

**Bottom line**

The family wants to work with council, staff, and the county to effectively shape Warner Brook for best impact for Town fiscal stability, for citizen tax and rate payers, and for uses that add convenience and quality of life to Purcellville residents. If the council votes yes to continue the annexation due process, the family will attempt to bring in a master developer partner who can add further resources and expertise to optimize the planning process outcomes.

Fiscal realities represent significant positive and far reaching impacts for tax payers and rate payers of Purcellville, and for the Town's fiscal stability. Fiscal projections have amply allotted 34% of revenue as a reserve against all possible expenses, well beyond those that staff could identify and quantify. After allowing for this reserve, \$960,000 annual revenue enhancements are projected, following more than \$10,000,000 in one-time tap fees and permit fees.

The family understands that further analysis of water resources and traffic impact is necessary before adapting concept plans to be optimally effective. A commitment from the Town to enter due process would establish confidence that further study costs are not futile, and a master developer partner would engage with resources to undertake such studies.

Saying yes now means that the Town maintains control throughout the annexation, rezoning, and site plan approval process.

Saying no now means no control forever, where Loudoun County would welcome expansion of its commercial tax base, especially in a JLMA gateway zone.

**Yes now still allows for no later**

A yes vote to undertake annexation study now doesn't mean that the Town can't say no later. Sally Hankins and Patrick Sullivan both stated that at any point in the due process the council can vote to end the application. Up until a boundary adjustment is entered into county deed records, the council can end application review.

**No now means no forever**

The Town will not have a future opportunity to design and control what happens on Warner Brook. Without interest from the Town to complete annexation due process, a no vote regarding the annexation application leaves the family open to take alternative action. Application for suitable development in the county would be made to leverage best use of the two parcels involved, served by an alternative water and sewer utility solution. \$10,673,608 projected for Town residential and commercial tap fees could be applied instead to alternative water and sewer solutions under county ordinances, and Purcellville will not get a second chance to control the property.

**Alternative option in the County**

If Warner Brook is not annexed into the Town, the property will be developed in Loudoun County, which proactively seeks expansion of its commercial tax base. Both Warner Brook parcels are currently zoned JLMA-3. A boundary line adjustment between the two parcels can be accomplished, for example to create a 40 to 60 acre parcel along Rt. 7 Bypass and a residual parcel with the balance of 70-90 acres. The parcel along Rt. 7 Bypass can submit a rezoning application to County PD-IP. Many PD-IP by-right

and special exception uses are appropriate for adjoining the Rt. 7 Bypass corridor, next door to (and gateway to) mixed commercial and light industrial zones of the Town of Purcellville on Hirst, Richardson, Nichols, and Shepardstown roads.

### **JLMA-3 Purpose and Intent**

This district is established to accommodate and foster the development of land within the town's joint land management areas (JLMAs) outside the incorporated towns in Loudoun County to:

- (A) Ensure development in the JLMA-3 district is consistent with the JLMA serving as a gateway to the towns;
- (B) Provide for the continued practice of agriculture, farm operations, agriculturally related and home based businesses, low density clustered residential developments and other uses in a predominantly rural environment;
- (C) Encourage an appropriate mix of residential and nonresidential land uses;
- (D) Where appropriate, achieve a pattern of development that generally conforms to the established, traditional pattern of development in the towns; and
- (E) Implement jointly adopted plans where applicable.

### **JLMA-3 By Right Uses**

The Use Classifications are: residential uses; agricultural uses; public and institutional uses; commercial uses; and industrial uses.

Residential uses include clustered single family detached with accessory apartment dwellings and guest houses. Group living uses such as continuous care assisted living are allowed by special exception

By right uses include: equestrian event facility, ag based tourism events (for winery, distillery, brewery tourism events), farm markets, farm wineries, commuter parking lot, public schools, churches, utility pumping station, recycling drop off station, bed and breakfast, telecommunications poles and antennae.

Notable special exception uses include: country inn, farm market (off site production) outdoor recreation establishments, research facilities, banquet/event facilities, rural resort and conference centers, sewer and water treatment plants, mega church, police and first responder stations, hospital and medical offices.

A parcel rezoning to PD-IP provides for many additional commercial uses as defined in section 4-500 of the County 1993 zoning ordinance, too numerous to include here.

**The Town maintains control**

Starting now with the annexation application, the Town and its public process control annexation, the Town and the public process maintain control for land uses and densities throughout the rezoning process. Further control is maintained throughout the final site plan approval process. Yes now does not cede any future control. No now means no control.

**Land uses and Purcellville's character**

Warner Brook proposes mixed uses that are consistent with the complexion and character of the Town of Purcellville, focused on family and youth sports and recreation, small business pad sites, and mixed commercial north of Rt. 7 Bypass. Staff report comments encourage these uses.

The residential component is a compromise change in intended uses to accommodate Wright Farm insistence to place residential use adjacent to their residential use. The original concept plan put forth further recreation uses adjacent to Wright Farm, in the form of golf game improvement facilities and more outdoor sports fields, which Wright Farm residents objected to in the charrette.

**Alignment with comprehensive plan**

The Purcellville comprehensive plan is designed to be a definitive guide for locating uses that will enhance Purcellville's look and feel, while stimulating community quality of life and economic vitality.

Warner Brook mixed uses in the current concept plan include

- 9 acres for an indoor sportsplex,
- 22 acres for outdoor sports fields,
- 24 acres for small business light industrial
- 11 acres for mixed commercial
- 65 acres for residential

Warner Brook is in Loudoun County, zoned JLMA 3. It is on the County comprehensive plan as Joint Land Management Area, recognized as holding strategic potential for incorporated township growth through annexation. From this zoning and planning aspect Warner Brook plans are consistent with Loudoun County comprehensive plan intentions of the JLMA ordinance.

Adjoining Warner Brook, the Town Comprehensive Plan 2018 Townwide Land Use Plan Map draft version 7.19.2018 shows Purcellville planned uses for a mix of the same uses proposed for Warner Brook.

These comprehensive plan uses include Industrial Business on Hirst Rd and on 611 at Nichols, Richardson, and Shepardstown, opposite Warner Brook; Residential on 611 throughout Mayfair, adjoining opposite Warner Brook; Mixed Use on Hirst Rd, due south of Rt. 7 Bypass from Warner Brook; and Parks and Open Space on Hirst Road along Catoctin Creek, a use planned for 44 acres of Warner Brook (33% of 131 acres), with 22 acres of outdoors playing fields (which, while being used commercially, still remain part of the open viewshed). From this aspect, Warner Brook after annexation would be consistent with the Town of Purcellville comprehensive plan intentions and balanced blending.

**Fiscal impacts to the Town**

Independent consultants R.C. Lesser & Co., after working closely with Town staff, indicate that after full build out of Warner Brook over time, more than \$10,900,000 of one-time fees would be generated for the town. Additionally annually, after allowing for 33.49% expense ratio against annual revenue (\$485,000 annually for expenses), \$962,000 net annual revenue enhancements would result.

Independent consultants for the Town, in the Purcellville Utility Fund Financial Strategies Presentation v8 from April, 2018, on pages 6-15, project the pending need for water and sewer utility rate increases up to 57% between now and July 1, 2024. Otherwise significant debt service penalties will be incurred, and future entry into the bond market will be undermined.

Warner Brook can mitigate this scenario somewhat, to benefit all Purcellville tax payers and utility rate payers, while augmenting the commercial tax base, with uses that comport well with the complexion and character of Purcellville and its comprehensive plan.

**Expense impact of development to the Town**

There may or may not be a valid hypothesis that national development costs are being generally subsidized by jurisdictional absorption of expenses, as suggested from the dais on October 9<sup>th</sup>. Publicly approved incentives are indeed used by jurisdictions competitively to capture economic investment, and such incentives do subsidize investor costs. However, Warner Brook and Purcellville are not subject to national generalities, and no incentives of cash or tax abatement have been sought or offered. Specific Purcellville facts and details can be analyzed without conjecture or comparison to unrelated scenarios.

Staff knows the spectrum of Purcellville development expense exposure. Staff worked with the fiscal impact consultant to include all possible immediate and accrued expenses that may stem from Warner Brook development. Staff and the consultant concluded that required additional expenditures by the town as a result of Warner Brook development would likely be minimal. To be certain that a conservative allowance existed for all possible present and future expenses, even those that couldn't be identified or quantified, 33.49% of annual revenue enhancements (\$485,000 annually) were projected as potential expenses to cover all costs. The net/net annual revenue enhancement after this expense reserve is projected to be \$962,000.

**Critical infrastructure study**

The family recognizes that water resources and traffic capacities have fundamental impact on Warner Brook viability. The family has expended over \$200,000 to undertake reliable, independent, third party engineering and studies on traffic and fiscal impact. They selected consultants who built their reputations by serving public sector clients like Fairfax County, Loudoun County, and incorporated townships. Data and projections provided by these consultants are not self-serving, they are the same data that the Town would receive if the Town had paid for these studies. The family understands that further study is necessary, but further money spent on these studies is futile if the council won't agree to put the application through the annexation process. It is understood that the council can still say no later after reviewing further studies, but if the council doesn't say yes now, any further expenditures on studies won't occur. With a subsequent master developer partner that would step forward if the council says yes now, funding and expertise can bring added value to the process that ultimately shapes Warner Brook.

### **Traffic mitigation**

Traffic is a critical challenge, if Warner Brook generates 6,500 trips a day after full build-out as the Gorove Slade consultants suggest.

A partial remedy factor will be resulting from the Rt. 7 Bypass and 690 Hillsboro Rd. interchange, planned and funded for the VDOT budget of FY2022. This happens regardless of what happens with Warner Brook. This interchange off Rt. 7 Bypass, and the link to Mayfair Crown Drive would provide an alternative direct access to Warner Brook, alleviating impact on Berlin Turnpike, Hirst Rd, North Hatcher, and Purcellville Road. This project would be completed before Warner Brook would be fully developed.

Another partial remedy factor would be inevitable plans for the 287 Berlin Turnpike intersection with Hirst Road, which today is already carrying volume in peak afternoon hours that stresses its capacity. Loudoun County does have an improvement project for this intersection in the six-year Capital Improvement Program. Funding became available in FY19, so study and design work begins after July 1, 2018. Improvements from this project would be completed before any occupancy of Warner Brook occurs. This happens regardless of what happens with Warner Brook.

Within Warner Brook, there is sufficient linear frontage on Rt.7 Bypass to consider a westbound off ramp onto 611 northbound on land dedicated from Warner Brook land. This would carry much inbound traffic, alleviating impact on the Hirst intersections at 287, Hatcher/Purcellville Rd, and 690. There is room for further right-turn-in lanes on 611 northbound dedicated from Warner Brook land. There is room for a traffic circle at 611 and Mayfair Crown Drive that would align with Warner Brook ingress and egress, dedicated in part from Warner Brook land.

These concepts and more can be detailed, discussed, and adapted into planning within due process.

### **Northern Collector**

The Northern Collector is a concept designed for downtown Purcellville traffic mitigation, similar to Avenue A, which has made a positive impact to reduce Main Street traffic in Purcellville. The alignment, the funding, the timing of construction of the Northern Collector are not in our hands. The fact that the alignment is deeded within Wright Farm parcels is the paramount urgency behind those residents being vocal against Purcellville growth. Should there be a viable argument for an Alder School road alignment for a Northern Collector, the family would support it. In the meantime, the family has not been required to put a Northern Collector link into Warner Brook plans, and as yet no inter-parcel connectivity has been mandated.

### **Collaborative opportunity**

The Warner family are honorable citizens living in the town all their lives. They are not developers. This is the real opportunity before the council. The council, staff, and family can shape uses and densities of a strategic piece of land that subsequent developers must then adhere to. This work can be done collaboratively to attempt all possible benefits for all the citizens of the Town of Purcellville. To date, the applicant has attempted to undertake studies whose objectivity serve both the applicant and the town, saving the town from spending on consultant engagements. The family engaged these specific consultants for fiscal impact and traffic studies with public sector credibility so that the Town could rely on the data and avoid having to spend Town funds on redundant studies for its own data.

**Summary**

There is much to potentially gain through annexation, and there is much to potentially lose by denying this application now. Due process will add further definition to all possibilities, while the Town maintains control over the process and the outcomes.

**Thank you for your consideration.**