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Loudoun County Board of Supervisors, Public Hearing, Wednesday, April 12, 2023

Date Wednesday, April 12, 2023
Place Board Room, First Floor, Government Center, 1 Harrison Street SE, Leesburg, Virginia
Length 2h 16m (video)

- Official meeting video (county, Granicus): <https://loudoun.granicus.com/player/clip/7245>
- Agenda (Granicus): https://loudoun.granicus.com/AgendaViewer.php?view_id=73&clip_id=7245

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-20. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:02:01] Hey, Mark, this is Amy. Can you hear me okay? Do you want to test your audio and video? Mark Avini, are you there?

[00:02:18] Yes, I am. Great. I can hear you very clearly. Do you want to go ahead and test your video as well? Yeah, hang on just a second. Okay, no problem.

[00:02:40] There you are. Yes, we have you. Perfect. Okay, thank you very much, Mark. Appreciate it.

[00:03:34] How can I help you? Good, thank you.

[00:04:04] I just want to make sure to check the last time I came, I had the wrong thing. Today is for the fire, fire, what to call? Today is the public hearing. I know for which company? - Yes, it's the Board of Supervisors Public Hearing. There's several items on the agenda.

[00:04:19] The agenda's in the foyer, if you want to look at the items that are happening, something fire-related, you said? - No, it is all data and it is a wood drive. - Wood drive, gosh, I don't know. Do you want to show me?

[00:04:41] - This is an April 12th. - Let me pull up the calendar and see what's going on and maybe that'll help us too, okay? It might be a different meeting at a different location. um April 12th oh let me see this oh yeah it's happening tonight yes um it is you can go to the little area right there there's an agenda and

that is item number did you want to speak on the item let me see first okay and then I'm going to probably yeah it's item number 10 out of 11

[00:05:18] so she may change the order but if you do want to speak you go to the other side of the room and the clerk over there will take your name and whatnot they will ask you for information number 10 yeah and you can get a copy of the agenda right there right beyond those double

[00:05:32] doors hi supervisor letourneau hi just saying hi how are you good can you turn there we go

[00:09:43] good evening supervisors getting the staff good evening loudon i'd like to call the order the

[00:10:20] april 12 2023 loudon county board supervisors public hearing this room has a hearing loop if you need hearing aid please switch your hearing aid to the telecom mode if you need a headset we have those available as well. Please hear the clerk to request one. Would all members of the public and everybody in the room please join me in the Pledge of Allegiance. Pledge of Allegiance to the flag of the United States of America and to the republic for which it stands, one nation

[00:10:49] under God, indivisible, liberty and justice for all. As a reminder for people in the public who want to address the board this evening, you may only sign up to speak on the matters that are before the board is advertised for the public hearing.

[00:11:09] Broadcast delay, any member of the public who is not in the boardroom, who wish to address with the board on items one, two, three, four, five, six, seven, eight, and nine, which are on the consolidated agenda, please call the number that you will see scrolling across the bottom of your screen at this time.

[00:11:29] If you have something to speak, you will be allotted two and a half minutes. If you are in the boardroom, we ask that when your name is called, please come to the podium closest to you and state your name for the record. The timer on the podium will indicate your remaining time. When the time has expired, please yield the floor to the next speaker. If you're providing comments via phone, I ask that you use a stopwatch to monitor your time for two and a half minutes because I am not going to stop you in the middle of your speaking because that messes up your flow, but I will stop and we can get to the end of two and a half minutes.

[00:12:04] When taking public input for items, I will first ask if there's anyone in the boardroom who wishes to speak. Then I will go to the moderator and ask if there's anybody on the phone that wants to speak. The moderator this evening is Andy Posk.

[00:12:21] Andy, can you hear me? Yes, Madam Chair. Wonderful, thank you, sir. The board will hear the following. As I remember, these items are being consolidated because there is no outstanding issues staff has recommended approval the applicant has waived their presentation time and no public speakers registered to speak in advance to the board so the following on the public i'm sorry the consolidated hearing agenda item one oh and by the way uh mr buffington has said he will not be in this evening and so any county-wide items or any items that are in that are in the blue

[00:12:58] ridge last little river district i will make those motions tonight i don't want item one adoption of the fiscal year 2024 streamlined annual housing agency plan for the housing choice voucher program. Item two, proposed amendments to the 252-02 bonuses of the codified ordinance of Loudoun County. Item three, proposed conveyance of county property, grant of easement to Loudoun County Sanitation

Authority, 41759 John Mosby Highway. Item four, Proposed Conveyance of County Property, Conveyance of Property on Grotto's Drive to the Ashburn Village Community Association.

[00:13:37] Item 5, Lease Extension for Loud and Hunger Relief. Item 6, now, honestly, I don't know this acronym. I always read acronyms, but I don't ever read acronyms if I don't know what they are myself. And I don't know what AGDT is.

[00:13:56] Can somebody help me with that? that's not the agriculture forest district because there's no can you help me with that rachel yes madam chair that's the lm i lm is acronym stands for agricultural district that's just that's just agriculture district not agriculture forestry just agriculture yeah that was the acronym that they came up for the four-letter acronym okay good job rachel thanks

[00:14:31] so much. Okay, item six, Agriculture District 2022-0016, request for withdrawal of land belonging to Survivors Trust of Marsh Revocable Trust, Tom Bolander, trustee from the New Hillsboro Agricultural and Forestal District. Item seven, Agriculture District 2022-0117 through agriculture district 2022 through 0171 review and renewal modification of termination of the middleburg east agricultural and forestal district item eight agricultural district that's

[00:15:07] 2022-0172 through agricultural district 2022-0256 review and renewal modification on termination of of the Middleburg West Agricultural and Forester Districts. And Item 9, SPMI 2022-0016, Kirkpatrick Tower Dish Increase.

[00:15:29] Thank you, Rachel. That was really fun to get through. Really appreciate that. Are there any members of the public in the boardroom tonight wishing to speak to the board regarding any item on the consolidated hearing? Andy, is there anyone on the phone?

[00:15:46] No, Madam Chair. Wonderful. Seeing none, I will close the consolidated public hearing. Board members, please look to your documents to make the motions that we will make. I will make the motion for item number one. I move the Board of Supervisors approve motion to be for the approval of the fiscal year 2024 streamlined annual public housing agency plan as provided in the April 12, 2023 public hearing item staff report.

[00:16:16] I'm sorry, public hearing item number one staff report. Motion made and seconded by Ms. Umstadt. Discussion on that motion. Seeing none. All in favor say aye. Any opposed?

[00:16:48] That motion will pass 801. Item 2. I move the Board of Supervisors approve Motion 2B for the approval of the amendments to Chapter 25202, bonuses of the codified ones of Loudoun County, as provided in the April 12, 2023 public hearing item number 2 staff report. Motion made seconded by Ms. Umstadt again. Discussion on the motion. Seeing none. All in favor say aye. Any opposed? That number of motion will pass 801. The third item is in the Dulles District. Mr. Latourna, would you like to make a motion? I move the Board of Supervisors approve a motion to be for the approval of the deed of easement to Loudoun County Sanitation Authority, DBA Loudoun Water, as provided in the April 12, 2023 public hearing item 3 staff report.

[00:17:16] Item motion is made by Mr. Latourna, seconded by Ms. Bricksman. Question on the item. Mr. Latourna? No discussion. Nobody else? All in favor, please say aye. Aye. Opposed? That motion passed 8-0-1. Item 4 is the Broad Run District. Ms. Glass.

[00:17:32] Thank you, Madam Chair. I move that the Board of Supervisors approve Motion 2B for the approval of the deed of gift and reservation of easements to the Ashburn Village Community Association as provided in the April 12, 2023 public hearing item number 4, Staff Report.

[00:17:51] Motion is made seconded by Ms. Umstead. Discussion on the motion. Yes, Madam Chair. Yes, Ms. Glass. I want to thank a constituent, Mr. John Greca, who brought to my attention the right-of-way for Grotto's Drive that had never been conveyed to the Ashburn Village HOA as was planned in 2004.

[00:18:10] I also want to thank the Department of Mapping and the Department of General Services who worked with me to research this issue and receive the proper documentation from the HOA. The HOA has been maintaining this parcel with the trail of theirs for nearly 20 years and has essentially been HOA property.

[00:18:32] This item is just honoring what was anticipated in 2004, that the parcel will be conveyed to the Ashburn Village HOA. Anybody else? All in favor, please say aye. Any opposed? That motion will pass 801.

[00:18:51] The next motion is in the Catoctin District right now, although it will be in the Leesburg District later, so I'll go to Mr. Kirshner for this motion. Thank you, Madam Chair. I move the Board of Supervisors approve Motion 2B for approval of the new lease for Loudoun Hunger as provided in April 12th.

[00:19:06] 2023 Public Hearing Item No. 5, Staff Report. Motion is made second by Ms. Umstad. Discussion on the motion. So I actually have some discussion on this motion. So one of the things that's happening with Loudoun, although it's called Loudoun Hungry Leave, their space is expanding to include other nonprofits.

[00:19:27] I've talked for a long time, as have many in our nonprofit community, about having kind of a nonprofit space, and so that people who might have temporary needs in Loudoun County don't have to go one place for food and someplace else if they need clothing services and someplace else if they need legal services.

[00:19:47] That's really hard on people at the moment that they're in need to send them everywhere. And so the Loud and Human Services Network and others and I, we've been talking about a long time trying to consolidate some of those services. And so I want to thank, really, especially Jennifer Montgomery and Nicola Costa of the Human Services Network.

[00:20:11] I actually want to thank so many people in the nonprofit field for all their service and all their dedication, especially in the past like three years, which has been really hard for people. This is a, it's unfortunate that we need to expand the offer services, but it is so wonderful that we have these amazing people in our county who have committed themselves to helping people when they're having a tough time in their life.

[00:20:39] And so I just want to kind of once again and always publicly acknowledge and thank our nonprofits. Mr. Kirshner, do you have anything you want to add? All right. All in favor, please say aye. Any opposed? That motion will pass 801. Number six is in the Blue Ridge Catoctin District.

[00:20:57] Mr. Kirshner, do you want to make that motion? Catoctin for the next time, but Blue Ridge for now, so go for it. I move that the Board of Supervisors approve motion 2B for approval of the request to

withdraw from the new Hillsborough Agricultural and Forestry District as provided in the April 12, 2023 public hearing item number six, staff report.

[00:21:16] Motion made seconded by Ms. Umstead. Discussion on the motion. Seeing none, please say aye. Any opposed? That motion will pass 8-0-1. I will make the next, I think, four motions, or three, because they're all in the Blue Ridge and Little River District.

[00:21:33] And whether the Board of Supervisors approve Motion 2B for Renewal and Re-Adoption of the Ordinance of the Middleburg East Agriculture and Forest Hill District as provided in the April 12, 2023 public hearing, Item 7, Staff Report. Motion made seconded by Ms. Umstead. Discussion on the motion.

[00:21:49] Seeing none, all in favor say aye. Any opposed? That motion will pass 801. Number eight, I move the Board of Supervisors to approve motion 2B for renewal and readoption of the ordinance of the Middleburg West Agricultural Enforcer District as provided in the April 12, 2023 public hearing item number eight, staff report.

[00:22:11] Motion made and seconded by Ms. Umstead to question on that motion. Seeing none, all in favor say aye. Any opposed? That motion will pass 801. And number nine, I move the Board of Supervisors approve motion two for approval of minor special exception as provided in the April 12, 2023, public hearing item number nine, staff report.

[00:22:33] And this is the Kirkpatrick Tower dish increase. Motion was made and seconded by Ms. Umstead. Discussion on the motion. All people say aye. All opposed. That motion will pass 801 as well.

[00:22:50] And we have completed the consolidated agenda. Thank you, Rachel, for making a new acronym just to confuse me. Really appreciate that. All right. Item 10. I'm sorry. Item 10 is ZMAP 2021-0018 and ZMAT 2022-0081 is the Firefox Dulles.

[00:23:15] And I'd like to have both staff and the applicant come to the table, please. Good evening. All right. So there is a presentation on this, and Mr. Letourne, would you like to see the presentation?

[00:23:34] I personally don't need it, but I thought some of my colleagues might want to see it. I would prefer to have it than not. Yep. All right. We're ready when you are. Good evening, supervisors. My name is Bryce Johnson. I'm the county project manager for the Firefox DOLIS applications.

[00:23:51] The property subject to these applications is highlighted in yellow on the screen. This is an aerial of the site. located in the doles election district on the south side of the doles airport and north of route 50. as the screen shows the property is generally surrounded by existing industrial uses to the immediate west or to the left of the property is an existing concrete plant further to the west is the label for the h m property which the board may recall was approved a few years ago as data center development i will note that this property and the its immediate

[00:24:27] surroundings are located in the suburban industrial mineral extraction place type which is envisioned to contain as the name implies a mix of industrial heavy industrial uses before we begin going over the proposal itself i do want to orient the board with the county's planned transportation infrastructure as it relates to the property the ctp does plan for a alternate roadway to route 50 which is to go east-west on the north side of the property.

[00:24:58] As the image shows, there are a couple different alignments under consideration by TTCI right now, some of which go further into the Dulles Airport property, and some of which run basically parallel

with the property lines of the Dulles Airport and the private properties.

[00:25:15] I mention this just for context of there is a planned major roadway that would be either adjacent to or within the direct vicinity of this proposal. Again, though, I do want to emphasize that there's a couple different alignments under consideration at this time. So tonight, the applicant proposes two applications as part of this project, first of which is the Zoning Map Amendment, or ZMAP, to rezone the approximately 25-acre site to the Planned Development Industrial Park Zoning District, the PDIP Zoning District.

[00:25:45] They are specifically committing to develop a data center and electric utility uses on the site. This is consistent with the place type. Additionally, they request a zoning modification, or a ZMOD, to reduce the building and parking setbacks from the future Tall Cedars Parkway Route 50 Alternate Road.

[00:26:01] They reduced the building setback from 100 to 50 feet, and then the parking setback from 75 to 50 feet. Here's an excerpt of the applicant's concept development plan, or CDP, with north oriented to the top of the screen where you see the future Tall Cedars Parkway being the current Dulles Airport property.

[00:26:22] They have highlighted where the data center would be located on the eastern portion and then where the future substation would be located. I will also note that there is a minor floodplain on the property at its entrance from Wade Drive to the south. That floodplain basically runs along Wade Drive.

[00:26:41] The applicant is proffering to building commitments, one of which is these building elevations shown on the screen. I do have them labeled so you can see which direction each of these building facades faces. They are generally intended to make it resemble an office building.

[00:26:58] In addition to this, the applicant is proffering to architectural commitments, being three architectural features, such as building recesses, changes in height, changes in building material or color, as well as to a specific list of building materials, such as pre-cast concrete, masonry, and glass.

[00:27:18] And those are spelled out in the proffers, intended to basically line up the commitment with these proffered elevations. For discussion I do want to highlight the one issue staff has noted with the project and that was the zoning modification as pertains to the site design as I mentioned earlier this is the suburban industrial mineral extraction place type the data center is consistent with this place type however this place type does call for deep building setbacks this place type is envisioned again for a mix of industrial uses we want to provide that visual

[00:27:50] distance between intense uses and adjacent uses. The applicant's proposal to reduce the setbacks from the future Tall Cedars Parkway to 50 feet is inconsistent with the deep setbacks envisioned for this place type, so staff cannot support that zoning modification. However, again, I do want to preface it with the use itself is consistent at this location. As far as recommendations, the Planning Commission forwarded the project to the board with a recommendation of approval.

[00:28:19] that was at their february work session staff is generally supportive of approval however we cannot support the proposed zoning modification again it's just it is strictly inconsistent with the place type which envisions the deep setbacks however we will note that the the use itself is proposed at the right location i will note i do have marie fan with dtci here to answer any questions you may have about the traffic impacts or the future alignment for tall suitors parkway and I'm also happy to answer any questions.

[00:28:50] Wonderful. Thank you. Mr. Letourneau, this is your district. Would you like to have questions first? Yeah, let's go ahead and have Marie come up because I think that's the only outstanding issue, and I just want to clarify for the rest of the board's benefit. So we do not have a finalized alignment on, I call it the Route 50 Northern Collector Road.

[00:29:09] We're calling it Future Health Cedars Parkway, whatever. But we don't have an identified alignment yet. That's been the subject of ongoing negotiations between myself and your department and the airport's authority, right? That's correct. Yeah, so the setback that's being requested would only be needed under certain alignment scenarios, correct?

[00:29:31] That's correct. It's also possible that the agreed-upon alignment actually would be a little further beyond, and therefore the setback that's being requested would not be needed, correct? It would be a possibility. and the applicant did work with DTCI about the placement of the project in relation to the road is that fair to say yes okay so there's been communication it's not like this is obstructing our ability the only issue is that there may or may not need to be a setback depending on exactly what MWA decides in terms of the road alignment and so the applicant has asked for the setback

[00:30:09] basically to cover any future issue if there is conflict with where MOA wants the road. Is that generally fair? That's correct. Okay. Otherwise, this is an industrial area. So from a land use perspective, there's no residential anywhere near here, correct?

[00:30:26] Correct. There's no residential that could be built anywhere near here, right? Absolutely. These are all just industrial lots that are quite unattractive. And then you can't see it, but immediately to the north of this site is the airport itself, right? Correct. And that would be where the future fifth runway would go actually parallel to this site.

[00:30:45] Okay. Thank you. Thank you. Anybody else have questions for staff? Ms. Glass. Thank you, Madam Chair. Why does the comprehensive plan call for increased setbacks in this suburban industrial mineral extraction type place type? It's basically just to provide that extra buffer distance for these intense industrial uses that are envisioned for the place type.

[00:31:08] So in this case, being the airport to the north, just, again, that extra buffer for the industrial uses. Even though there are no residential nearby or? Correct. The place type does call for, just the place type in general to have that deep setback to provide that buffer, regardless of whether it's residential or commercial or even other industrial uses.

[00:31:32] Okay, thank you. Thank you, Ms. Gillespie. Mr. Turner. Ms. Bricksman. Thank you, Madam Chair. Well, just to tie a bow around that, aren't setbacks determined by the parcel of land that you're considering and what's going on that land, not necessarily what's going to be next to the land?

[00:31:53] There's two types of setbacks. There's the individual zoning district setbacks. So in this case, there's setbacks for the PDIP district, which are in this case much lesser than the road setbacks. And there's road setbacks saying, okay, we want uses to be buffered against the road.

[00:32:10] So in this case, they're proposing to be 50 feet from the public road. Does that kind of get you to the question? And so the issue staff has with that is that it's an industrial use too close to the property line. To the future road. So it is definitely the future road.

[00:32:25] It has nothing to do necessarily with what the use is. Correct. Okay. This application seems a little different to me in that more than half of it is proposed to be a substation. So in a substation or in a scenario like this, who builds the substation?

[00:32:46] I will let the applicant speak to that. They've been in coordination with both Novec and Dominion as far as what's going on there. Okay. I think that they would be better handled to discuss that. But there's been no design guidelines or anything in relation. Like, we have some nice pictures of what the data center will look like, but we don't have any imagery of what the substation would look like.

[00:33:05] So there is a proffered commitment for a 12-foot screening wall, which would be provided between the substation and Tall Cedars Parkway and between the substation and Wade Drive. That is consistent with what we usually ask for when someone comes in modifying the buffer requirements for a substation.

[00:33:23] Okay. And then right now there's a compost facility on the property. This may be more appropriate for the applicant, but is that compost facility in operation? And then what's going to happen to the compost facility?

[00:33:38] I will let the applicant speak to that. Okay. All right. Thank you. Good evening, Mr. Calabrese. How are you, sir? Sure. Oh, yes. I'm sorry. I didn't see you, Mr. Sainz. Mr. Sainz. Thank you. Two planning commissioners voted no. Just out of curiosity, what was their reason?

[00:33:55] My understanding, based on the comments at the work session, were concerns about the reduced setback from the future road. Okay. And I don't know if this might be a question for the applicant. With the substation, are the power lines already in place, or how would they get the power?

[00:34:15] The power lines are not currently in place, something I will let the applicant speak to. I know that they are prepared to speak to that. Okay, and were they proffering to put anything underground or no? No. All right, thank you. Thank you, Mr. Sains. Mr. Turner, I've called on Mr.

[00:34:31] Madam Chair, I forgot a question I wanted to ask. Mr. Turner, I've called on Mr. Sains already. When you talk to the applicant, if you want to go back to the staff for a question, you can. Thank you. Mr. Calabrese, how are you, sir? Good evening, Chair Randall, members of the board. Happy spring. Delighted to see you all. Before you start, he has 10 minutes.

[00:34:47] You can sit right there or stand on the podium. Either way, it's fine with me, sir. I'm very comfortable here, so I'll be less than 10 minutes, I think, with a number of very good questions. Okay, we're ready when you are. Let me try and address a few of them. We can pull up, Bryce, the PowerPoint. The composting facility has actually been wound down.

[00:35:03] They're cleaning it up and out. They are looking for an alternative site. Actually, VDOT, I think, is one of the good customers of this property. of that use but that is that is being removed here if it hasn't already been completely done i'm going to hit a couple graphics to answer a few of the good questions from the board particularly mr sainz yours and some of the power uh issues and i think we have some helpful answers let's go to the next slide i'm going to go through this quickly bryce has already done an excellent job locating the site next mr letourneau and his staff are particularly familiar with this challenge

[00:35:39] area. That's basically our front door looking around at some of the properties. Unlike a number of special corridors, Route 7, for example, and a number of areas where the Board has been particularly

clear about your concerns regarding data centers, this is Foursquare consistent with a comprehensive plan and, frankly, with both the investment of the data center as well as the proffers that Bryce has alluded to. I think it's going to be a significant upgrade to this area.

[00:36:04] Next slide. That's just some overview. We can skip to the next one. I won't go through each of these, but we had a number of good collaboration and conferences with staff over a number of topics, and we really hit them all, I think, building design, lid measures, risk car protection, the setback, which I'll talk about here momentarily, and some minor profit refinements, which have already been cleaned up.

[00:36:27] Next, the architecture of the building speaks for itself. We're proud to commit to that. Next slide. We have several additional LID measures, pervious paving, which I think will work quite well on this property of buyer retention of a sizable amount, quite honestly.

[00:36:46] Next, I'll just segue into the setback reduction. As noted by Supervisor Letourneau, we may or may not need this reduction. Really, the most significant portion of this case, let's go to the next slide for a second, Bryce, is one that was just alluded to by Marie.

[00:37:04] We worked tirelessly, and I think it took us almost 12 months to look at various alignments associated with tall cedars. They have not yet been finalized. We assumed that the airport would not be as receptive to the northernmost alignment that kind of arches up, and so we really created, if you will, a worst-case scenario in terms of setback to reflect the areas immediately on the south side of the airport and the north side of this property.

[00:37:28] We worked very closely, in particular with the H&M property, as to the alignment of tall cedars, and as we discussed recently with Supervisor Letourneau, I think to the benefit of the county, specifically the tall cedars extension we looked at going all the way to the west which is about where it's located on these depictions to the east real challenges associated with that or even bifurcating the concrete facility which is between h and m to the left and the site before you and the benefit I think of moving that alignment as far as we did to the west if the

[00:38:03] county ultimately needs to implement a condemnation to secure the right-of-way and pursue that road this really allows the concrete facility to continue to operate as it is and really will require a lot less in the way of negotiation with that owner so we think this is a happy circumstance we actually set this up so they could continue to operate if that's their decision and that works out with the county next slide quickly to the the buffer and setback again this is a worst case scenario this assumes that tall cedars is located as south as reflected on any of the different alignments as you can see on the western portions of the building that is to the left side

[00:38:43] that's where we have a bit of a pinch point as you move farther to the east after about 150 feet of the building basically as you move farther to the east we have much more than adequate setback however in order to satisfy the planning commission next slide and to really address this issue we agreed to significant enhancements to the buffer not only at that pinch point but across the entire northern boundary that's reflected in the plans and proffers next that just gives you a depiction of the additional buffering which may or may not we're going to do it regardless of

[00:39:18] where tall cedars winds up and you can see that red triangle of the building is the area the only area that's impacted next slide we think particularly in light of a number of questions at the board when you look at setbacks this is going to be frankly a very attractive building much more than a lot of what's

surrounding and one that we're not embarrassed to have a couple couple feet closer to the perimeter, if that's even necessary.

[00:39:42] Next, to the good question, Ms. Briskman, we agreed early on, and in fact, it was Supervisor Letourneau's planning commissioner, new planning commissioner, who asked us to implement the substation screening as reflected here, also in the proffers.

[00:39:59] And next, I did want to touch upon Vice Chair Staines, your question, obviously an issue that Supervisor Letourneau is all too cognizant of and an incredibly important steward to protect his constituents in the county. So what's on the left-hand side is the H&M property that was approved by the board a number of years ago. There's a sizable substation there reflected in the upper left. I think they're actually going to start construction of that. Our lines will be coming from leading up to that substation. This is an interesting area. It's bifurcated. Dominion has the north side, basically, and on our property, we're cut in half, if you will, by both Dominion

[00:40:36] and Novak. They both have jurisdiction over different portions of the site. The good news, I think for us and for the county, that is a larger than normal substation. It is because both Dominion and NOVAC need and want to be there, sir. And our ability to work through these topics during the application has been, I think, very fruitful. Dominion has been clear that what they want to do and what they intend to do is that orange line. So from the red box to the left where the substation is getting ready to start, the only thing that makes sense for anyone is to bring that line straight across to our proposed substation. Again, the good news is that that tenant of the

[00:41:13] property in white is very receptive to that. You don't have to go after them. Dominion will not have to pay them for an easement. There'll be a small easement area across the northern portion of the concrete facility, and then it'll land on our site. And because of the regional nature of these facilities, our hope and expectation is that we'll actually reduce the number of substations, so they'll be consolidated here at Dominion and Novak rather than having individual ones in different locations and that gets to my last slide and hopefully well less than 10 minutes chair Randall happy to answer any questions we'd be grateful for your support thank you Mr. Calabrese appreciate it Mr. Latour no I mean we obviously Mr. Calabrese had had quite a bit of

[00:41:53] discussion about the power delivery so there's a quarry to the immediate west here and then power lines are being extended down to serve the H&M site so um we really can't you can't and I don't think I can envision a scenario in which it would be necessary to send power lines further down 50 that would be a lot less direct and much much more expensive than simply since we're already set so far back to just continue them east across and it sounds like you've done significant amount of work to try to facilitate that movement of those power lines back there

[00:42:29] where they probably won't even be visible from route 50 is that that's absolutely correct yes sir. Okay. I don't have any other questions for the app. Thank you. Mr. Turner. I believe it was late fall or winter I did seek one because they were added to their referral agents. I did not get a response from them on this one. So in compliance with board direction to seek Dominion referrals on applications, the staff sought that referral and Dominion did not choose to respond

[00:43:05] to our referral. Correct. Thank you. For the applicant, has Dominion committed in writing to this routing of these power lines, and what would the size of the power lines be? Are they 500s or 230s? Colonel Turner, they're 230s, and no, they have not made a final commitment. I don't know if you want to

pull slide 15 back up, Bryce, but everyone, Dominion, Novak, the contiguous H&M tenant who's actually under construction now, are very much wed to the orange line as reflected here, Okay. Do you have an electricity service agreement yet?

[00:43:39] We do not. We are working on it. Okay. Thank you, Madam Chair. Thank you. Ms. Bricksman. Thank you, Madam Chair. So the substation that's going to be on your site, is that just for your site? No, ma'am. Or will it be for additional capacity for Dominion and or NOVAC?

[00:43:56] Yes, ma'am. It will absolutely be. It will serve well beyond this site. This is part of a regional network. And quite honestly, again, as we discussed with Supervisor Leturneau, I think this is part of the Dominion plan for buttressing service to eastern Loudoun County. So how much more electricity will be provided on this site than is needed by the data center?

[00:44:19] So I don't have a precise percentage, but as you can see, I mean, typically, for example, to the property to the west, there's one substation for those four data centers. And as my understanding is that that substation will have not only capacity for those four, but beyond those four.

[00:44:36] We only have one data center because of the configuration and size of the site, and that's one of the benefits, I think, of this consolidated substation. So I think that there will be significant additional capacity, but I can't give you a percentage on that. Okay, let me go about this another way.

[00:44:51] Are you trying to meet existing demand with this? Are they trying to meet existing demand with this substation, or are they anticipating demand and or inducing demand, perhaps? I wouldn't say inducing demand.

[00:45:07] I think it's a combination of issues this board is intimately familiar with. It's to play catch up on the issues that you guys are very cognizant of and obviously been intimately involved. And it's to provide sufficient infrastructure in order to serve both existing and future demand. Again, I can't give you a precise percentage on that, but I do know that from Dominion and Novak's perspective, having this additional substation at this location is quite advantageous.

[00:45:33] Do you have a customer for the data center yet? We do not have a final deal. We're waiting for a, frankly, we're waiting for the board's disposition on this case. Gotcha. And then are there any proffers involved to benefit the community on this?

[00:45:49] I mean, aside from aesthetics? There are no additional monetary proffers for the county. Okay. Okay, thank you. Yes, ma'am. Ms. Umstead. Thank you, Madam Chair. To me, this looks like a logical location for a data center.

[00:46:09] And I appreciate the attention to aesthetics. I think that is beneficial to the county. So unless something goes awry in the next five minutes, I would plan to support this. Thank you. And I think I should stop talking.

[00:46:26] Thank you. Well, we're probably going to vote on this tonight. Let's suspend the rules tonight. I would be willing to, but obviously if there's not support on the board or if there's a need to continue it to a future meeting, I can do that. Okay. Well, first, let's find out if there's anybody here who would like to speak on the item.

[00:46:46] Seeing none, Mr. Turner, I will go to you. Well, I guess there's only one way to find out. I will move to suspend the rules. Second. Motion is made to suspend the rules. Seconded by Supervisor

Amstead. Discussion on the motion to suspend. Yeah, so we've shared this project several times in our constituent newsletters.

[00:47:07] There's never been any feedback. I doubt there's too many residents of Loudoun County that have ever really even been near this location because of where it is. There's one outstanding issue that I don't think is going to be resolved, which is the setback on the road alignment.

[00:47:24] For me, it's difficult to fault an applicant on a road alignment when the county itself is not sure what the road alignment is. This particular road is far in the future, and it's truly an exceptionally high priority for me.

[00:47:40] But regardless of where the alignment is, it is never going to be a scenic road, given where it's going. with a mineral extraction area and heavy industrial and then an airport that it will be traversing. We are very hopeful and continue to work hard with the airport's authority on alignment issues.

[00:48:02] But having this locked in place is somewhat helpful just because it tells us what the usage is ultimately going to be here. So I don't see any reason to continue this. But, of course, if my colleagues wish to ask additional questions or follow up, that's, you know, I won't take that personally either.

[00:48:19] But that's the reason for the motion. Ms. Briskman. If I might ask Mr. Calabrese, what is your critical action date? I think we have the luxury of a little bit of time, Ms. Briskman. I will say that we've gone well beyond the typical 12 months.

[00:48:34] We actually started about 18 months ago. And to a large extent, it was to work through exactly what Supervisor Letourneau just alluded to, which is to really try and thread the needle on tall cedars. so we'd be grateful for your consideration. But what is your critical action date? I don't believe it's until mid-June.

[00:48:51] It's June 25th. Okay, thank you. Thank you. Mr. Turner. Thank you, Madam Chair. I'm struggling with exactly how I want to say what I want to say. This is the right location for a data center.

[00:49:10] This is a good application in most respects. I'm really troubled by the precedent that we asked Dominion for a referral, and they basically blew us off. I think it has implications for data center applications that are going to come in by right, that may come in with specs associated with them up and down Route 7 in the future.

[00:49:32] I don't like the fact that we don't have a written commitment for where the power lines are going to go. Can we stop this time just for a second? Mr. Turner, with respect, so this motion is just a motion to suspend. So either way, you're going to be able to say all the stuff you're going to say, but you may not want to say it in the motion to suspend, because this is all this is right now is a motion to suspend.

[00:49:51] If I could finish my comments, I'll tie it together. Okay. So if I vote to suspend now and vote on this right now, then I'm communicating that this is essentially a slam dunk application.

[00:50:07] And for a whole lot of reasons that ripple throughout the county for basically future unconstrained by right data center growth, I don't want to communicate that this is a slam dunk. it's a i personally think it's the right location it's the right application on for all other reasons other than the setbacks i think this is the right application for this location but i don't want to send the message that the data center community can continue to just assume that this board is simply going to look the other way on the power requirement they have a serious three-year power

[00:50:42] constraint we are seeing data centers come to us with no electricity service agreement with no provision for how they're going to have power for three years and we're blithely approving data centers over and over again that will have no power for three years and i want to have a discussion about it so it will probably make no difference it is absolutely not animus towards the applicant or towards the application but i do not want to just give this one a rubber stamp so i will not vote to suspend the rules for that reason thank you thank you sir mr mr saines you're good well

[00:51:18] if I can hear Mr. Letourneau's reasoning for suspending the rules and voting for it tonight. Did I miss that? Sorry. Mr. Letourneau? Yeah. So with respect to Mr. Turner, I understand what you're saying. In my experience, we have never been able to get a signed agreement or a signed anything in writing regarding power line routes from Dominion staff. Is that, or Mr. Rogers, you and I have had this many, many times. In your experience, has Dominion ever provided an actual written commitment about a power, the route of power lines during the land use consideration of a case? With regard to the route of the power

[00:51:57] lines outside of the electrical service agreement, no, because they have to go through the state corporation commission to do so. Right. So they cannot provide us with that. So I don't, I don't think it's fair to hold the applicant to that standard. With regard to the electric, electricity service agreement, the implication of not being able to obtain one, is that a land use issue for the board, Mr. Rogers? It is not currently part of the county zoning ordinance, so I would say no.

[00:52:25] So therefore, we cannot consider that in the confines of a land use case. So therefore, with those two issues, and I understand, I'm not something I disagree with what Mr. Turner said, I get it, but I just immediately skipped past those things because I didn't think they were things that are appropriate for the board, at least within this confine of an application in front of us and then I didn't see anything else that's going to change between now and two weeks from now or whenever we might take this up there's only one identified outstanding issue from staff which I am in my opening I said I don't think it's necessarily fair to hold the applicant to

[00:53:03] that uh that wait you're still in Mr. Sains's time Mr. Sains are you are you good yeah you are Okay, then yeah, let me stop. No, you answered my question. Thank you. I'm good. Okay. All right. So on suspension of the motion, all in favor, please say aye.

[00:53:23] All opposed. I think that's 4-4, so that is 4-4, which fails the motion. So the motion to suspend has failed. Mr. Letourne, would you like to make a motion to send it to the next meeting?

[00:53:41] So are you okay, Madam Chair, if it goes to the next meeting as opposed to the May 16th meeting. Yes, I know that. I'm just trying to put that agenda in my head.

[00:53:56] I know what you're asking me. I understand why. That's Tuesday. That's Tuesday. And nothing will change for staff, nothing will change for you all, correct, between now and Tuesday? There's no revisions to the project. There's no revisions. And it's a fairly light agenda on Tuesday.

[00:54:12] However, we will have one or two closed sessions, and one of them will be fairly long. However, I mean, I don't think this is going to take much time on Tuesday, so I'm fine with it going to Tuesday. Okay. So I move the Board of Supervisors forward ZMAP 2021-0018 and Zero Mod 2022-0081, Firefox, Dulles, to the May 2, 2023 Board of Supervisors business meeting for action.

[00:54:34] Motion to mention of Mr. Kirsch to discussion on that motion. Okay. Well, I certainly encourage if there's any outstanding issues that folks have that they, you know, raise them, we're not aware of any. As I said, there's been no public discussion about this application other than perhaps what is generally out there about data centers.

[00:54:54] But we've worked very hard to try to keep data centers out of the 50 corridor on the south side of 50, which is an area that has residential developments. And a couple snuck in, and we have a few that potentially are looming that we have really worked.

[00:55:11] But in order to try to push that data center development away, I have been okay with data center development on the north side of 50, because these are industrial buildings, they're a whole variety of industrial uses, and quite frankly, the data centers are more attractive than most things that are in this area.

[00:55:29] And so to me, this is, I mean, if I could go back in time and make it such that there were no power lines ever going down Route 50, which came in because of a buy-write application, I would do that. but I can't do that. The power lines are already here now. So at this point, given the constraints we have in other parts of the county and on the south side of 50, I would rather push data center development here.

[00:55:51] And my message to that community, the data center community has been, if you come to me with one of these applications on the north side, I will work with you, provided that we get what we need on alignments and things like this, which we did in this case. If you come to me on the south side, I'm not going to be very happy. And those generally take rezoning.

[00:56:08] So that's kind of where I am on this. and I don't have any objection. I can't find a reason not to approve it. Anybody else for moving to the Tuesday's meeting? I'm going to have to say aye. Any opposed?

[00:56:24] That motion will pass 801. Thank you, sir. Chair Randall. Yes, sir. I'm sorry, Chair. I just want to note that the motion was to send it to the May 2nd meeting, as opposed to not to April 18th. Oh, I was thinking. He said the next meeting. The next meeting is Tuesday.

[00:56:41] Well, I think we've already missed that packet deadline. Okay, all right. So April 18th, well... No, we haven't. That's why, no, we haven't. It's tomorrow. But that's fine. We can go to the first meeting in May. Well, no, I mean, can staff turn that around that quickly?

[00:56:57] Well, that's why I asked staff. Well, so staff wanted May 16th, and they were pushing back on me on that, so that's why I was. Well, there's no turning around to do, and I said there's anything else that has to be added to the application, and there's not. It's just a matter of dropping it into the agenda, because nothing else will change.

[00:57:12] We would just have to have the action item published in the packet. Can you do that? we've turned stuff around like that before. Okay. If there's no changes. The package goes out tomorrow. Tomorrow. Do you guys see any issue doing it?

[00:57:28] Can you get it in there tomorrow? If that's what the board wants. And I'm also saying it because I know what the agenda for Tuesday looks like. It's a pretty light agenda. We have a closed session, but it's not a heavy agenda. I don't know what the agenda for May 2nd looks like yet.

[00:57:43] It may be a lot heavier. So the motion was Tuesday, Mr. Hemstreet. So, may I ask a question to staff? Sure. So, what is the time involved to turn around the item in terms of edits you need to make?

[00:57:59] To be honest, the action item itself is actually drafted. I would just need it to get reviewed by managers, supervisors, and then county administration. But since we're not changing much text, we could do that in DPZ in the morning immediately, maybe even tonight. Okay. So, Chair Randall, if the board wants to change it, the motion was actually for May 2nd, so there would need to be a motion for reconsideration.

[00:58:20] Was it? I said that three times the next meeting. I thought that was the soonest, I know. And I said, the next meeting's Tuesday. I said those words. So let's adjust the motion then to the 18th. I will move. Tuesday. Do I need to reconsider, though?

[00:58:37] No, I think so to change the motion, the second of the motion agrees with it. Because I don't, okay. Because I know what the agenda is on Tuesday, which is a really light agenda. I don't know what the agenda is on May 2nd. It could be a much heavier agenda.

[00:58:54] Can you please? I'm waiting for them to tell me what I need to do. They're clearly conferring. So generally a motion to reconsider would happen if you're changing the motion. This is a procedural motion that's sending it to a meeting.

[00:59:11] I think you just need another motion that's what meeting you're going to send it to. I move the Board of Supervisors forward ZMAP 2021-0018 and ZMAP 2022-0081, Firefox, Dulles to which date? The 18th. April 18th, 2023, Board of Supervisors business meeting for action.

[00:59:30] Motions made and seconded again by Mr. Kirshner. Same seconder. I think we've discussed this enough. All in favor, please say aye. Any opposed? That motion will pass 801. We'll see you on Tuesday. All right.

[00:59:47] The next item is an item we're going to talk about a lot over the next couple of months. The first time we get to see it, and I'm kind of excited to see it, actually, is item number 11, it's which is the first time that we will get a crack at looking at and talk about the Ravonna application will staff and the applicant please come to the table now the Ravonna application is in the broad run and strongly district I

[01:00:24] will say already that I'd like to see the the staff presentation this is the first time we've seen it all together so I'd like to see the staff presentation Hello.

[01:00:46] Good evening. One second, Jackie. So to the applicant, I'm told you all have a 50 deck slide presentation. I hope that's not true because you have 10 minutes to do your presentation. So unless you talk like auctioneers, you can't get to a 50 deck slide in 10 minutes. So you may want to converse amongst yourselves and decide what you want to, how you want to boil that down because it's still going to be just 10 minutes. Okay. Thank you. Be ready, ma'am.

[01:01:08] Good evening, board. I'm here to present the Ravonna at Innovation Station application. The subject property is located north of the Greenway, south of the Innovation Avenue, east of Route 28, and west of the county line. This is a zoomed-out image of the site in relation to the urban policy area and the airport and the Innovation Metro Station.

[01:01:31] Tonight, the applicant is requesting to rezone the entirety of the site to the planned development town center zoning district, a special exception to allow incidental structures in the floodplain, and a request to allow surface parking in the PDTC zoning district. The applicant is also

requesting to modify PDTC zoning standards, parking standards, tree canopy and buffer requirements, and setbacks.

[01:01:54] The applicant is proposing up to 2,719 multifamily attached residential units, and up to 8% of these, 218, designated as unmet housing needs units. The applicant is exempt from providing ADUs in accordance with the zoning ordinance.

[01:02:13] So these 8% are voluntary affordable units. The applicant is proposing up to 2.4 million square feet of office uses, 347,000 square feet of commercial uses, a 450-room hotel, and 127,500,000 square feet of civic uses.

[01:02:33] This is an illustrative of the site as provided by the applicant. generally the site is divided into blocks with park and open spaces subject property is located within the urban policy area and is designated as the urban transit center place type according to the 2019 general plan the urban policy area is envisioned to envision to support development types patterns and densities that will create jobs grow the tax base and be fiscally sustainable the areas around the metro stations are envisioned as transit-oriented communities with a dense urban

[01:03:09] core consisting of the greatest intensity of development in the county the proposal generally meets this guidance and staff and the applicant have worked together on crafting design guidelines to ensure the development will build out in accordance with land use recommendations for the urban policy area the applicant is proposing a stream restoration plan amenitized park spaces and transportation improvements in a phased manner that will provide a balanced mix of uses As it relates to outstanding issues, we do have a few.

[01:03:41] The applicant is proposing an alternative structure for their payment of regional road and transit contributions. As the board may be aware, there are existing entitlements for the site. The site is approved for 1,265 units already, and as a part of that approval, the applicant proffered to a one-time contribution in the amount of \$751,000.

[01:04:07] The applicant is proposing to carry this over for the subject application, which would then result in the first 1,265 units. They would only contribute about \$594 per unit instead of the anticipated \$6,000 per unit.

[01:04:23] In addition, the applicant is not providing contributions for the unmet housing needs units, and combined, this could be a loss to the county of about \$9 million. The other outstanding transportation issue relates to Innovation Avenue intersections.

[01:04:39] The applicant is requesting to move forward with development even if it cannot accommodate any VDOT-recommended transportation improvements at the T8 intersection specifically. As the Board may recall, this was an issue with an application that was approved last year.

[01:04:56] Staff cannot determine at this time what type of improvement would need to be made until a signal warrant study is submitted to VDOT at the appropriate stage of development. As it relates to fiscal impacts, the applicant is requesting a \$7.8 million credit for the dedication of Boulder Ridge.

[01:05:14] At this time, the county has not agreed to accept Boulder Ridge as a park facility. And in the event the county would accept the park and a credit would be appropriate, that amount should not exceed \$4 million, as this is the figure more aligned with staff's analysis of the land valuation.

[01:05:30] It would also be more appropriate to accept the parks into our system if the parks aligned with the county's capital facility standards, at which time they do not. The applicant is also not contributing capital facilities for the unmet housing needs units. The Planning Commission forwarded the application with a recommendation of approval based on the applicant modifying proffers to address phasing and the Innovation Avenue intersections.

[01:05:57] Staff generally supports approval of the application, but we cannot support the applicant's capital facilities credits or their regional road contribution structure. With that, I am happy to answer any questions, and I do have a number of support staff here from natural resources, DTCI, housing, parks, and Loudoun County schools here as well.

[01:06:19] All right. Before we start with questions, I need to just clarify something so that we know, kind of level set the board and myself. Will you please go back to page six? So as we talk about Ravonna, which is going to happen in many phases, not M-I-N-I, but many, M-A-N-Y, quite a few phases, what we're looking at on page six is not what we were presented in our individual presentations as phase one.

[01:06:50] And so are we talking about phase one? Are we talking about phase one, phase two? Are we talking about the application? This is a huge application with many parts. How are we going to break this down and talk about it as a board? What's the plan?

[01:07:06] Because, Mr. Kirshner, maybe I'm wrong, but I'm looking at phase six, and that's not what was presented as phase one. So are we doing more than phase one? What are we doing right here? We are talking about the entirety, the finished product here.

[01:07:21] So they are proposing different phases in their proffers, but this slide would represent the project at full build-out. Well, that's a little tougher because we haven't had a briefing on the finished product. We've had a brief briefing on the phases more. And so the questions we asked when we met with the applicant were much more about the phases.

[01:07:41] So what the applicant showed us, I mean, they showed us some of the other phases, but the full buildout wasn't discussed. So just to be clear, as we start this process, it's for the entire buildout of Ravana all the way through. As it relates to the legislative land use application, yes.

[01:07:58] We're talking about the finished, the maximum they can build. This is what the final product would look like. On our side, on the Loudon side? Yes. I'm not on the clock right now, Jackie. I'm just trying to figure out what people are asking on the Loudon side.

[01:08:14] Yes. Okay. Well, this is going to be tough. All right. Then we will go to questions, and I'll go first to Ms. Glass. This is your district, ma'am. Thank you, Madam Chair, and thank you, Ms. Marsh, for talking to our office. Do you had, I think in the presentation you said there was 8% for attainable housing units provided from the application?

[01:08:40] Yes, 8%. Is the board considering increasing the zoning ordinance requirement for attainable housing units to 10% for multi-family housing units? Yes, we are. The Planning Commission is considering that right now, but 10% is the number proposed. Okay. I'm wondering, will that have an effect during the process or?

[01:09:07] No. Okay. So if the proffers were approved at the 8%, the zoning ordinance update would not change that. Okay. Because it's a proffer. It's not a zoning ordinance requirement.

[01:09:23] The applicant is voluntarily proffering to 8%. So the zoning ordinance wouldn't change that. the update. Okay. Is a performing arts center allowed by Wright and proposed zoning district for Ravonna? It is a special exception in the PDTC zoning district. Is a performing arts center proposed as part of this application or in the proffers? It is not in the proffers. Okay. How much does a traffic signal cost for the county to install with the study review and installation?

[01:09:57] Does it actually cost about \$500,000? That is the number that we provide to applicants in our proffer, our proffer template language, but the cost for a traffic signal can vary depending on a multitude of factors, but \$500,000 is the number that we suggest to applicants.

[01:10:18] Okay. What does the county consider the appraised price of the Boulder Ridge Park land? We believe that is worth about \$4 million. And why do we consider that price? That is based on the internal review of the applicant's appraisal, and it has to do with the amenities that they were proposing and the natural state of the land, but that was our assessment.

[01:10:48] We thought that that particular Boulder Ridge property was worth \$4 million. Okay. Does the board have the authority to name and or rename streams or tributaries in Loudoun? The board does not have that authority. What is the official name of the stream that runs through the Rivanna property, and are there any other official streams in the county with that same name?

[01:11:09] Horsepen Run flows through this property, and no, there are no other streams named Horsepen Run besides this one. I'm out of time. Thank you, Madam Chair. Thank you. Ms. Brooksman. Thank you, Madam Chair. Gosh, I almost feel like we might need two rounds of questions.

[01:11:28] So you're valuing it at \$4 million for the park. They're looking for a facilities credit of \$7.8 million. And staff is saying the facilities credit doesn't work because there's not facilities on there that are identified as needed for the area in, I guess, our CNA.

[01:11:48] So my question is, could the applicant add something there that would make it match the CNA? The applicant could. I don't think that that's something they're planning on doing. They have their own specific program for these urban parks.

[01:12:05] I do have a little bit of a difficulty. If it's not meeting what's in the CNA and it doesn't really have a value of \$7.8 million, I kind of agree with staff on that, that the \$7.8 is a lot to ask for. Could you walk through the carryover issue again, please?

[01:12:25] That was a little bit confusing. There was a previous application by the same folks. Well, not the same group of people, but the hub was an application that was approved and then updated within the past decade, I would say. And when it was originally approved for 1,265 units, they had a one-time regional road and transit contribution of \$751,000.

[01:12:51] So instead of them saying, we're going to give you \$6,000 per unit, they only want to pay \$751 for the first 1,265, and then thereafter they would pay the normal \$6,000, \$1,000 per unit.

[01:13:09] Okay. I might have to ask about that offline. And then the issue with the percentage of attainable housing. So it's said that it's going to be 8% with \$218 to be affordable at 32%.

[01:13:28] 31% up to 70 units will be for purchase or rent at 40% of AMI, 36% up to 78 units at 60% AMI, and 32% up to 80% AMI. So it sounds to me like it is the full range, but staff has an issue with...

[01:13:45] We have no issue. Oh, okay. We have no outstanding issues with their... With the attainable. No. Okay, okay. Okay, yes, and it is Horse Pen Run there, but Horse Pen Run goes all the way to the Potomac River and through my district, And we do have a horse pen run park in countryside and all that.

[01:14:03] So I have asked the applicant if consider the name, but we'll ask you guys about that when the time comes. Thank you. Thank you. And Ms. Bixman, you might be right. Without objection, I might do two rounds of questions for no other reason than this is a bit more than we expected it to be.

[01:14:20] I thought we were going to do phase one or even be phase one and phase two. I didn't know we were going to do the whole thing tonight. It's the start, but it's a lot for us to ingest all at one time. So, Mr. Turner. Thank you, Madam Chair. I want to drill down a bit on a comment you made, Ms. Marsh, on attainable housing.

[01:14:40] So, the proposed change to zoning is that buildings taller than four stories with elevators will no longer be exempt and will have the ADE requirement. What would the ADE requirement be if that change took effect? 10%. 10%. And because the application is at the point where it is right now, whatever changes subsequently happen to the zoning ordinance, it wouldn't retroactively apply to this application.

[01:15:03] Is that why you're saying that? Yes. Okay, all right. The computation of the value of Boulder Park at \$4 million by the county was based on just normal appraisal of the property for its developed use for that acreage.

[01:15:23] Is that right? I mean, it's a pretty standard thing you use to calculate, isn't it? Yeah, we base it on not on what the applicant is proposing to do but how it exists now, sometimes applicants base the value on what can be developed there, but we did find that their evaluation was higher than we would have anticipated.

[01:15:47] Is that based on what their proposed but not proffered development of the Boulder Park would be? I'm going to have to defer to the applicant. Okay, I'll ask that question again. That's all I have. Thank you, ma'am. Thank you. Ms. Umstead. Thank you, ma'am. Jackie, first, thank you for a very good briefing.

[01:16:07] So I think density at this location is the right fit. But as you know, and as I've explained to the applicant as well, the annual school operational costs coming in at about \$18 million are a major stumbling block for me.

[01:16:27] However, I asked Val in my office to look at comparable projects in more densely developed parts of the region. And Val, and I appreciate her doing this, came back with Arlington's school generation numbers.

[01:16:50] For market rate elevator apartments, the school generation number is 0.62 students. For market rate elevator condos, it's 0.05.

[01:17:09] So the school system here does not have a comparable project to look at when they're trying to figure out how many students are going to be coming out of this area. If you apply that Arlington market rate elevator apartment, .062, instead of it being an \$18 million a year price tag, it is about \$1.6 million a year.

[01:17:42] What I would ask of staff and the applicant, if possible, would be, am I in the ballpark? Do you think I'm in the ballpark, or do we think it's going to be \$18 million a year? I'm going to ask Bev Tate from schools to come up and speak to that, but I think that generally we do agree with you.

[01:18:03] Like, we don't have data in the county to compare this to. There are no developments like this for us to look at, but I'll let Ms. Tate speak more. You said exactly. We don't have the product, and we have said that consistently. Until we do, we're not going to be able to revise our generation factors.

[01:18:22] So I understand your point, and I agree to the extent that. Okay, thank you very much. Thank you. Thanks, Jackie. Thanks, Dan. Thank you guys for all your hard work. Mr. Letourneau. Thank you.

[01:18:38] I'm going to attempt to ask a question that probably I have to ask carefully and needs to be worded carefully. but on the park parcel that's the subject of the discussion about capital facilities credits is it possible as part of a future action that the county could have oversight of that parcel even if it is not a prcs facility that is possible yes and therefore that might be a unique situation that's not really considered in our discussion around proffer policies?

[01:19:13] Yes. Okay. As far as one of the outstanding issues is on the intersectional alignment with a previous application, which I did not support precisely because I was concerned that there had been so much work between this applicant and staff on alignment that that other application, which was much smaller, came in after that work was done and yes, got to the board earlier because it was a smaller application and then set things in stone.

[01:19:43] So that issue was unresolved, right? Right. And so we're ultimately going to need VDOT probably to step in and resolve that. Yes. As far as I'm concerned, that's the board's fault. So I don't want to fault the applicant for that. That's all I have. Thanks. Mr. Kirshner.

[01:19:59] Yeah, just a couple of brief questions. First of all, we received, I have received, I think all the supervisors up here have received multiple briefings on this, both from staff as well as from the applicant. And I really appreciate all of you coming to speak to us. But I know it's a big project. It's our first jump into the urban policy area.

[01:20:19] And I think that it was very helpful to have those briefings in advance and to kind of get a grasp on it. So I don't have a lot of questions. But the one question I do have for staff is the park that's being proposed here, how much of that park is actually, first of all, well, let me ask you this way. how much of that park is required in order to meet the green space requirements of development in the urban policy area, or is it more of a voluntary thing that's doing?

[01:20:44] In other words, I know you're recommending not to give the credits for it, but could they have not also come forward with an application that basically said, hey, we're going to go ahead and develop this and maximize more of our dollar rather than providing us a really tremendous, so that's kind of... I would argue that this was the applicant's proposal.

[01:21:02] this was their design they didn't have to provide this much green space and open space so they are meeting and well exceeding any sort of open space requirements we would have in this area so your your question was so sorry they could I mean I guess the thought process is they're asking for a certain level of credit I understand why we doesn't meet our criteria so they're basically asking us to as an exception on that but they could ultimately kind of develop some of this area as part of the application to make up the difference in that and then we wouldn't

[01:21:40] have this awesome green space or park type of thing so it's kind of a trade-off so is staff really just kind of honing in on hey this is kind of our policy it's just not matching yes and not really those aren't really considerations that you have that opportunity okay I just wanted to clarify that thank you very much

Mr. Sainz all right thank you Madam Chair so the next I guess credit issue um that's being proposed by the applicant is that their staff is not acceptable to that because that's just something we don't do and that's going to set a precedent or it's just

[01:22:14] so there there are a couple of things when an applicant requests credit for a facility usually that facility would be dedicated to the county enter not entered into our system but we would accept responsibility and maintenance of that facility we in this case the county is not willing to accept Boulder Ridge as a park facility.

[01:22:34] Oh, sorry, I wasn't speaking about the parks yet. I'm talking about the transportation. Oh, I apologize. That wasn't clear. Sorry, I forget the question now. What they're proposing for the transportation credits that were kind of paid before.

[01:22:50] Oh, I see. Okay, yes, it would set a precedent, but we have seen other applicants come in and say, we have already committed to this type of proffer. Can we carry it forward? Or we've already made these transport agreements. Can we get a credit for that? So we don't have a specific policy to say that an applicant should be allowed to carry forward previous numbers from an older rezoning if there is updated policy.

[01:23:16] So the updated policy now is we would expect \$6,000 per unit. I think at the time that the hub was being contemplated, those numbers weren't out there yet. Okay, because the chart that the applicant showed me earlier today, if we follow their proposal, the county would actually be taking in more money possibly with the proposal.

[01:23:37] So just was a little curious about that. And then secondly, in regards to the parks, Boulder Park and Horsepen, were those parks already named? Are the area named that or was that the applicant? That's the applicant's name. Okay. Those weren't already named.

[01:23:54] That's what they're proposing. Was there already names for that area before? No. Okay, okay. All right, I have questions, but I have two questions for the applicant, so thank you. Thank you, Mr. Zanes. So Ms. Glass asked a very specific question.

[01:24:11] Let me broaden her question out. Instead of asking about performing arts centers, let me ask about civic space. What type of civic space is there and what is allowed in a civic space? Any, well, we have several definitions of civic space as it relates to the PDTC zoning district and also civic space definitions in the comp plan.

[01:24:31] So what the applicant is proffering to now is an amount of civic space. So they are proposing 127,500 square feet of which 50,000 square feet of that has to be indoors. So what does allow in an indoor civic space?

[01:24:51] Performing arts center. Okay, there we go. So that's-- there we go, that's kind of-- I mean, when we think of civic, we think of-- Yeah, I got it. Yeah, but she asked a fairly specific question. So I understand why your answer is like that.

[01:25:06] But I also know that if we broaden that question out a little bit, it would be a different answer. I'm so overwhelmed, I don't even know what to ask, because I didn't think I was going to be asking about-- I thought I was going to be asking about phase one. And I think most of my questions are to the applicant.

[01:25:22] But let me at least do this. Ms. Umstead gave numbers about school generation. Have we vetted, have you all vetted those numbers she gave as far as how much this would cost? Yes. Okay, and it's \$18 million.

[01:25:39] Does that include, does this site at all include a new school site? Are we talking about doing that in existing school spaces? This would be in existing school spaces, and we do have two other school sites in the urban transit policy area planned, just not built.

[01:25:55] so we're so would these students go to that those planned schools they could but we don't know yet no all right so how long is this whole build out i will defer to the applicant on their timeline all right but but whatever it is we don't need those kids in those spaces tomorrow i mean it happens as build out comes and build out is many many years i think about concora one loudon there's okay it's many many years to do that so it's not like you need all that money and all that space at one time okay um i think most of my questions i will hold for the applicant then

[01:26:31] speaking of good evening gentlemen how are you you have uh well wait a minute i mean before before that supervisors what if we we can do we can do a couple of things we can go to a second round of questions for staff or we can go to the round of questions for the applicant and then do a round the questions for whichever, we can perhaps set aside an hour before or an hour after to figure out a time when we can set a Ravonna work session for an hour from anybody who might want to come.

[01:27:02] I'm going to have a very hard time doing this in this way in this meeting, and I checked the motion out. The motion is to go to, I think, a second meeting in May, a May 16th meeting for action. I will not be ready for action by a May 16th meeting on Ravonna.

[01:27:20] But maybe if we can get, I mean, just let's talk to the applicant and then give some thought to maybe at least one work session on this because it's an exciting application that I'm excited about. But it's a huge application to do in two weeks, so we can think about something like that.

[01:27:39] Madam Chair. Yes? Can we ask, even though we probably would ask you later, but can we get the critical action date now? have it listed as May 16th that's why it's that's what I'm saying that's for action but if we did a work session before that maybe we could be ready for that by the May 16th that's that's why I'm that's why I'm proposing that like that gives us a month for a work session so applicant the applicant how are you thank you for being here we're ready when you are excellent thank you chair Randall thank you members of the board we are delighted to be here after a long

[01:28:19] lengthy, extensive, and detailed review process, which we are happy to say has been quite collaborative with county staff, and we appreciate all the efforts of Ms. Marsh and everyone else at the county in terms of working with us on this application. We are thrilled to be here. I'm Brian Winterhalter with the LA Piper here on behalf of the applicant. I'm joined by Stan Nix and Andy Marshall of the ownership group, and I will save some of my 50 slides for discussion, and I think we're going to go through about 30, half of which are probably pictures because we've got a really nice project. We've put a lot of thought into the architectural design, the site planning, the layout, the landscape design. So I want to share a lot of imagery with

[01:28:58] you and we'll move through it pretty quickly. Next slide please. This is an overview of the proposed development. It's centered around the village area, the retail village in red. We'll see some more images of that as we move forward. There's high density office and a couple of high-rise residential

buildings along the toll road on the southern side of the site and then there is the large horse pen park to the west and then a land bay with residential and potentially office uses along route 28 on the western portion of the property you see the overall numbers for the development here collectively it's about 6.37 million square feet at a 1.84 FAR and you see the mix of uses

[01:29:33] as well we are generally in conformance with the urban transit center recommendations in the comprehensive plan. However, I will note that we have a bit more office, but we think this is absolutely the right location for the county for office and is a significant opportunity for the county to capitalize on the location of this site and to strategically plan for additional office location. Next slide, please. So you had talked about phasing already, Chair Randall. So to very briefly walk through the phasing of the proposed development, this is somewhat different than the transportation phasing and other phasing that is in the the proffer package but for purposes of the likelihood of the phasing of how the project

[01:30:13] will actually build out which will be a long-term build out over many years so all of this development is certainly not going to come online in the immediate future we're planning for a long-term build out and we'll be working with the county through that process for you know for quite some time but with respect to this first phase it centers on the retail village the area in red in the middle there is some potential for some of the creative office which will show images of what that could be in the future. And that retail village is really intended to be the heart of the development, very pedestrian oriented. Unlike other areas in other transit oriented development

[01:30:48] projects throughout the region, it's intended to be a lower scale, more compact, more pedestrian oriented, sort of human scaled focused area. And then there is a substantial component of residential in the first phase as well. Those are in yellow. And then the office build, or sorry, the hotel building north of the village area is B. That's the purplish color. And that's our proposed first phase of development, which is a substantial portion of the overall development. And what we're really trying to do in the first phase is create a critical mass and really create the place and establish the foundation for the development as it builds out moving forward.

[01:31:27] Next slide, please. So then with that foundation in place, we're hopeful to start to attract more significant office space to the project and that would be in block d that you see with the two additional high-rise office buildings there next slide please and then additional components of high-rise residential substantial office space and additional retail and some more creative office space and multifamily in the village area as well and then lastly next slide please moving from west east toward the fairfax loudon county boundary and toward the cit area this is the last proposed phase of the development, which includes mostly office, as you can see in blue,

[01:32:05] and a high-rise residential building in yellow. Next slide, please. This is what that looks like overall from a massing perspective. And here you can see the strategy of our proposed development is, again, to cluster the retail in the center of the site, have a low-rise human-scaled environment that we think will be really attractive, especially in the post-pandemic era. There's a lot of green space in this plan, which we're really quite proud of and have worked really hard on, and we'll show you some of those detailed images in a couple minutes, with the highest density office clustered along the toll road and the southern boundary of the property, and then additional office and

[01:32:41] residential in the western land bay. Next slide, please. So to summarize the key advantages and benefits of the proposed development, there is clearly an opportunity to take advantage of this location,

the metro station, support the county's policies for transit-oriented development in the urban policy area. This development will bring high-quality urban-style multifamily. As we've been talking about earlier in this meeting, that is a type of multifamily development that the county hasn't yet really seen, and we're excited to move forward with this type of development here, and we think that can do a lot for the county. The human-scaled retail village, this is not only

[01:33:18] a good planning strategy for us, but it's also a significant differentiator. This is a unique feature and differentiates us from other developments in the region and will create a really attractive feature for the region and for the county and it benefits all that can come and enjoy the restaurants, the retail opportunities in a nice smaller scaled environment than you find in many other larger transit-oriented development projects. As you see on the third bullet, we have 16 acres of public parks and open space.

[01:33:50] We'll talk about those in some more detail. Substantial Class A office space that supports the economic diversification goals of the county and the county tax base. There's a lot of office space in this plan. Office, in many ways, is driving the value of this plan, and we are ultimately quite bullish on office, notwithstanding the challenges in the market right now.

[01:34:09] We think that creating the place here with the retail, the restaurants, the residential, and really creating a true mixed-use transit-oriented development will be very attractive to high-quality office tenants in the long run. Again, the significant opportunity here is to capitalize on the location.

[01:34:26] We have Metro, we have Route 28, we have the toll road and the Greenway, and we're right next to Dulles Airport. We're at the confluence of major transportation infrastructure at this site, which is critical and essential for us to be able to capitalize on that with significant development in accordance with the county's policies.

[01:34:44] And beyond that, we really think that this will be a catalyst for a larger development in this whole quadrant. This is a relatively undeveloped portion of the county right now, and we think that this is absolutely the right project to kickstart development in this area in a very significant way. And again, as I mentioned, we are in conformance with the urban transit center policies in the general plan and happy to chat about that.

[01:35:05] Next slide, please. I'm going to go through some images because I think they're really spectacular. Here is an image of the high-rise office along the toll road. So this is a representation of what we would develop with respect to the office and, again, to achieve Class A office, great visibility along the toll road, access to metro, access to the toll road, access to Route 20.

[01:35:26] This is absolutely the right location for a high intensity of office space. Next slide, please. This is what the creative office has envisioned to look like. So you've got retail and restaurant uses on the ground floor, and the second floor area would be the creative office space. and there's a number of different types of companies and tenants that would be interested in this type of space.

[01:35:45] But again, this is a real differentiator, something that you don't see much in the region, and it would be something that would be of great benefit for the vitality of the overall village center area. Next slide, please. With respect to the residential, we will have high-density residential. Again, it's unlike anything that's been developed in Loudoun County to date.

[01:36:01] We're very excited about it. We think it will ultimately be very successful and very attractive. And we are excited about the opportunity to have this component of residential at a critical mass that will

create the place, that will drive retail and restaurants, that will drive the office demand, and will be in an environment that has a lot of green space as well.

[01:36:21] Next slide, please. Here's some additional images of the residential along the northern side of the property adjacent to the Boulder Ridge Park area. Next slide. And lastly, this is the land bay A that's to the west of Horsepen Park and two residential buildings and an office building in the background.

[01:36:39] Next slide, please. As I mentioned earlier, Ravonna Village is the heart of the development, and it will have all of the things that you see in the bullet points. It's obviously got adjacent significant park space, open space areas. There will be additional open space areas, including the plaza in the village.

[01:36:55] There will be a whole host of uses and intimate uses, oriented in addition to the office space health and wellness boutiques all of those things that you see cultural opportunities we absolutely would love to have a performing arts venue here we talked about that earlier in the application and that would be a significant component that we would be very delighted to have next slide please this is another shot of the ravanna village again just pulled out a bit next slide please some of the food and beverage options and opportunities here for the site. Next slide. Again, more character images of the village area. Next slide, please.

[01:37:33] And we have significant green space, as I mentioned. So you see Horsepen Park, the village center area, Boulder Ridge, and the green promenade. This is just an overview of the green space network. Next slide, please. This is the publicly accessible areas that are just out. This is Horsepen Park. As you can see, there are a lot of amenities within the park. We had previously had more sort of designs in the Plain area we've pulled that back. There's a significant sewer easement that runs through the park So obviously there's limitations on what can be done and planted in there But there will be a significant amount of reforestation planning as part of this as well as the amphitheater of civic uses and other

[01:38:13] Opportunities next slide, please so you you you minus you really may have 30 slides But you really only had ten minutes. So your two minutes is up I'm happy to continue but I'm also happy to so I do want to have a discussion with the board seriously about maybe having a work session, that might be the most helpful way to do this because it's almost impossible to do all this in two meetings.

[01:38:33] So let's go to questions. Supervisors, if you have questions, I'll go to Ms. Class, I'll go to you first. Thank you, Madam Chair. Madam Chair, could I ask a question to staff? Sure. Okay. Staff, is a performing arts center allowed by right or do we have to go through a special exception?

[01:38:56] You would have to go through a special exception for this zoning district. Okay, thank you. Thank you for the presentation. My first question is, is the applicant willing to proffer to 10% of the housing units to be attainable units?

[01:39:16] We have not yet discussed moving the 8% number to 10%. We would be happy to consider it. Okay. I have another question. Why has Ravanna been advertised as having a performing arts center if it's not allowed by right and it's not submitted as part of the proposal?

[01:39:38] As I mentioned, we would very much like to have a performing arts center. We've talked about different opportunities for having a performing arts center with staff. We've talked about opportunities depending on the scope and the nature of that use that it could qualify as a civic use.

[01:39:56] And part of those discussions involved a consideration of specifically how and to what extent there would be availability for the types of uses in a performing arts venue or a music venue that would qualify as a civic use.

[01:40:14] And without having a specific group that we would be coordinating with to implement that, in other words, sort of a user of the space, it was hard to make the types of commitments that we would need to make that we have discussed with staff to have it qualify as a civic use.

[01:40:35] So the interest is very much there. We would love to implement it. We would love for it to be a civic use, but we weren't able to do that without more detailed discussions with a specific user. Okay. One more question. the applicant willing to increase the cash contribution of the T8 intersection if the waiver is not issued by VDOT and the county must absorb the responsibility since denial of the waiver would mean larger problems must be resolved than just a signal? So first I would say we are

[01:41:08] hopeful that VDOT will ultimately grant the waiver. We are talking about a difference of approximately 34 feet out of 665 feet, if I recall correctly, for the spacing requirement.

[01:41:26] With respect to the alignment of that intersection, we had previously proposed it in an alignment that met the spacing requirements, and so this would frankly not have been an issue. We wanted to be a good neighbor and cooperate with the applicant across the street in order to have it realign with their application, which we agreed to do in coordination with staff and the other applicant.

[01:41:53] And so, frankly, we would not like to be punished for our good deed in doing so, to be quite honest, but we're certainly open to consideration. The \$500,000 number, as Ms. Marsh had noted, was the number that was suggested by DTCL.

[01:42:12] Thank you. Mr. Turner. Thank you, Madam Chair. A couple of things really quickly. The first one is for staff. So they're proffering, I want to think it was \$751 for the first 1,200-plus units on a prior proffer carryover?

[01:42:28] Yes. And after that, they're proffering \$6,000 per unit up to the total that they're providing? Yes. Okay, so the FIC. With the exception of UNUs. Right, understand. The FIC has got new calculations for regional transportation. I know it won't apply because that won't be passed until after this application is done.

[01:42:47] But if you use the new FIC standards, which are substantially below the 6,000, then when you average in what they're asking for in the first 1,200 change units plus the 6,000 they're proffering for the balance of the units, the average probably is going to be pretty close to what FIC is recommending as the new number.

[01:43:04] So that kind of takes that objection off the table for me. I just want to throw that out. On the civic space, 50,000 square feet of civic space is a square 222 feet on a side. If you figure a seat in an auditorium takes up four feet by five feet, that's 20 square feet per seat.

[01:43:22] That's 1,000 seats for 20,000 square feet. Doubled is 40,000 square feet of that 50,000 for a 2,000-foot, a 2,000-occupant audience. If you put in a balcony, you're talking a 2,500-foot. So a 2,500-seat performing arts center seems feasible for that civic space.

[01:43:41] I want to be clear, you're open to that, but you think we need to have a third party enter into the discussion to say we'll pony up the development costs of that performing arts center and work with you to

fill that space with a design that we design or work with you and the county to say this is what we want to do.

[01:44:01] So basically you're open to the idea, you just don't want to have the burden of you having to design a 2,500-seat performing arts center as part of this project. Do I have that correct? Did I say that right? You are correct. We are absolutely open to it and very much interested in it. I think it's less about the cost of the design and more that the discussions that we have had with staff were whether it would qualify as a civic use and we weren't able to make the commitments that the staff was seeking for it to qualify.

[01:44:34] In other words, if we have a performing arts center or music venue that is open for a concert one day, and it's open for the local symphony to have practice space in there, or it's open for their performances for certain days, free of charge, just hypothetically, how much of the mix of that makes it civic versus not civic, right?

[01:44:56] And those are the kinds of questions that we can't answer without an actual user and a plan in place. So we're certainly interested in it, and we would love to do it. It's just, it's not developed enough for us to make the specific commitments in the application. And I agree with Supervisal Letourneau, and I voted for it knowing that the intersection was up in the air.

[01:45:13] I don't think we should punish you because the intersection, I think that'll get resolved. Thank you, Madam Chair. Thank you. Ms. Brooksman. Thank you, Madam Chair. Well, I think it was advertised as having a performing arts center because that was in the original plan. And then when you had to move the podium parking out from under two of the buildings, then the proposed performing arts center was taken away, correct?

[01:45:41] I don't know that we ever had a specific commitment in the legislative zoning application for a performing arts center. Okay, I thought I saw the renderings when, like, over a year ago when you guys came down here, that there was a stage and some things around the park.

[01:45:58] it's always been part of the intent to have it okay it again back to the the discussion earlier we without a specific user it's hard to make i hear you to figure out how it would operate i hear you um but so what was lost when you had to move the podium parking out from under the buildings the change to the podium parking did not result frankly in much difference for the overall retail village because the parking was essentially below grade and so everything that is in the retail village will be the same experience it would have been previously

[01:46:37] except that instead of coming to that place and being able to enjoy that experience by parking under the village there will be parking and structured garages around the village okay um i i'm generally i i like the the plan i think loudon county definitely needs the class a office space and generally i like the plan um i i will have a little difficulty swallowing a 7.8 million credit when the when the space is not really able to be you know called a park by county standards

[01:47:12] and it's not the land's not valued at at that price um and we've talked about this before but um i really really would like the name of the park changed we have a horse pen run stream valley park near Herndon. There is a horsepen run in my district in Countryside, and we have in our CIP to build a bridge over horsepen run in Countryside in order to have the Potomac Heritage Trail go through there. So that bridge will likely be identified on the Potomac Heritage Trail mapping as horsepen run bridge. And, you know, I kind of laugh at myself whenever Disney recreates a movie

[01:47:51] that they've already done, right? It's like, can't we be a little more creative? Like, do we really need Spider-Man again it's the same story so I think there's all kinds of creative things we can do with the name I mean I love Horse Pen Run Stream too I think it's a cute name but I just think that people using their GPS is looking for Horse Pen Run Park could now go anywhere of three places if this is called Horse Pen Run Park so I look forward to something different thank you thank you Mr. Letourneau yeah so thank you for all the work that's been done on this thank you as

[01:48:27] well to staff. How long have you been with us as part of this case? A couple years. At least. Things have changed. So this is a big moment for us. This is an important application. I think everybody up here wants to get it right. Can you just walk us through the thought process on the capital facilities request and have that evaluation? Sure. And actually, if Ms. Marsh would show slide, I'm going to find it in my 50 slides because it will be very illuminating and helpful.

[01:49:01] Slide 36, please. And by the way, before I continue, are you, I'm happy to address both, but are you asking with respect to the Boulder Ridge Park? Specifically, yeah, the seven, the kind of.

[01:49:18] Okay, so we have this as well. So to the 7.8 figure, a couple of key things to note, which we also have a slide for, and I think that is slide. I'm going to run out of time, so we got to. Yeah, okay, 7.8 million. So 7.8 million was endorsed by the Planning Commission in their recommendation.

[01:49:35] The county staff analysis was that the park was roughly between \$4 million and \$7.8 million. So the \$7.8 million was part of the range of county staff's analysis. They chose the low end of the range for their recommendation to \$4 million. The appraiser that the applicant had engaged for the process, which is a county-approved appraiser, had come back with a value of all three of the parks of \$39 million.

[01:49:57] We thought that that was quite excessive and actually, frankly, surprising to us. So voluntarily, on our own, we cut that number roughly in half and made a \$19 million request for three parks collectively with the option to dedicate all three of the parks to the county. We were, after a lot of discussion, the county staff's position was that Horse Pen Park, because it was basically floodplain, is worth almost nothing.

[01:50:23] Boulder Ridge Park was worth \$4 million to \$7.8 million, and they settled on \$4 million. and the green promenade area was worth almost nothing as well in their analysis. The key thing that I would note, in addition to the fact that the \$7.8 million was endorsed by the Planning Commission and was the high end of the county staff's range, was also that under the appraisal, if you take just the value of Boulder Ridge, it was that area is fully developable, entitled to be developed under the current zoning approvals that apply to the site now, and was valued at \$26 million.

[01:50:55] So the planning commission recommendation is essentially somewhere between where the staff position was and where we were. That's \$7.8 million. That's essentially. Yeah, no, I think it's important that we hear that. So I understand where staff's coming from as well, but the number wasn't necessarily invented out of thin air.

[01:51:11] There is some discussion about it and maybe a way for the county to oversight over it, which is a different arrangement and not a strict proffer, but something we probably need to consider in a unique application. Thank you. Mr. Sainz. Thank you, Madam Chair. You've heard already from a couple of my colleagues inquiring about the affordable housing.

[01:51:34] You're proposing 8%, and you heard staff that's saying our standard will be 10% moving forward, and then we're kind of in flux. It's voluntary, so you guys agreed to 8%, which is good. But I hope you can go back, and as you mentioned earlier, you'll go back and see if there's any possibility of going up to 10%.

[01:51:52] That would be, I think, awesome if you can do so to kind of match what the standard will be moving forward for housing applications. Notice that the square footage being listed was 400 square feet for a studio, 500 square feet for a one-bedroom, 750 square feet for a two-bedroom.

[01:52:13] Are these the actual sizes, and do you think that's enough for the units, the square footage? Because that sounds a little... So at one point during the application process, we were asked to provide minimums for the unmet housing needs units that we were proffering to provide.

[01:52:34] And so those are minimum square footages that are not necessarily going to be the average square footage size of either those units or the units as a whole, including the market rate units. So we have in the proffers an average unit size at a minimum of 850 square feet to 1,150 square feet for the units as a whole.

[01:52:57] And we have this separate commitment that the unmet housing needs units need to be at least those numbers that you noted, but they could be larger. Okay. And, again, do you have a commitment that you'll at least go back and look about possibly going up to 10 percent? Sure. Okay. And then, so this might be a staff question.

[01:53:16] So I know Supervisor Glass asked a question about, they're not proffering or mentioned a performing arts center, but they've mentioned, and is it mentioned are proffering to civic space? Yes, they are proffering to civic space, 127,500. All right, so what is the difference between a civic space and a performing arts?

[01:53:32] A performing arts center could qualify as a civic use. Okay, but you said earlier that they might have to do a special exception to another application, so. So we would anticipate civic uses on the site, but some uses would require special exceptions.

[01:53:53] Some can be considered by right. Just because something is a special exception doesn't necessarily mean that there would be an issue with placing that use in that certain site. It just gives the Planning Commission and the Board some more oversight over that request. But a performing arts center would be considered a civic use.

[01:54:12] So it could potentially fit in this depending on what? Yes. Okay. Well, again, I ask because. The staff is fully supportive of a performing arts center in this location. All right, and if the applicant can go back and review that and have some further conversations with some of the board and staff about it. Thank you. Thank you.

[01:54:30] What do you all expect build-out to be? Do you mean in terms of? Full build-out on the Loudoun side. In terms of when? Yes. The timeline? In the years. If I could answer that question.

[01:54:49] It's depending on the market, certainly, but if we were to give an estimate, it would be north of 10 years. More than 10 years. More than 10 years. Okay. I shared this with you all yesterday. I am concerned that we have 2,719 multifamily attached residential units and not one of them are for sale.

[01:55:09] They're all for rent. I'm assuming you've done market studies that show that that's what we need, but it seems almost illogical to have almost 3,000 multifamily units and all of them are for rent and nothing is for sale so i mean tell me tell me the logic tell me because you yesterday you said something to me about and i'm and this may be something that

[01:55:47] revana has to answer themselves because as you explained it to me it is about financing it's harder to finance a building a residential building if the building is units for rent than for sale than for rent?

[01:56:03] Is that what I understand you told me yesterday? So Chair Randall, if I may, I'll answer the zoning question first and then turn it over to Stan to answer the market question. But on the zoning question, we have said that we are expecting the first phase of development to be rental, but there is no requirement or preclusion for sale or rental in the legislative zoning application.

[01:56:28] Going forward, units could be rental or they could be for sale as the development builds out over time. But the intention is rental. So to answer that question, the intention in the first phase is rental. So the first 1,500 some odd units are intended to be rental.

[01:56:50] And then in subsequent phases, we would evaluate whether it's for sale product or for rent product based on market demands, market financeability. Well, I mean, we know we have a demand for purchasable units, and we definitely have a demand for units to be purchased at someplace like the Robana site.

[01:57:10] So there's no question that we have the demands for that. So the issue is not the demands of whether somebody wants to purchase a unit. It's the issue that it's financed differently if it's purchased, and can you explain that? Sure. It's generally a different type of financing for for-sale condominiums versus rental product.

[01:57:31] It is harder to finance. There's a much more limited set of construction lenders for that type of product. But I think what we'd say is that we're commercial and we are responsive to the market.

[01:57:47] So if there is a way to deliver for sale product and finance it and underwrite it, if you will, then we're certainly interested in it. We, you know, we're not set on this being 100 percent rental, but we've really only planned out the, we'll say, for sale or rental characteristics of the first phase at this point.

[01:58:15] Yeah, that's why I thought we were just going to be talking about the first phase tonight, to be honest. Okay, so Supervisor, what do you want to do right now? Supervisor Glass, do you just want to make a motion for the meeting on the 16th, or do you want to do something different?

[01:58:33] Because we'd have to go back and look at the calendar to see if we did one work session. How do you want to do this? Madam Chair, I would still like to make the motion, but if you would like to, or if the board would like to have a discussion on Ravonna, because I know this is a very large...

[01:58:56] Well, the motion is the motion, so if you make a motion for, the motion is the motion, that's why I'm asking you what kind of motion you want to make, because if you make a motion to, the motion is to send it to the 16th. That's the motion, the baggage. Yes, Madam Chair. Okay. I move that the Board of Supervisors forward ZMAP-2021-0003, special exception.

[01:59:21] Chair Randall, we need the public hearing. Oh, I'm sorry. Does anyone in the public want to speak on this item? Thank you, Courtney. Appreciate that. I can't believe there's nobody to speak on this

item because in about three weeks, we're going to get about 1,000 e-mails that says we rushed this.

[01:59:37] We are. So, and I want to play this tape back when we get those e-mails. Okay. Madam Chair, thank you.

[01:59:51] I move that the Board of Supervisors forward ZMAP-2021-0003 special exception 2021-0004 special exception 2021-0011 ZMOD-2021-003 ZMOD-2021-0004 ZMOD-2021-0004 ZMOD-2021-0005 ZMOD-2021-0006

[02:00:21] Zmod-2021-0046 and Zmod-2021-0092 Nirvana at Innovation Station to the May 16, 2023 Board of Supervisors Business Meeting for Action.

[02:00:38] I'm going to give that second to Mr. Sainz since it's going to be in his district next term.

[02:00:52] It's 4-7. Okay. Ms. Lester, would you like an opening? Yes. I would like to thank the applicant for the presentation and for answering our questions. I'm in large part supportive of this application, though there are a few issues that I would like to see addressed.

[02:01:14] I hope the applicant is willing to work with me over the next couple of weeks to address those concerns, as well as with other board members who may have no questions. A couple of the concerns I have is the credit for the park and the increase in the attainable housing units.

[02:01:35] I hope to work with the applicant and developer as the progresses with the application gets approved. This is the area that we want this kind of development that is proposed with Ravana, and I know it will support the Innovation Center Metro Station. I will be meeting with the applicant soon to discuss the items that have been brought up by the board tonight.

[02:01:53] Thank you, Madam Chair. Thank you. Mr. Letourneau? Thank you. I'd like to echo what was said about the work that's been done. This is a good application. It's a very large application. It is kind of funny that it's one of the largest ones of our board's term and we have no public speakers but it is an application that's gotten a significant amount of attention over a period of several years so so this is not a new application to the residents of the county one of the most significant concerns it's not a concern but most significant factors in an application like this is commercial viability it is one thing for us to sit up here and tell all of you what we want to

[02:02:32] see in a parcel of land like this and have our wish list it's quite another to actually go out and be able to execute. There are, I think, four previous approved rezonings on this application with projects, at least one of which I think I sat up here for and none of them worked or else you wouldn't be here. So I asked my colleagues to keep that in mind and not let the perfect be the enemy of a good on a project like this, because at the end of the day, it has to get built and it has to get built in an environment where inflation is very high. The construction market

[02:03:09] is very tight the labor market is very tight and i have no doubt that the the financial analysis that went into this project at the beginning of the discussion with the board is different today than it was then so certainly we should get the best deal we can for the county but we also have to ensure that it's a viable project and that's a balance that is particularly important in this this is an important application for metro as it as we try to gain ridership and we try to really talk about diversifying our economy you know the last application up here that we were

[02:03:44] handling was a data center there is obviously sometimes a lack of enthusiasm for data centers we say that we want to diversify our economy and we do so here's a chance to do that with a viable project a project that will be attractive to a class a office user even in an environment where class a office is difficult and it's very difficult right now but it's adjacent to metro it's next to an airport there's a lot happening here that's positive so I will certainly reach out and have any further discussions that I need to have about the application but I think it's in a good place

[02:04:24] I can live with where the capital facilities credits are because I think there are some ways to handle this in a unique way so that the county has some oversight of the park space even if we're not accepting it and it is the type of application that is unique and we have to make some exceptions for to the way that we normally do things because the way that we normally do things really has not produced the type of project we want to see in a location like this so we do have to think outside the box a little bit so thank you mr. Turner thank you madam chair just very briefly I commend everybody this has been a fascinating project to watch for quite some time staff has broken their

[02:05:02] backs on it, and the applicant has broken their backs on it, and I really do appreciate all the effort. I think it's very innovative. I agree completely with Supervisor Letourneau's comments that this one kind of stretched the box, and that's a good thing. We want to stretch the box. This is the first major urban development that we got, I think, in the county, right? But this one's really interesting. The sticking points for me are the park credit, and I kind of believe that the park credit is reasonable given the fact that we're actually getting three parks and we're talking about the value of one park, but we're actually getting three parks.

[02:05:39] So I'm very pleased with that. The intersection could be a problem, but I'm confident we're going to solve that problem. So all in all, I think it's a great project. I think everybody's worked really hard on it. I think Pratt County is going to be real proud of this and we will get a performing arts center with that 50,000 square feet one way or another.

[02:05:56] Thank you very much. Ms. Brixman. Thank you, Madam Chair. So I'm happy to support. I will echo what Supervisor Letourneau was saying about the fact that this will go a long way to diversifying our economy.

[02:06:14] I have a little less heartburn about there being a lot of rentals there, given that it's going to be right by Metro, and it seems to be geared toward folks that are sort of just starting out and maybe not ready to buy yet. I just have one question.

[02:06:30] how are we going to affect the change of the name of the park are you just going to do like a control f in the application do we need a proffer maybe staff wants to chime in and tell us how we do that i'll let the applicant if i may madam chair ask the applicant how they would do that sure i think the good news supervisor briskman is that it's not yet set in stone so we can change the proffers we can change the terminology in our design guidelines and our cdp and we're happy to consider that okay I don't want to cause a whole bunch of work right before May 16th but I do I

[02:07:05] would like some assurances so staff how do you think they should go about doing that exactly what Mr. Winterhalter just said it's just updating labels on plans and in the proffers that shouldn't be too hard okay okay great I would really really really really really appreciate that thank you thank you Madam Chair Mr. Kirshner thank you Madam Chair first thing I want to say is when An application of this volume and of this size comes to us, and staff only really has three outstanding issues.

[02:07:33] It says a couple of things. And I know staff is always on their toes. They're pretty sharp about these things, and this is a new policy area that they're really developing. That suggests to me that you guys have really worked very hard on this application, both staff and the applicant together.

[02:07:51] So I commend you both for that. Thank you for doing that. It makes our job far easier. Again, I mentioned earlier the early briefings were very helpful. I was able to ask all my questions, and for the most part, I got in that.

[02:08:07] I don't have an issue with most of, I mean, obviously, the transportation contributions, I understand the logic. I think it's reasonable. In terms of the Innovation Avenue, we knew this was going to be an issue. I think we're going to work through that with VDOT.

[02:08:22] I think you're going to get that waiver. If not, then we'll address that when we get there, obviously. So I think the big issue for me is the park, credit for the park. And the selling point for me to kind of say, hey, we'll give credit for that is really the fact that you could do something else here different.

[02:08:42] And I look at a number of large urban policy areas like Reston Town Center and Fairfax and whatnot. They don't have anything like this. This to me really, I mean, yes, we need the Class A office space, the retail is great, the housing. The whole project is a very nice project. but this park to me makes this whole project it really brings the green space it ties it all together it makes it a place at least from the illustratives as far as i can say i'm trying to put myself into kind of other development areas and i just don't i can't remember one that has i think was nine acres approximately that's that's it's about 16 total yeah it's 16 total but

[02:09:19] nine in the horse pen itself so to me um i think that is a really great feature that you guys didn't have to put in but it's going to make it an excellent project i'm fine with giving you those credits um in terms of renaming it i i don't have a problem with that but it's obviously it is what it is so thank you appreciate it mr saynes thank you madam chair thank you to the applicant thank you to staff and planning commission for uh the work on this that you guys have done thank you for all the extra updates as it's been just going through iterations and iterations of keeping us up to date what's going on um we've had a good discussion i think you've heard some concerns

[02:09:57] from us regarding uh the eight percent looking to possibly go to ten percent um chair randall brought up a very valid point about if it's all programmed right now such as rental to please look at um some units for for sale i don't see why there can't be any units for sale at a metro we have uh another metro station that's being built out down this down the dulles toll road where they're programming to do some uh some condos and apartments and a hotel there as well so they can do it there why can't we look at doing it at our location uh you talked about the class a

[02:10:33] and we know the the current situation with uh workers going to the office and stuff so the office will come eventually um but i think if you as we discussed earlier today if we do the the hotel that you're proposing uh properly the the restaurant space the park space and then the civic space as we had a good conversation about that today and and putting in some performing arts and And making that the destination, that will be the anchor for some time until the office comes online.

[02:11:01] So I hope the applicant truly does go back and have some more conversations with staff and yourselves and come to an understanding regarding the civic slash performing arts space and see what we

can do there. Because I think we have something special that will draw in folks not just from Loudoun, but from Fairfax, Fauquier County, and everywhere else to this location they can drive.

[02:11:22] But obviously, they can take the metro, and then they can fly in as well, and this will be a good location for many years to come. So looking forward to further conversations, and we'll see you before the 16th. Thank you. So the first meeting I had in this application was in 2019.

[02:11:40] It was me and Ron Meyer had a meeting on this application. And I remember sitting down with Tristan and immediately connecting. and please tell him I said hi he's a magnificent young man and I can't wait to see him again you know I've said I've always said next to mass transit we should do dense vertical building and I'm glad we're doing that I don't think that we have to do 2,700 of all rental I think we can probably do some for purchase and I hope over the next 10 years we can work out that financing

[02:12:18] because what the market will be 10 years from now is not what it was 10 years ago and it won't be 10 years from now. So hopefully during that time, you'll look for those opportunities because I certainly would like to see some purchasable units in here as well.

[02:12:34] I will say when the media writes this up, please say this is a 10-year build-out because otherwise what you're going to write is Loudoun County approved 2,700 units and some people are going to be screaming at us that we're going to get them tomorrow And we're not. And please write up how much office space is coming because that's going to be incredibly important to our commercial economy.

[02:12:57] So please write this story up in its fullness when it's written up because although there are nobody in this room tonight, when people hear 2,700 units, there's going to be a lot of people sending us emails, even though we've been doing this for four straight years.

[02:13:14] To the planning commission, you had multiple work sessions on this item. Thank you to every planning commissioner. We do appreciate it. To staff, somebody criticized me a couple days ago in the paper for talking about how good staff was, and I thought, if that's your biggest criticism of me, keep going.

[02:13:33] Like, keep going. Our staff is fantastic, and you all have worked very, very hard on this, and I appreciate it, and I appreciate you. And to the applicant, this is a foray for us into a new place. We have been talking about an urban policy area for a long time.

[02:13:52] And we've had one smaller application come, and I stand by my vote in that application in every way. But this is the big one. This is the big one we've been looking for. And so I know that you all have been, you know, at times thought we weren't going to get there and weren't going to make it.

[02:14:10] and we kept going and kept coming back and figuring things out and doing things differently, and you stuck in there. And so is it a perfect application? It is not. Would I like to see some things different? I would. But for what we're about to do, it's pretty darn good.

[02:14:26] It's pretty darn good, and I appreciate it. I appreciate you. I won't be on this board in 10 years, but I look forward to being invited back for a ribbon cutting. Thanks so much. Ms. Glassford, you'd like to close?

[02:14:43] Yes, Madam Chair. I'd just like to thank my colleagues for all of their questions and for staff for your hard work of several years, as Chair Randall has just stated, as well as the Planning Commission.

[02:14:58] I know that they, as Chair Randall has said, that they had several sessions regarding this. And I want to thank you all, the applicant, for your work and for working with me in my office.

[02:15:16] And I look forward to the consideration of this application in May. Thank you. Okay, Ms. Marshall, before you walk out tonight, can I talk to you before you walk out the building? Thank you, ma'am. Appreciate that. All right. Motion was made by Ms. Glass, seconded by Mr. Sains.

[02:15:33] All the people say aye. Aye. Any opposed? That motion will pass, 801, and we'll see you back here in May. Thank you very much. Thank you very much. We appreciate it. Supervisors, I believe that's our whole agenda. We are adjourned.



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