates; however, its higher minimum residential density of 1 unit per acre could allow up to 10 single family dwelling units.

Staff Determination: RZ14-04 is likely in compliance with this portion of the Plan although full compliance cannot be determined since no specific development plan is being proposed.

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. None of the allowed uses in the AC zoning district are obviously incompatible with the pattern of land development surrounding the Properties. The agricultural, residential, and commercial uses listed should all be harmonious with the more rural nature of the larger lots and existing residences on the eastern edge of Purcellville.
2. If the Properties were to be developed with residences, the only allowable development in the AC zoning district is a conservancy subdivision that requires substantial open space to be preserved. This would be the only development of its kind in Purcellville thereby increasing the diversity of available housing choices.
3. If the Properties were to develop commercially, then this rezoning would provide for a more balanced economy, local revenue structure, and cost effective public services. This scenario would also ultimately increase the commercial portion of the Town's real property tax base toward the goal of 30%.

Staff Determination: RZ14-04 is in compliance with this portion of the Plan.

2025 Parks, Recreation and Open Space Policies

Among the many goals in this section, the Plan strives to “enhance the quality of life for the community by providing integrated park, recreational and environmental conservation efforts” (2025 Plan, p. 37), “provide a broad range of recreational opportunities and programs” (2025 Plan, p. 38), “encourage the location of compatible, small scale cultural, recreational and entertainment facilities in or near the Town limits” (2025 Plan, pg. 38), “conserve natural areas” (2025 Plan, p. 39), “encourage the preservation of existing trees in new development” (2025 Plan, p. 39), and “protect scenic, environmental and historic resources” (2025 Plan, p. 40).

1. As noted above in this report's analysis of the CPA14-01 application, the 2025 Plan expresses a strong desire to preserve Crooked Run Orchard. The Orchard is identified in the Plan for its environmental and historic contribution to Purcellville's character and specifically for being “representative of the agricultural open spaces and heritage of the community” (2025 Plan, pg. 125). The primarily low intensity uses allowed by the AC district coupled with their associated development standards would better protect the environmental, historic, and scenic resources of the Properties better than any other zoning district.
2. A number of cultural and recreational uses are allowed in the AC district and could be developed on the site.

Staff Determination: RZ14-04 is in compliance with this section of the Plan.

2025 Historic Resources Policies

The Plan seeks to “preserve and protect the historic character and integrity of Purcellville” (2025 Plan, p. 48).

1. As noted above, Crooked Run Orchard is a recognized historic asset of Purcellville, and rezoning the Properties to the AC district will serve to better protect it.

Staff Determination: RZ14-04 is in compliance with this section of the Plan.

2025 Economic Development Guiding Principles

The Plan “recognize[s] the importance of economic development to the health, well-being and quality of life for Purcellville’s residents” (2025 Plan, p. 64). Specific to agricultural land, it contains policies to “recognize the Town’s agricultural heritage as important to its future health and well-being and support the viability of agriculture in and around Purcellville” (2025 Plan, p. 68) which included an implementation strategy to create the AC district.

1. This rezoning would support the viability of Crooked Run Orchard by rezoning the Properties to the AC district which is designed to encourage and support agritourism-based commercial activities.
2. This rezoning would encourage the preservation of the special landscapes, architectural and historic features on the Properties as called for in the 2025 Plan.

Staff Determination: RZ14-04 is in compliance with this portion of the Plan.

2025 Public Services Policies

The Public Services section covers a wide spectrum of community services. The goals are to provide “for quality educational programs and facilities” (2025 Plan, p. 75), “a safe environment...by providing responsive police, fire and rescue facilities to serve residents” (2025 Plan, p. 75), “quality health care facilities [that] are available and easily accessible” (2025 Plan, p. 76), and “a coordinated system of community facilities and services...for all ages” (2025 Plan, p. 76).

1. This rezoning is unlikely to have any significant effect on public services.

Staff Determination: This section of the Plan is not applicable to RZ14-04.

2025 Public Utilities Policies

The Plan includes policies to “provide and operate a coordinated system of public water and sewer utilities that will enhance the quality of life for residents and businesses in Purcellville” (2025 Plan, p. 85), “upgrade and maintain water, sewer and storm drainage facilities and systems to promote the public health welfare and safety” (2025 Plan, p. 85), “provide facilities and services at reasonable costs that are equitably and fairly distributed” (2025 Plan, p. 86), and “locate utilities underground” (2025 Plan, p. 87).

1. It is the Town’s policy that developers are responsible for the construction of any necessary extensions of water and sewer lines at no cost to the Town, and that policy would remain in place for any development that may occur on the Properties in the future.
2. Since no specific development plan is being proposed, it is not possible to fully evaluate RZ14-04 against these policies. Table 2 (attached) was prepared with the help of Alex Vanegas, the Town’s Director of Public Works, and provides projected water use for residential development at the densities allowed by the X and AC districts as well as a sample of other land uses allowed in the AC district.

Staff Determination: Because no specific development plan is being proposed, this portion of the Plan is not applicable to RZ14-04.

2025 Transportation Policies

The Plan calls for “a connected network of attractive public streets in Town that efficiently and effectively manage traffic flow” (2025 Plan, p. 94), “a comprehensive transportation system that includes a multi-modal network of safe, adequate and efficient management opportunities for motor vehicles, pedestrians, and bicycles” (2025 Plan, p. 95), “quality pedestrian and bicycle facilities and experiences for residents and visitors” (2025 Plan, p. 96), and “safe, attractive and inviting streets throughout the Town” (2025 Plan, p. 97).

1. It is the Town’s policy that developers are responsible for the construction of any new transportation infrastructure at no cost to the Town, and that policy would remain in place for any development that may occur on the Properties in the future.
2. No new transportation infrastructure is currently proposed for the Properties, but they do border East Main Street and William T. Druhan, Jr. Boulevard where a trail is also located along the west side of the roadway. These are two of the primary collector roads in Purcellville, and the Properties are only located approximately .5 miles from the Route 7 Bypass which is the main arterial road in the area. This access would well serve the AC district’s agritourism-type uses without routing significant vehicle traffic through the Town’s internal street system.
3. Since no specific development plan is being proposed, it is not possible to fully evaluate RZ14-04 against these policies. Table 2 (attached) was prepared with the help of Alex Vanegas, the Town’s Director of Public Works, and provides estimates of the maximum number of vehicle trips per day for residential development at the densities allowed by the X and AC districts as well as a sample of other land uses allowed in the AC district.

Staff Determination: RZ14-04 is likely in compliance with this portion of the Plan although full compliance cannot be determined since no specific development plan is being proposed.

2025 Environmental Policies

The Plan seeks to “improve, maintain and protect the natural environment of the Town” (2025 Plan, p. 103), “protect scenic and sensitive environmental areas (2025 Plan, p. 103), and “protect important natural features such as wetlands, floodplains and forested areas” (2025 Plan, p. 104).

1. As noted above, Crooked Run Orchard is a recognized environmental and scenic asset of Purcellville, and rezoning the Properties to the AC district will serve to better protect it.
2. A floodplain crosses the Properties, and the primarily low intensity uses allowed by the AC district coupled with their associated development standards would better protect this feature than any other zoning district.

Staff Determination: RZ14-04 is in compliance 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 Plan also expresses a desire to “provide greater protection for public open space, environmentally sensitive areas, and historic properties” (2025 Plan, p. 110).

1. This rezoning would result in a harmonious and orderly land use pattern as the property abuts the only parcel currently in the AC zoning district.
2. This rezoning would help to achieve the Plan’s goal of protecting open space, environmentally sensitive areas, and historic properties.

Because the Properties were not incorporated into the Town when the Comprehensive Plan was adopted in 2006, the CPA14-01 application proposes a planned land use designation of Agricultural/Tourist Commercial. If CPA14-01 is approved by Council, the proposed designation is consistent with the proposed rezoning to AC.

Staff Determination: RZ14-04 partially complies with this portion of the Plan, and full compliance would be achieved if CPA14-01 is approved.

Trends of Growth and Change

The Town’s undeveloped lands have continued to be developed since the 2025 Plan was adopted in 2006. This includes the Cole Farm which is similarly identified in the Plan as being worthy of preservation. By all appearances, the market for land development has bounced back from the recent recession and continues to be strong in the Purcellville area; therefore, it is important to act on preserving this portion of Crooked Run Orchard now while the current owners are supportive of taking action. Doing so would lock in the regulations that were designed to preserve the Town’s remaining agricultural lands and advance many of the 2025 Plan’s goals.

Existing Use and Character of Property & Suitability of the Property for Various Uses

Although the southern half of the site is wooded, the Properties do not have many existing structures and are located at the Town’s eastern gateway to its main commercial corridor. These factors would typically make the Properties a prime site for commercial development; however, they are bisected by a floodplain and are approximately 3.5 to 4.2 times longer (north to south) than they are wide (west to east). The Properties are approximately 1,340 feet long with a width ranging from approximately 320 to 375 feet.

The Most Appropriate and Best Use of Land Throughout the Locality

Due to their physical constraints, the Properties are not ideal for residential use. The design of residential development would likely be a collection of lots lining a single road emanating from William T. Druhan, Jr. Boulevard and terminating in a cul-de-sac. VDOT would not likely allow another road to intersect East Main Street so close to the roundabout intersection. Combined with the narrow width of the Properties and the likely need to bridge the floodplain, residential development would be difficult. Commercial, industrial and institutional/public uses could make better use of the Properties by developing separate sites on either side of the floodplain.

However, the Town identified Crooked Run Orchard for protection at least as far back as the 1998 Comprehensive Plan, and the proposed AC district presents an opportunity to preserve much of the site while allowing for the potential to develop commercial and/or institutional/public uses. When coupled with the property owner's current agreement to rezone to AC, this appears to make the low intensity uses allowed by RZ14-04's proposed AC district the most appropriate and best use for the Properties.

Proffer Analysis

The Town is authorized to accept proffers to offset the impacts of a rezoning on the public infrastructure. In this case, because the rezoning was initiated by the Town, there would be no proffers associated with RZ14-04. The most common type of impact associated with rezonings is on the transportation infrastructure. The Director of Public Works has evaluated how the subject property might potentially develop under the AC zoning district designation and has concluded that the existing transportation infrastructure can comfortably handle the traffic that would be generated by any future development. The Director of Public Works estimates that William T. Druhan, Jr. Boulevard can accommodate approximately two to three times the traffic volume that it currently handles. Because the Town has planned and built William T. Druhan, Jr. Boulevard to accommodate the traffic that might be generated by the Properties, no public infrastructure improvements would be necessitated by a proposed development. While no public infrastructure improvements are anticipated, Staff does anticipate that the developer of the subject property would have to obtain one or more commercial entrance permits along William T. Druhan, Jr. Boulevard in to the subject property, and, most likely, would have to install turn lanes to prevent interruption of the collector road's through-traffic. These costs would be borne by the developer, and not the Town, at the time of site development.

CPA14-01 FINDINGS

1. The *Purcellville, Virginia 2025 Comprehensive Plan* identifies Crooked Run Orchard as being worthy of preservation due to its environmental, historic, and scenic resources.
2. The *2025 Plan's* Planned Land Use Map does not currently show a planned land use for the Properties because its adoption predates their annexation in to the Town.

3. CPA14-01's proposed planned land use designation of Agricultural/Tourist Commercial was created specifically to protect and enhance Crooked Run Orchard, and it is the best designation for the Properties.
4. CPA14-01 is necessary in order for RZ14-04 to more fully comply with the *2025 Plan*.

RZ14-04 FINDINGS

1. Excluding the planned land use for the Properties being proposed by CPA14-01, RZ14-04 complies with all portions of the *Purcellville, Virginia 2025 Comprehensive Plan* that are applicable to it and can be fully evaluated.
2. If CPA14-01 is approved, RZ14-04 would comply with the planned land use for the Properties.
3. The site is physically suitable for multiple land use types, but its best and most appropriate uses are the low intensity uses allowed by RZ14-04's proposed AC, Agricultural Conservancy/Commercial zoning district.
4. The Town is not forgoing any significant proffers by approving RZ14-04 as a Town-initiated rezoning.
5. The *Agreement After Certificate* between the Town and Mr. Brown does not obligate the Town to approve RZ14-04.

RECOMMENDATION

Staff recommends approval of CPA14-01 and RZ14-04 for the reasons detailed in this staff report. A resolution to approve the comprehensive plan amendment application and an ordinance to approve the rezoning application will be presented at Town Council's first meeting in January.

ATTACHMENTS

- Resolution No. 14-10-02
- Aerial Overview Diagram
- Table 2: Estimates of Water Use and Vehicle Trips by Land Use for RZ14-04

AVAILABLE ONLINE

The following documents are available online at: <http://purcellvilleva.gov/index.aspx?NID=672>

- *Agreement After Certificate*