

**MINUTES
PURCELLVILLE PLANNING COMMISSION
SPECIAL MEETING
THURSDAY, MARCH 23, 2023, 6:30 PM
TOWN HALL COUNCIL CHAMBERS**

Meeting video can be found at the following link: <https://purcellvilleva.new.swagit.com/videos/222717>

COMMISSIONERS PRESENT:

Nan Forbes, Chair/Commissioner
Christopher Bertaut, Town Council Liaison (*attended from Heritage Room*)
Ed Neham, Vice Chair/Commissioner (*via remote participation due to medical condition*)
Ron Rise, Commissioner
Brian Green, Commissioner
Nedim Ogelman, Commissioner
Jason Dengler, Commissioner

COMMISSIONERS ABSENT:

None.

STAFF PRESENT: Interim Zoning Administrator Martha Semmes, GIS Coordinator Andrea Broshkevitch, Director of Engineering, Planning and Development Dale Lehnig (*attending virtually*), and Planning Operations Coordinator Jordan Andrews

CALL TO ORDER:

Chair Forbes called the meeting to order at 6:30 PM. The Pledge of Allegiance followed.

CITIZEN COMMENTS:

None.

DISCUSSION and ACTION ITEM:

a. Route 7/690 Interchange Recommendation [Commissioners]

The draft resolution, 23-03-03 was reviewed by Commissioners, including the attached supporting documents. Commissioner Ogelman suggested that the language at the top of page 2 be modified to remove the phrase “is not fully understood by and has been reported by Town Staff that it may be”, in relation to the floodplain increase according to Loudoun County hydrology consultants. Commissioners agreed to the amendment. Additionally, Vice Chair Neham suggested amending the term “reduced” to “mitigated”, where it is found in the general resolution statement. Commissioners agreed to the amendment.

Commissioner Rise motioned that the Planning Commissioner adopt Resolution 23-03-03, as amended. **Commissioner Green seconded and the motion carried unanimously.**

Vice Chair Neham made the following motion:

Based on the findings of fact and conclusions contained in the Planning Commission's Resolution 23-03-03 dated March 23, 2023, I move that the Planning Commission recommend Town Council deny the proposed Rt.7/690 Interchange Project, or condition its approval in a manner that fully addresses the issues raised in the Planning Commission's Resolution to the Town Council's satisfaction.

Commissioner Dengler seconded, and the motion carried unanimously.

Resolution 23-03-03 and attachments are on file in the Town Clerk's office.

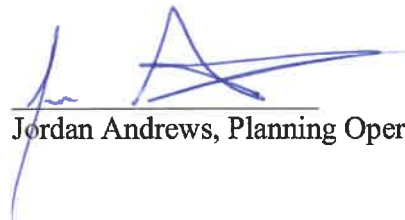
DISCUSSION/INFORMATIONAL ITEM:

**b. Review of changes to ZoneCo draft zoning ordinances Articles 1-9
[Commissioners]**

The Planning Commission reviewed and discussed consolidated comments in the attached matrix. The Planning Commission added comments in green capital lettering, indicating agreed upon comments for the line items prioritized as critical, substantial, or editorial(high). The attached pages of the comment matrix, pages 1-9, document the Planning Commission's consensus regarding the specified comments. A copy of the comment matrix is also on file in the Town Clerk's office.

ADJOURNMENT:

With no further business, Commissioner Dengler made the motion and the meeting was adjourned 9:26 PM.


Jordan Andrews, Planning Operations Coordinator


Nan Forbes, Chair 4/20/23

ZONING ORDINANCE ARTICLES 3 THROUGH 9 COMMENTS

Date: March 27, 2023

Critical (10)
Substantial (35)
Editorial High (29)
Editorial Medium (19)
Editorial Low (58)
Administrative (10)

Item	Reviewer Name	Comment Date (mm/dd/yyyy)	Document	Document Version Date (mm/dd/yyyy)	Page No.	Document Section	Reviewer Request	Comp Plan Reference	Change Type	Priority (High, Medium, Low)	Planning Commission Response	Consultant Response	Agreed Upon Action	Action Date
1	Ed Neham	03/12/2023	Articles 1-9	02/28/2023	20	2.7.3 Development Standards	This is mislabeled: "2) Lot Size Standards"; it should be: "2) Building Bulk Standards"	N/A	Editorial	Low				
2	Nedim	3/12/2023	Article 3	02/28/2023	73-126	All Lot and Bulk Standards	Need explanation of the rationale, reason, grounding for different Lot and Bulk dimensions proposed for different Overlay Districts and their Subareas. What is the information, evidence, logic, rationale for the specific Lot and Bulk dimensions proposed in different Overlay Districts and their Subareas?	Comp Plan distinguishes between various forms in different areas and provides evidence on forms and standards to sustain. How is this evidence incorporated into proposed Bulk and Lot Dimensions in the draft Zoning Ordinance throughout Article 3?	Critical	High	ZONING NEEDS TO PROVIDE THE RATIONALE, REASONS, GROUNDING, ETC. SECTIONS 3.5-3.11 ARE NEW; COMP PLAN CONTEMPLATES TWO DIFFERENT USE TYPES AND FORMS IN DOWNTOWN NORTH, BUT THIS IS NOT EVIDENT IN THE 3.5 DOWNTOWN NORTH DESCRIPTION. THIS IS THE CASE FOR ALL THE SECTIONS THROUGH 3.11.			
3	Ed Neham	03/05/2023	Articles 1-9	02/28/2023	73	3.2 LIST OF OVERLAY DISTRICTS	Change the order of the sections in this list to be as shown to match the order in which they are presented later in this Article: 8) Floodplain Overlay District 9) AR Architectural Review Overlay District	N/A	Editorial	Low				
4	Ed Neham	03/07/2023	Articles 1-9	02/28/2023	73	3.4 ADMINISTRATION OF OVERLAY DISTRICTS	Correct all references to: "Article 3: Overlay-Overlay District"	N/A	Editorial	Low				
5	Ed Neham	03/07/2023	Articles 1-9	02/28/2023	75-78	3.5 ON Downtown North Overlay District	Identify sources (to Planning Commission) and substantiate text and table values. Doesn't seem to track Purcellville New Master Calibration Table-Updated-220823-2023	DOWNTOWN NORTH (pg.76-77)	Critical	High	THESE VALUES DON'T SYNCHRONIZE WITH THE CALIBRATION TABLES.			
6	Ron Rhee Sr.	03/13/2023	Article 3	02/28/2023	75	2) Applicability	The term "primary frontage" is only found here. Only Frontage is defined in Article 9. Suggest that "Frontage" be illustrated in Figure 2, p. 6	None	Editorial	Low				
7	Ron Rhee Sr.	03/13/2023	Article 3	02/28/2023	75	3.) a Subarea 1	add "campus-like design." Note that "campus" nor "parcel" is not defined in Section 9 or state that LOT and PARCEL are synonymous in Article 1.	None	Editorial	Low				

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8	Nedim	3/12/2023	Article 3	02/28/2023	75	3.05J map at top right corner of page	Portray DN1 Commercial Neighborhood Scale area (which adopts current MC land uses and is shown in pink in the Comp Plan) as distinct from DN2 Mixed-Use Neighborhood Scale (which adopts current C4 land uses and is shown in brown in the Comp Plan). (Currently every part of the Downtown North Overlay District that is not Institutional Government (adopting current Institutional Public land uses) is represented as homogeneous (in the same red color). More generally, provide a legend showing what the different colors on these maps represent.	p.77 Shows DN1 (pink except for blue-grey around post office) and DN2 (brown) in the color of their desired land uses.	Critical	High	THE MAP ON P.75 USED THE EXISTING ZONING; I.E., C-4. PER THE COMP PLAN, DN1 SHOULD BE COMMERCIAL NEIGHBORHOOD SCALE AND DN2 SHOULD BE MIXED-USE NEIGHBORHOOD SCALE. HOW ARE DIFFERENT SCALES BEING IMPLEMENTED IN THE OVERLAY DISTRICTS? DO WE NEED DIFFERENT DISTRICTS FOR THEM?			
9	Nedim	3/12/2023	Article 3	02/28/2023	75	3.05J3a)	Add Subarea 1 - With the exception of the post office, the sites may only contain Commercial Neighborhood Scale (equivalent of MC) uses.	p.77 Area 1a. "Maintain commercial development in this area, and encourage appropriately scaled, in-character in-fill." b. "Redevelopment should be consistent with Commercial Neighborhood Scale guidelines."	Substantial	High	SEE ITEM 8.			

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10	Nedim	3/12/2023	Article 3	02/28/2023	75	3.05(b)	Add Subarea 2 - The sites may contain Mixed Use Neighborhood Scale (equivalent of C4) uses. Multiple uses may be permitted in a single building per (Mixed Use Neighborhood Scale - C4 regulations) arranged vertically or horizontally, subject to the provisions of Article 5: Uses. DELETE everything following "Uses:" beginning with "...except that Multi-family residential uses shall be permitted...."	p.77, C4, the land use category that most clearly reflects the desired "Mixed Use Neighborhood Scale" aspiration of the Comp Plan distinguishes clearly permitted Multi-Family residential uses (up to two dwelling, apartment units per building by right) from higher-density Multi-Family residential uses (R15/Multi-Family Land Use - which permits by right Apartment Buildings containing 3 or more dwelling, apartment units). The Comp Plan p.52 e) identifies the Multi-Family Land Use category (as distinct from the Mixed Use Neighborhood Scale Height rules already adopted for C4 in compliance with the Comp Plan	Critical	High	ISSUE: MULTI-FAMILY RESIDENTIAL VS. DWELLING APARTMENT UNITS. C4 ONLY ENVISIONS APARTMENT UNITS, NOT MORE THAN 2 PER BUILDING. SEPARATE DISTRICTS IN TOWN FOR APARTMENT BUILDINGS. MIXED-USE NEIGHBORHOOD SCALE DOES NOT ENVISION APARTMENT COMPLEXES.			
11	Nedim	3/12/2023	Article 3	02/28/2023	76	3.05(b) Building Height, Subarea 2	Make the height rules conform to the height rules adopted since the adoption of the new Comp Plan (I believe it is 2.5 stories and up to 35 feet by right, up to 3 stories and 45 feet through a special use permit process).	Neighborhood Scale Height rules already adopted for C4 in compliance with the Comp Plan	Critical	High	AGREE WITH COMMENT.			
12	Ron Rise Sr.	03/13/2023	Article 3	02/28/2023	76	Tables A and B	remove "Permit" not defined in Article 9 under Special Exception p. 277 and this is only STEP 3 of process	None	Editorial	Low				
13	Ed Neham	03/07/2023	Articles 1-9	02/28/2023	77	3.5 DN Downtown North Overlay District	If the BAR is retained in this role, then in TABLE A - DN LOT AND BULK STANDARDS and in TABLE A - DSW LOT AND BULK STANDARDS, for the "Facade Articulation" row and the "SPECIAL EXCEPTION/ PERMIT column, change: "The provisions of this section may be waived if determined to be inappropriate by the Board and Architectural Review."	N/A	Editorial	Low				
14	Nedim	3/12/2023	Article 3	02/28/2023	78	3.05(b) Architectural Design Considerations b) Subarea 2	Section states "The comprehensive plan seeks for vacant lots and infill development in Subarea 1...." This should state Subarea 2, not Subarea 1	p.77	Editorial	High				

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15	Nedim	3/12/2023	Article 3	02/28/2023	79	3.06j map at top right corner of page	Portray DSE Mixed-Use Neighborhood Scale (which adopts current C4 land uses and is shown in brown in the Comp Plan). More generally, provide a legend showing what the different colors on these maps represent.	p.75	Substantial	High	CORRECT THEM LEGEND.			
16	Nedim	3/12/2023	Article 3	02/28/2023	79	3.06j(2) Applicability	Provide language focused on Downtown Southeast Overlay District instead of Downtown North Overlay District.	pp.74-75	Editorial	High				
16a	Eci Neham	3/24/2023	Article 3	02/28/2023	79	3.06j(2) Applicability	Change hatcher Street to Hatcher Avenue.		Editorial	Low				
17	Nedim	3/12/2023	Article 3	02/28/2023	79	3.06j(3b) Land uses permitted	Remove/delete 3.06j(3b) because 3.06j(3a) covers all of the residential uses permitted by right (up to two dwelling, apartment units in a mixed use building) and by SUP (single family detached and single-family attached) under the Mixed-Use Neighborhood Scale/C4 land uses. I don't see any justification for changing the C4 residential land uses for this area. Doing so has the potential to significantly change the character of the area and introduce significant traffic and capital improvement demands at the expense of Purcellville citizens. I see no significant support for the adjustments in 3.06j(3b) in the Comp Plan. Town Council articulated in early joint meeting with Planning Commission and contractor that Town is not looking to make changes to residential zoning. Planning Staff and Contractor recommended to Planning Commission that we should not change land uses in base zoning districts.	See Article 5 of the Zoning Ordinance Draft (C4) Table B pp.133-134. Comp Plan pp. 74-75, 49-51, 53	Critical	High	DSE IS MIXED-USE NEIGHBORHOOD SCALE AND ZONECO SAYS EVERY TYPE OF RESIDENTIAL USE IS ALLOWED. THIS IS A DEVIATION FROM THE EXISTING C-4 ORDINANCE AND THE COMP PLAN. WHY ARE THE C-4 AND COMP PLAN USES BEING EXPANDED?			

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18	Nedim	3/12/2023	Article 3	02/28/2023	83	3.073(b) Land uses permitted	Remove/delete 3.073(b) because 3.073(a) covers all of the residential uses permitted by right (up to two dwelling, apartment units in a mixed use building) and by SUP (single family detached and single-family attached) under the Mixed-Use Neighborhood Scale/C4 land uses. I don't see any justification for changing the C4 residential land uses for this area. Doing so has the potential to significantly change the character of the area and introduce significant traffic and capital improvement demands at the expense of Purcellville citizens. I see no significant support for the adjustments in 3.073(b) in the Comp Plan. Town Council articulated in early joint meeting with Planning Commission and contractor that Town is not looking to make changes to residential zoning. Planning Staff and Contractor recommended to Planning Commission that we should not change land uses in base zoning districts.	See Article 5 of the Zoning Ordinance Draft (C4) Table B pp.133-134, Comp Plan pp. 74-75, 49-51, 53	Critical	High	SEE ITEM 17.				
19	Nedim	3/12/2023	Article 3	02/28/2023	84	3.074) Table A) Building Height Standards, first row and Figure 1.	Make the height rules conform to the height rules adopted since the adoption of the new Comp Plan (I believe it is 2.5 stories and up to 35 feet by right, up to 3 stories and 45 feet through a special use permit process). For Figure 1, use an illustration more appropriate in height and scale to the by-right usage that exists and is desirable for Downtown Southwest overlay district as reflected in the Comp Plan	Height rules already adopted for C4 in compliance with the Comp Plan, p.53, especially figures 90-92 and p.74 figure 144.	Critical	High	SEE ITEM 11.				

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20	Nedim	3/12/2023	Article 3	02/28/2023	87	3.08) map at top right corner of page	Make the map accurately reflect the area included in the overlay district with differentiated colors corresponding to the neighborhood scale and medium scale areas of the district and a legend that allows people to understand the base zoning and forms corresponding to the Comp Plan. The map for this section should better reflect the boundaries, forms and land uses captured within the focus area bounded by the red and white dotted line in the map (below) from p.79 of the Comp Plan. The map should also recognize the single-family detached desire of the Comp Plan in area 5.		Critical	High	EAST MAIN OVERLAY: DOES NOT ACCURATELY REFLECT THE FOCUS AREA; SEE PG.79 OF COMP PLAN. IN IMPA ON P.87 SW CORNER BELOW MAIN STREET IS NOT IN THE FOCUS AREA. THE "TAIL" UNDER AREA 2 IS RESIDENTIAL. THE LEGEND SHOULD REFLECT THE DIFFERENT SCALES; I.E., SIMILAR TO/SAME AS PINK/RED/YELLOW-ORANGE IN COMP PLAN.			
21	Nedim	3/12/2023	Article 3	02/28/2023	87	3.08)2	Add 3.08)2(c) Subarea 3 - Single-family attached development and redevelopment in area 5 of Map 19. East Main Focus Area and related recommendations on p.79 of the Comp Plan. Need to reconcile the fact that the Map 19 focuses on Single-Family Attached development but the write-up for AREA 5 on the same page says, "Redevelop with multi-family buildings that are compatible with the scale and architectural styles of the surrounding neighborhood." The surrounding neighborhood is Neighborhood-scale commercial to the north, single-family attached townhouses to the east, and single-family detached traditional houses to the south and to the west.	p.79	Critical	High	ACCEPT COMMENT. CHANGE THE STATEMENT RATHER THAN THE COLOR ON THE MAP. THE "TAIL" WOULD BE BETTER AS SINGLE-FAMILY ATTACHED. THIS MAY REQUIRE A COMP PLAN AMENDMENT.			
22	Nedim	3/12/2023	Article 3	02/28/2023	87	3.08)2(a)	Subarea 1 - Neighborhood scale commercial development and redevelopment in areas 1, 2, 3, 4, 8, 9 of Map 19. East Main Focus Area and related recommendations on p.79 of the Comp Plan.	p.79	Critical	High	AREAS 1, 2, 3, 4, 8, 9 SHOULD BE COMMERCIAL NEIGHBORHOOD SCALE.			
23	Nedim	3/12/2023	Article 3	02/28/2023	87	3.08)2(b)	Subarea 2 - Medium scale commercial development and redevelopment in areas 6, 7 of Map 19. East Main Focus Area and related recommendations on p.79 of the Comp Plan.	p.79	Critical	High	WE HAVE FINELY PARSED AREAS IN THE COMP PLAN. THE MAP ON P.87 IS NOT AS NUANCED BUT IT SHOULD BE.			

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24	Nedim	3/12/2023	Article 3	02/28/2023	87	3.083(a)(i)	typo I think "ot" on last line should read "on" as in "...on Main Street."		Editorial	Low				
25	Ed Neham	03/07/2023	Articles 1-9	02/28/2023	87	3.8 EM East Main Overlay District	Make these changes: 3) LAND USES PERMITTED a) Drive-through facilities il. Where a special permit to construct a drive-through facility in Subarea 2 is sought, the drive-through shall not be located closer than 100 feet off from Main Street.	N/A	Editorial	Low				
26	Nedim	3/12/2023	Article 3	02/28/2023	88-90	3.084)Table A & 3.084)Table B	Need to make sure that the form based distinctions FAR, OSR, ISR, lot sizes, etc. between Subarea 1 - Neighborhood scale commercial development and redevelopment in areas 1, 2, 3, 4, 8, 9 of Map 19 of the Comp Plan and Subarea 2 - Medium scale commercial development and redevelopment in areas 6, 7 of Map 19 of the Comp Plan are accurately accounted for in the Table A EM Lot and Bulk Standards and Table B EM Site Design Standards	East Main Focus Area and related recommendations on p.79 of the Comp Plan. Also, p. 34-55.	Critical	High	SEE ITEM 2.			
27	Nedim	3/12/2023	Article 3	02/28/2023	88	3.084)Table A	Need to account for Lot and Bulk standards for the single-family attached area (Subarea 3) that needs to be included in the East Main Overlay District per the Comp Plan	p.75, Area 5	Critical	High	DON'T IGNORE AREA 5 ON P.79 OF COMP PLAN.			

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28	Nedim	3/12/2023	Article 3	02/28/2023	91	3.09) map at top right corner of page	Need to properly distinguish colors and provide legend for Neighborhood scale commercial (corresponding to MC land use) in Area 1, Industrial Business (corresponding to CM1 and M1 land use) in Area 2, and Professional Office (corresponding to C1 land use) in Area 3. Please explain why the Zoning Ordinance continues to use most existing land use district titles (MC, C4, R2, etc.) but it adopts an alternative name that matches neither the Zoning Ordinance land use category nor the Comp Plan name for Professional Office (C1 in the Zoning Ordinance at present but name change to OC in Zoning Ordinance draft). What is the system for the naming practices?	pp.54, 56-57	Critical	High	HIRST EAST OVERLAY: THE MAP IS NOT CORRECT; IMPLEMENT REVIEWER REQUEST. USE COMP PLAN MAPS.			
29	Nedim	3/12/2023	Article 3	02/28/2023	91	3.09) map at top right corner of page		p.71	Critical	High	SEE ITEM 28.			
30	Nedim	3/12/2023	Article 3	02/28/2023	91	3.09)2(c)	Subarea 3 - should be called Professional Office development area. There is no Neighborhood-scale commercial designation in the Comp Plan for subarea 3.	p.71 AREA 3 - Development with small format professional office buildings.	Critical	High	THE COMP PLAN DOES NOT HAVE SUBAREA 3 AS COMMERCIAL NEIGHBORHOOD SCALE; IT IS DESIGNATED AS PROFESSIONAL OFFICE.			
31	Nedim	3/12/2023	Article 3	02/28/2023	91	3.11) map at top right corner of page	Need to properly distinguish colors and provide legend for Mixed-use neighborhood-scale like the maps with legends in the Comp Plan	pp.54, 56-57	Critical	High	ACCEPTED.			
32	Nedim	3/12/2023	Article 3	02/28/2023	95	3.10)3)a & b	Why is the structure and syntax of these two sections so different from the previous overlay district sections?		Critical	High	PLEASE ADDRESS REVIEWER COMMENT.			
33	Nedim	3/12/2023	Article 3	02/28/2023	98	3.41)1) Intent	Change intent statement to say, minus what is in the parentheses, "The West End regulations are intended to encourage a small-scale, diverse, walkable mixed-use (not exclusively commercial) area that acts as a destination for western Loudoun County and a transition between the rural countryside and the town environment."	p.72-73 points out that the desired uses are Mixed-use Neighborhood Scale, not exclusively commercial	Critical	High	THE INTENT IS WRONG. THE COMP PLAN CONTEMPLATES A MIXED USE RATHER THAN A COMMERCIAL AREA.			
34	Nedim	3/12/2023	Article 3	02/28/2023	98	3.11)2) Applicability	Change the applicability statement to address the West End Overlay District instead of the Hirst East Overlay District		Substantial	Medium	ACCEPTED.			

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35	Nedim	3/12/2023	Article 3	02/28/2023	98	3.1.131 Land Uses Permitted	Per the guidance of the Contractor and the Town Staff, we have tried to sustain existing land uses where possible. Given that C4 land uses correspond to Mixed Use Neighborhood Scale in Town why is this section deviating from the previous pattern and identifying specific land uses. Are these distinct from C4 uses? If so, what are the differences between these land uses and the C4 uses? What is the rationale for distinguishing these uses from those in DN2 and DSE for example? If there is no good reason, we should leave the land uses as they are in other Mixed-use Neighborhood Scale areas and focus on the forms and the rural to town transect for the West End.	p.72-73: "In order to expand Purcellville's small town character within the current Town limits, existing areas may be reinvented in order to intensify small-scale mixed-use which contributes to the Town's walkable environment in a rural setting. The West End presents the perfect opportunity to incorporate a compact small-scale development to make better use of the land and reduce the visual impacts of large parking lots and older commercial buildings at a critical gateway into the community." "The prevailing public	Critical	High	WHY WAS THE APPROACH SHIFTED? WHY NO SUB-AREAS AS IN PG. 92-93? THE SECTIONS SHOULD BE CONSISTENT AND EASILY UNDERSTANDABLE.			
36	Nedim	3/12/2023	Article 3	02/28/2023	103-118 3.12		Need to discuss this entire part of the ordinance in light of the information provided by the town's hydrology consultants who have said that the flow through the South Fork of the Catoclin Creek has more than doubled and attributed the increase in flow to development/increase of impervious surfaces in the 7 square mile watershed in Loudoun County to the north of the Town and to increases in rainfall and changes in topography. Need to factor in the impact/implications of the adjusted modeling on the Town's zoning.		Critical	High	MAKE THIS CHANGE: 3.12.12 General Provisions 1) Zoning permit required 2) Effect of development on base flood elevation "...will not increase the elevation of the base flood more than one foot at any point. "TO ALIGN WITH THE COUNTY'S NO-RISE FLOODPLAIN ORDINANCE. THIS IS OUT OF DATE; THE COUNTY NO LONGER ACCEPTS A ONE-FOOT VERTICAL CHANGE. PAGE 109: 3.12.12. WE WANT ZERO-BASED - SHOULD NOT INCREASE THE BASE FLOOD ELEVATION.			

