



**PLANNING COMMISSION
REGULAR MEETING AGENDA**

June 20, 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) Plan Purcellville 2018 Comprehensive Plan
- 9) **Action Items**

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

 - a) None Scheduled
- 10) **Information Items**
 - a) Update on Zoning Diagnostic
- 11) **Council Representative's Report**
- 12) **Chairman's Comments**
- 13) **Planning Commissioners' Comments**
- 14) **Approval of Minutes**
 - a) June 6, 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.

June 6, 2019



**MINUTES
PLANNING COMMISSION REGULAR MEETING
JUNE 6, 2019 7:00PM
TOWN HALL COUNCIL CHAMBER**

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
Ed Neham, Planning Commissioner
Chip Paciulli, Planning Commissioner

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

ABSENT:

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

<https://www.purcellvilleva.gov/ArchiveCenter/ViewFile/Item/5046>

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 Meeting to order at 7:01 PM. The Pledge of Allegiance followed.

AGENDA AMENDMENTS: [3:10]

None.

COMMISSIONER DISCLOSURES: [3:28]

None.

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PUBLIC HEARING: [3:35]

Chair Stinnette called the June 6, 2019 Public Hearing for the Plan Purcellville 2018 Comprehensive Plan to order at 7:05 PM. [4:00]

Chair Stinnette [5:25] presented the Plan Purcellville 2018 Comprehensive Plan – Update (see Attachment 1), focusing on the reasons for this public hearing, the land uses that are expected to remain the same and those that may be subject to change, changes being made to Version 5.0 of the Draft Comprehensive Plan, and the next steps for moving the Comprehensive Plan to adoption by the Town Council.

Chair Stinnette opened the floor for public comments. [38:30]

- David Eno [39:35] expressed his concern that the Plan is difficult to follow and he would like a concise plan that would be more understandable. He read from the Rural Transition section, page 47, to emphasize his point. He opined that a land development attorney, based on what is in the Rural transition section, could file suit against the Town and easily win a significant judgement, and further, that the Plan is loaded with words that would set this Town in the sights of developers and people who would not care about maintaining Purcellville as it is (see Attachment 2).
- Mary Ellen Stover [47:15] stated that there are too many commercial and residential uses in the new districts that have been created.
- Sam Brown [48:00] stated that Purcellville has too much commercial development and is concerned that the change to the rural Transition doesn't become another 7-Eleven, another Catoctin Corner, etc.; we have enough convenience stores, enough filling stations, enough commercial stores in Purcellville (see Attachment 3).
- Mark Nelis [49:35] stated that the Plan lacks muscle evidenced in the brevity of its statistical analysis, and that if the Planning Commission considers at-place employment you'll find that everyone who lives here drives east and everyone who works here drives west and that's a failure of our land use program. There's nothing in this Plan to support affordable housing. There's also a large emphasis on the comments of the community members and they're very helpful and interesting, but they occasionally slide into the Plan's recommendations. Furthermore, the depiction of the development on page 19 of the Plan is one that is no longer permitted in Loudoun County. The goal of achieving a 30 percent commercial tax revenue ratio is expressed but this is contradicted by other statements in the document that act to limit commercial development. (see Attachment 4).
- Joe LaFiandra [55:35] In reviewing the proposed Plan, our HOA (Browns Farm development) and various members of our community has found that there is no mention of limiting the annexation of property in the Purcellville JLMA. After the PUGAMP was canceled in the 2012-2013 time frame, the Town and Country recognized that no additional growth outside of the Town boundaries into the JLMA was anticipated. Including a provision limiting any further annexations or major boundary line adjustments in the Plan would fulfil a pledge the Town made at the time of the cancellation of the PUGAMP. Restraining the Town's expansion will help maintain the quality of life in the Purcellville area by reducing demands on water supply, traffic congestion, the need for additional schools, and tax increases to support infrastructure improvements (see Attachment 5).

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- Philip Lataille [58:45] Because East Stephens Drive has been closed off midway, the only access to his residential property is through the commercial Browning Equipment property along South 9th Street rather than through the residential properties along South Maple Avenue. If the Browning property, currently being used for storage of equipment, is more fully developed commercially, it will lead to devaluation of the residential property. Preferably, the residential property would be included in the mixed commercial zoning, or all of the residential properties on the South side of East Stephens Drive could be converted to multi-family to reflect to reflect the neighboring commercial zone, or to keep the entire residential area as single-family. Lastly, making South 9th Street commercial would not promote the stated recommendation for East Main Focus Area 4 to “improve internal circulation and access consolidation to improve safety” (see Attachment 6).
- Robert Ritchie [1:03:40] There are only two houses that front onto East Stephens Drive, all of the other houses in this area front onto South 9th Street or South Maple Avenue. We have to drive through commercial property to access our property. Preferably, either turn the South 9th Street area back to residential, or include the property in the mixed-use category (see Attachment 7).
- Patricia Kipfer [1:08:00] To date, the Planning Commission has neither acknowledged the facts nor produced justifications or substantiated their actions regarding my property’s many proposed land use designations, of which there have been many. My property’s land use designation has changed from Mixed-Use Commercial to Mixed-Use Medium Scale to Agricultural Commercial to Rural Transition. My property should have the same land designation as Catoctin Corner – Commercial Medium Scale; it should not be rural Transition (see Attachment 8).
- Uta Brown [1:13:35] made a plea for no growth and its impact on the quality of life. This is what we pay for growth: a vast reduction in our quality of life. It’s not only air, light and water pollution which affect our health in frightening ways, but our traffic has increased a great deal. Sometimes it’s worth it not to grow. The worst of the growth is the debt that we’re are going to leave our children, and the debt will continue to grow as we grow because developers don’t pay for roads and schools. Let’s be the people who say “no” and “enough is enough” (see Attachment 9).
- Jimmy Reynolds [1:17:40] Nowhere in this Plan does it indicate that there was an analysis done of the 2025 Plan that said what works, what doesn’t work, what’s broken and what needs fixing. Wholesale changes were made to the land use designations without any reasons or justifications given other than increased clarity, and this increased clarity and the changes to the land use designations are going to create havoc for the zoning people for years to come because there are no zones right now that marry up to any of the land use designations, particularly on the East End. In my opinion, there are too many permitted by-right uses in the zoning categories which gives the town very little ammunition to say no. The Planning Commission has stated that it’s not its intent to make wholesale material changes to the 2025 Plan (refer to the audio record of the May 4, 2019 meeting), and that’s exactly what was done. You need to get back to the roots (see Attachment 10).

Chair Stinnette asked the staff for their comments; there were none. [1:21:45]

Chair Stinnette closed the Public Hearing for the Plan Purcellville 2018 Comprehensive Plan at 8:23 PM. [1:22:08]

Chair Stinnette asked the Commissioners for their comments, questions, etc. [1:22:15].

- Commissioner Paciulli [1:22:45] suggested that it would be useful for Mr. Nelis to spend an hour or so at another time to share the rest of his comments with the Planning Commission, and wanted to get more details from Mr. Lataille and Mr. Ritchie about problems with their properties. A discussion of the proposed land use where their properties are located and the access to the properties followed.
- Commissioner Forbes [1:29:35] concurred with Commissioner Paciulli about getting more information from Mr. Nelis and inviting him back to speak to the Planning Commission, and she plans on taking a closer look at the situation with Mr. Lataille's and Mr. Ritchie's properties.
- Commissioner Neham [1:30:55] asked if Mr. Eno, Mr. Brown and Ms. Brown could give us more specifics or mark up a copy of the Plan in the areas they don't understand or that don't make sense to them so that the Planning Commission can better understand their concerns. With regard to Mr. Nelis' comments on affordable housing, the Planning Commission is intending to address that topic. [*n.b.* see page INITIAL ACTION PRIORITIZATION: SHORT TERM EFFORTS - Develop an Implementation Plan for the construction, rehabilitation, and maintenance of affordable housing.]

In a brief discussion, it was suggested that Commissioners Forbes and Paciulli would try to meet with Mr. Nelis, and Commissioners Kowalski and Paciulli would try to meet with Mr. Lataille and Mr. Ritchie to gain further information and insight. It was later determined that follow-up discussions might be best served in a public and transparent forum.

PRESENTATIONS:

None.

CITIZEN COMMENTS:

None.

DISCUSSION ITEMS:

None.

ACTION ITEMS:

None.

INFORMATION ITEMS:

None.

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COUNCIL REPRESENTATIVE’S REPORT:

None.

CHAIR’S COMMENTS:

None.

PLANNING COMMISSIONERS’ COMMENTS:

Commissioner Neham requested that all written citizen comments be submitted to the Planning Commission so that they may be included in the minutes and be made part of the public record. [1:37:22]

APPROVAL OF MINUTES: [1:38:00]

Commissioner Forbes made a motion to waive reading and to approve the minutes of the May 16, 2019 Planning Commission Regular Meeting. Seconded by Vice Chair Stein. Passed: 6-0-1.

OTHER BUSINESS:

None.

ADJOURNMENT: [1:38:55]

With no further business, Vice Chair Stein made a motion to adjourn the meeting at 8:40 PM, seconded by Commissioner Forbes. Passed: 7-0-0.

Tip Stinnette, Chair

Ed Neham and Stefanie Longerbeam, Records

Attachments:

- 1: Plan Purcellville 2018 Comprehensive Plan – Update
- 2: Inputs Provided by Joe LaFiandra
- 3: Inputs Provided by Philip Lataille
- 4: Inputs Provided by Patricia Kipfer

Philip Lataille

720 E Stephens Dr

Who Am I?

- Homeowner & Resident of Purcellville
- Business Owner and Operator in Loudoun since 2016

The Property In Question

720 E Stephens Drive

- One of two houses on the “alley”
(Stephens)

Adjacent to Browning Equipment

The Browning Equipment lot has been used for commercial Purposes for many years



Loudoun County, Virginia
WebLogis - Online Mapping System

Map Search Tools Results

Parcel Info Platfile Info

PIN	488209469000
Tax Map #	/35A2/1/B//15B
Property Address	720 STEPHENS DR E
Town Zip	PURCELLVILLE VA 20132
Subdivision	LOVE SUBDIVISION
Primary Zoning	PV.R2
GIS Parcel Type	Parcel

A map showing a parcel highlighted in cyan. The parcel is labeled with the number 488209469. The map includes a scale bar (1:600) and a north arrow. The parcel is adjacent to a road and other parcels.

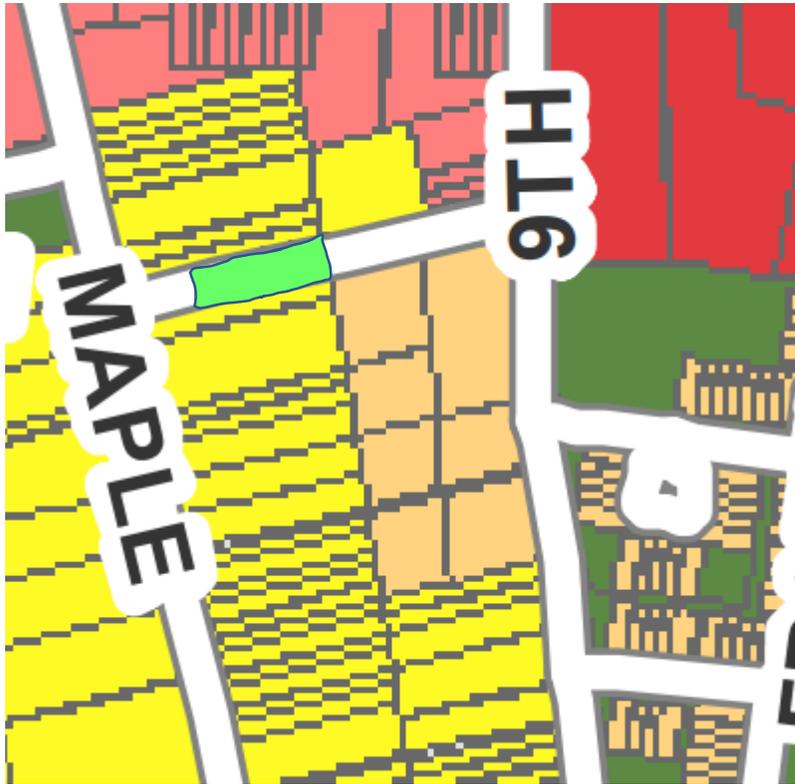
No Access from residential portion of Maple

Stephens Drive Has been Closed off

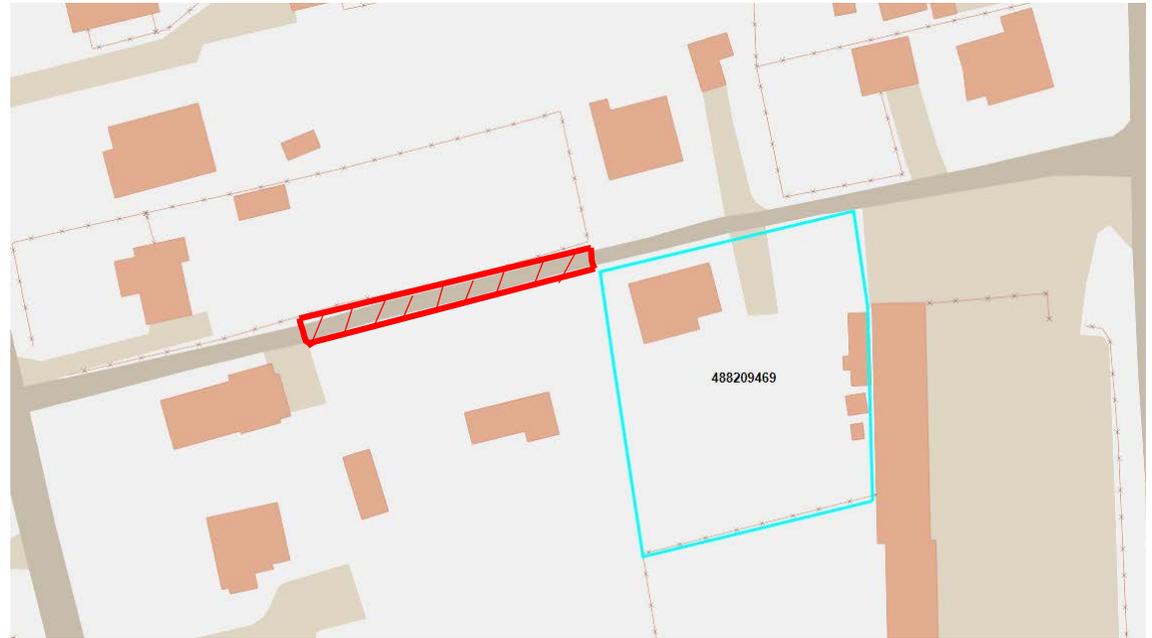
We would need to travel through Commercial to access the property



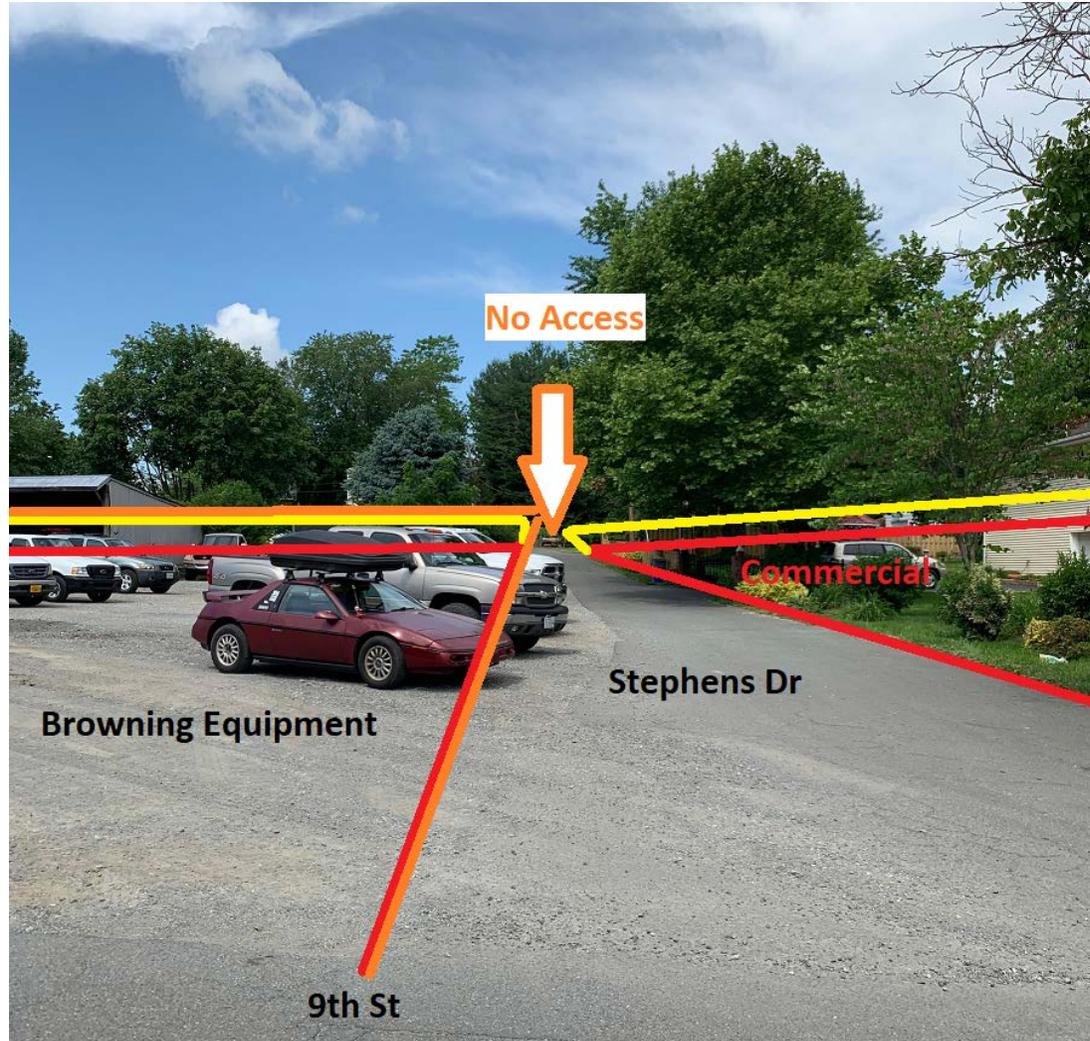
State of Stephens Drive



Stephens Drive is Blocked off on both sides, there is no access to 720 or 721 Stephens drive from Maple street



State of Stephens Drive Cont.



Proposed Zoning (per comp plan)

	Single Family Detached Traditional		Commercial Neighborhood Scale
	Single Family Detached Suburban		Commercial Medium Scale
	Single Family Attached		Industrial Business
	Multi-Family		Institutional & Government
	Mixed Use Neighborhood Scale		Agricultural Commercial
	Mixed Use Medium Scale		Rural Transition
			Parks & Open Space

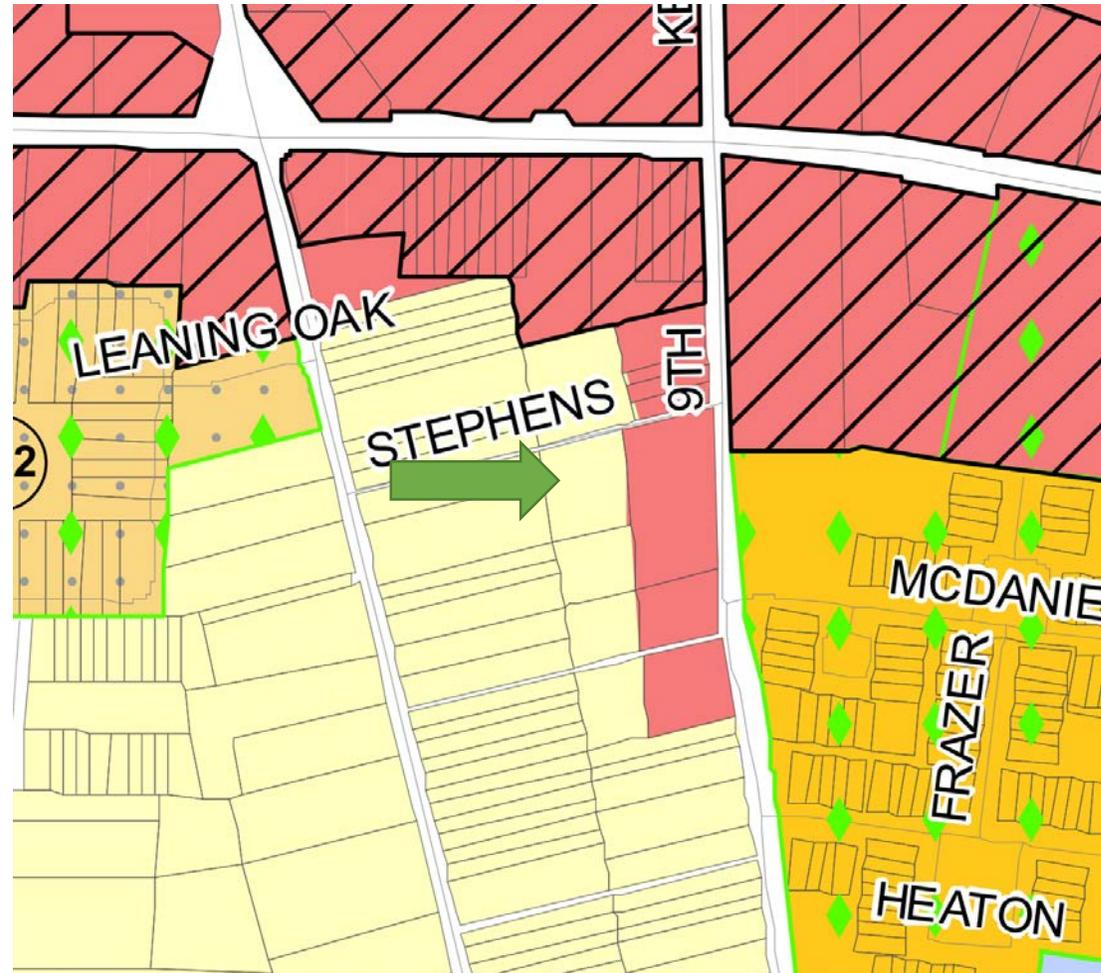


Consider

Please consider

- Either include my property in the MC Mixed Commercial zoning along with the Browning Equipment lot with 9th st frontage, or;
- Convert the surrounding properties on 9th Street to Multi Family Residential zoning.
- Leave all of the surrounding properties on 9th Street as Single Family
- To leave it as proposed would ultimately lead to a devaluation and disruption to the *quiet enjoyment of the property*

Original Zoning Proposition



Thank you!

Thank you for your time and attention.

Robert Ritchie

721 E Stephens Dr

Who Am I?

- Homeowner & Resident of Purcellville since 2003
- Business Owner and Operator in Purcellville since 2000
- Served on several committees and town organizations
- Member of Purcellville Rescue since 1991

The Property In Question



721 E Stephens Drive

- Owned by my family since my father built the house in 1958
- Returned to live here in 2003 to keep in the family
- One of two houses on the “alley” (Stephens)

Area has
changed since
original plan



Proposed Zoning (per comp plan)

	Single Family Detached Traditional		Commercial Neighborhood Scale
	Single Family Detached Suburban		Commercial Medium Scale
	Single Family Attached		Industrial Business
	Multi-Family		Institutional & Government
	Mixed Use Neighborhood Scale		Agricultural Commercial
	Mixed Use Medium Scale		Rural Transition
			Parks & Open Space



Consider

Please consider

- Either include my property in the MC Mixed Commercial zoning, or;
- Return the surrounding residence on 9th Street to R2 Single Family Residential zoning.
- To leave it as proposed would ultimately lead to a devaluation and disruption to the *quiet enjoyment of the property*

Thank you!

Thank you for your time and attention.

Members of the Planning Commission,

June 6, 2019

My name is Joe LaFiandra and I live just outside the town on Piggott House Place in Browns Farm. I am here today to comment on the proposed Purcellville 2018 Comprehensive plan. In the past our HOA and various members of our community have responded to your requests for public input to the proposed plan and some of these suggestions have been incorporated in the plan.

But, in reviewing the proposed plan, we find no mention of limiting annexations of property in the Purcellville JLMA. Please be reminded that when the PUGAMP agreement was cancelled in the 2012-2013 time period, in a County Planning Commission hearing on November 28, 2012, the Town and County recognized that **“Both the JPRC’s (Purcellville Joint Policies Review Committee) and Town of Purcellville’s actions acknowledge that no additional growth outside the current incorporated Town boundaries into the JLMA is anticipated”**. And yes, it is in a County document, see the attached excerpt. Including a provision limiting any further annexations or major boundary line adjustments in the JLMA, or eliminating the JLMA entirely in the proposed Comprehensive Plan will fulfill a pledge that the Town made at the time of cancellation of PUGAMP. I am sure you realize that this promise to limit growth has legal ramifications since it was used to justify eliminating the PUGAMP.

Restraining Town expansion will help maintain the quality of life in the Purcellville area by reducing demands on water supplies, reducing traffic congestion, reducing the need for additional schools and limiting tax increases for infrastructure improvements. A commitment to limit growth in the proposed Comprehensive Plan will discourage land owners surrounding the Town from selling their property to developers that will load the area with high density housing, undesired amusement parks and cheap drug infested hotels. As a minimum, the proposed Comprehensive Plan should include a statement limiting annexations of already developed land surrounding the Town. I hope you will include this request in the proposed Comprehensive Plan since we all are concerned with maintaining and improving the quality of life in the Purcellville area.

Thursday June 6, 2019

Planning Commission Public Hearing regarding Updated Comp. Plan

Please attach my comments to the legal Minutes of this meeting.

My name is:

Patricia A. DiPalma Kipfer

38038 W Colonial Hwy

Town Resident

Good Evening Chairman Stinnette and members of the Planning Commission.

I have been pleading my case for a fair and equitable Land Use Designation for the past 11 years. I know you will all agree this has been a very long time.

Since the Town Initiated Annexation of my property in 2008, I have acted in “good faith” by following all of the policies and procedures the Town has required of me to protect the value of my property. In turn, I expected that between the 2006 Adopted Plan and the current proposed Updated Comp. Plan the Town would “honor” their work and approvals that were executed in between. It has become very apparent to me that adhering to the Town’s policies and procedures carry “no weight” and should not be trusted. Because once again, I’m now backed into a corner on this issue as the future potential value of my property continues to diminish with the many proposed Land Use Changes the PC has presented regarding my property since 2016.

To date, the PC hasn’t acknowledged the facts; or produced direct or indirect justifications; or substantiated their actions regarding my property’s many proposed Land Use Designations.

Frankly, there have been so many changes it is embarrassing to recount them all.

But here goes:

-2006 my three acre property was in the County but not in the town.

-2008 including several other properties my property was brought into the town by Town Initiation as a bundle with Catoctin Corner and Patrick Henry College.

-2011 CPA 11-01 Land Use Designation was approved by the Town Council changing my property from County A3 to Mixed Use Commercial. Same as Catoctin Corner.

-2016 PC recommends changing designation from Mixed Use Commercial to Mixed Medium Scale. Even though it was a wrong designation I was “OK” with this change, arguing that since my property is attached to Catoctin Corner my designation should be one and the same. Again, even if it was incorrect.

However, after witnessing firsthand how inaccurate the new Comprehensive Plan was being presented I decided to protect my property’s value and in 2017 I asked the Town Council to initiate a Resolution that recognized my property’s Land Use in keeping with CPA 11-01 and the same as Catoctin Corner. The current Town Council approved Resolution #17-02-01 to remain in effect until the updated plan is adopted. But wait...it gets better...the PC does not submit an update to the Comp. Plan but completely rewrites the plan and separates my property from Catoctin Corner. So now, my property’s land use designation changes from Mixed Use Commercial to Mixed Medium Scale to Agricultural Commercial to Rural Transition. Catoctin Corner also goes through similar changes but will ultimately change to Commercial Medium Scale. My property should be one and the same with Catoctin Corner. We are attached at the hip and this is not an unreasonable request.

Pg 2. PC Public Hearing – Comments Patricia A. DiPalma Kipfer

Rural Transition does not apply to my property and never will. I am not the first property in Town and I do not attach to the Loudoun County limits. Rural Transition was never presented by the Consultant or to the Public for comment. Rather than a well thought out solution, coming full circle, culminating in a conclusion that my property should be the same as Catoctin Corner; the Planning Commission uses the County's term Rural Transition as a knee jerk reaction.

Needless to say, this has been an exhausting process for me. No town citizen should have to work this hard to “keep” what had already been documented and approved. PC please stop this nonsense and submit to the Town Council a land use designation based on documented facts, trends, analysis and quantifiable public input numbers. In other words, my Land Use Designation should be one and the same with Catoctin Corner: Commercial Medium Scale.

Lastly, if and when my property ever sells, then the new owner will go through the proper channels to obtain the necessary applications and documents. Not sure what you all are afraid of as you still have the power to accept or reject any commercial development. Based on Zoning, input and recommendations from the Community Development Dept. and the Planning Commission, the Town Council and the Town will be more than protected to allow for “smart growth” instead of a platform of “no growth.”

Thank you.