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Loudoun County Board of Supervisors, Public Hearing, Wednesday, September 13, 2023

Date Wednesday, September 13, 2023
Place Board Room, First Floor, Government Center, 1 Harrison Street SE, Leesburg, Virginia
Length 5h 15m (video)

- Official meeting video (county, Granicus): <https://loudoun.granicus.com/player/clip/7406>
- Agenda (Granicus): https://loudoun.granicus.com/AgendaViewer.php?view_id=73&clip_id=7406

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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.

[00:04:02] Good evening, supervisors. Good evening, staff. Good evening, Loudon. I'd like to call to order the September 13th Loudon County Board of Supervisors Public Hearing and the Joint Board of Supervisors and VDOT Public Hearing, which is the item one that we will be discussing very soon. This room has a hearing loop.

[00:04:19] If you need hearing assistance, please switch your hearing aids to the telecom mode. If you need a headset, we have those available as well. Please see the clerk to request a headset. If you don't mind, would you all please join me in the Pledge of Allegiance? I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, for liberty and justice for all.

[00:04:47] Ms. Bricksman has called to say she's running a little late, but she is on her way, and Mr. Buffington will not be joining us this evening. As a reminder to all members of the public addressing the board this evening, that you may sign up to speak only on matters that are on the public hearing.

[00:05:08] Due to the broadcast delay, any member of the public, if you are not in the boardroom, if you wish to address the board on items 2, 6, 8, and 9, which are on the consolidated hearing agenda, please call the number that is scrolling across your screen at this time.

[00:05:26] If you signed up to speak, you'll be allotted two and a half minutes. I never change that time. It's two and a half minutes if it's one person. If it's 100 people, I just leave the time at two and a half minutes all the time. But if you're in the boardroom, when your name is called, please come to the podium that's nearest you and state your name for the record.

[00:05:43] The timer on the podium will indicate your remaining time. When your time has expired, please yield the floor to the next speaker. If you are providing comments via phone, I'm going to ask you to set your own stopwatch or phone or whatever to two and a half minutes.

[00:05:58] I do that because when people start talking, if I stop you at like two minutes, it breaks the flow. And so go on and speak for two and a half minutes, and at the end of the two and a half minutes, I'll stop you. So just go on and set your own time. When taking public items, input for items, I will first ask if there's anybody in the room who wishes to speak, and then I will go to the moderator and ask if there are any speakers online.

[00:06:23] Please note that there is a slight delay between the broadcast and the boardroom. This evening, I think we have Lisa, who is our moderator. Lisa, can you hear me? Yes, Chair Randall, I can hear you. Thank you. okay supervisors the adoption of the consolidated agenda item you have your motion seat your motion sheets for your consolidated agenda items are in your package how about everybody pulls those out at this time so we have them with you the board will have the following items on the consolidated hearing agenda as a reminder these items are being consolidated because there are no outstanding

[00:07:00] issues staff has recommended approval the applicant have waived their presentation and there were no public speakers registered to speak in advance. Item two, which is in the Little River District, well, the now Blue Ridge will be Little River District, is the proposed conveyance of county property, conveyance of an easement near Belmont Ridge Road to the Northern Virginia Electric Cooperative.

[00:07:26] Mr. Buffington is not here, and so I'm happy to make that motion. Item six is in the Broad Run District. It's the Vantage Data Center. I will go to Ms. Glass to make that motion. Item 8, TTM Technologies. That is in the Sterling District.

[00:07:44] I will go to Mr. Sains to make that motion. Item 9, the Broadwine Business Center. Obviously, that's also Ms. Glass to make that motion. So, are there any members of the public who would like to speak on items 2, 6, 8, or 9?

[00:08:05] Hearing none. Lisa, are there any members, anybody on the phone who'd like to speak on these items? Chair Randall, no one online for those items. Thank you. Having seen that, I will close the consolidated hearing. Board members, please refer to the document entitled Consolidated Hearing Sheet, and I will make the first motion.

[00:08:26] I move the Board of Supervisors to approve Motion 2B for the approval of the proposed conveyance that's provided in the September 13, 2023 public hearing item number two, staff report. That was Ms. Glass. That motion was made and seconded by Ms. Glass. What's wrong?

[00:08:43] Discursion on the motion? Seeing none, all the people say aye. Any opposed? That motion will pass, 702, with Mrs. Brixman and Mr. Buffington being off the dais. Item number six is the Broad Run District. Ms. Glass, would you like to make a motion?

[00:09:00] Yes, Madam Chair, thank you. I move that the Board of Supervisors approve Motion 2B for the approval of the zoning conversion as provided in the September 13th, 2023 public hearing item number six, staff report.

[00:09:16] Motion is made, seconded by Supervisor Sainz. There's a question on that motion. Thank you, Madam Chair. I just want to thank staff and the applicant for working through my request for sidewalk proffers and additional architectural and screening proffers for development of a data center on the site. That's it.

[00:09:33] Mr. Turner. Thank you, Madam Chair. I just want to call everyone's attention. I'll be introducing a board member initiative at Tuesday's board meeting. to not to make ineligible for fast-track processing applications that meet one of three conditions any one of three conditions One they do not have an electricity service agreement at hand Two they will not have 100% of the power they're needed to operate at full capacity Building completion or number three the application is not in alignment with the comprehensive plan So that BMI will be introduced on Tuesday and we can discuss it

[00:10:09] I just want to point out that there are a couple of consolidated agenda items today that would be affected by that BMI again It doesn't prevent the application from moving forward. It just takes it off fast-track status. Thank you sir. This class you want to close No, that's still on. No, it's okay. I'll be able to say aye and they said everybody any opposed that motion will pass 702 I don't 8 is the sterling district. Mr. Sains thank you madam chair i move that the board of supervisors approve motion to be for approval of the zoning modification as provided in the september 13th 2023 public hearing item number

[00:10:47] eight staff report motion is made is there a second to mr saines's motion is seconded by supervisor glass discussion on the motion i'll just quickly say we look forward to seeing the new sign um for the ttm technologies in sterling thank you anybody else all in pay please say aye any opposed that motion will pass 702 and lastly is the broad run district and the sterling district I will go back to Ms. Glass.

[00:11:13] Thank you, Madam Chair. I move that the Board of Supervisors approve motion one for approval of the zoning conversion as provided in the September 13th, 2023, public hearing item number nine, staff report. Motion is made in second.

[00:11:28] Mr. Sainz, discussion on the motion. Yes, Madam Chair. I'd like to thank staff and the applicant for working with me with my request for the sidewalk proffers and additional architectural and screening proffers in case in the case of development of a data center on the site thank you madam chair thank you anybody else all in favor please say aye wow all in favor please say aye any opposed that motion will pass 702 okay

[00:12:04] supervisors we're going to move to item number one i want to remind you that item number one is actually the joint public hearing between the board supervisors and VDOT. So as we go through this item, remember that at the end of this item, I will basically adjourn the part of the meeting that is VDOT, and we will go on with our public hearing.

[00:12:27] Item number one is on the six-year road plan for FY 2024 construction improvement priority list, 2011 and 2022 is a county-wide item. Good evening, everyone. And do you mind introducing yourselves?

[00:12:44] Good evening. I'm Susan Glass from the Department of Transportation and Capital Infrastructure. I am joined this evening by Lou Moserak, who's sitting to my right, Kim Akul from VDOT,

Sunil Tawori, also from VDOT, and Nancy Boyd, our director at DTCL.

[00:13:05] Wonderful. I am assuming you have a, do you have a presentation? We have a presentation. Would you like us to give it to you? I think it's important to see the presentation, yes. Thank you. Is it showing? All righty, so do you see it?

[00:13:26] Do you all see the presentation? We have it in our, I have it. It's one of seven slides in my, I have it. Okay, I'm looking at the screen here, and I'm not seeing it, so I don't know whether we're good. It's not on the television yet, no.

[00:13:43] Okay, well. No, no, no, it's important. Just, let's give it a second. I can do the Jeopardy noise. We might need some technical assistance. Do, do, do, do, do, do, do, do. No, we'll just wait for it to come up. It's important for everybody to see this item. There we go.

[00:14:10] All righty. So you may remember we were here with the FY24 to FY29 Secondary Road Six-Year Plan and the FY24 Construction Improvement Budget Priority List at the June, excuse me, July public hearing.

[00:14:32] At that time, the board directed us to take several actions, one of which was to move forward with putting Goshen Road on the list of roads to be paved to a rural rustic standard. So there's an accompanying rural rustic road resolution.

[00:14:50] You directed us to come back to this evening's public hearing and show revised limits for Old Wheatland Road, paving limits for Old Wheatland Road. In the future, we should poll the residents along the roads for any proposed paving and directed staff to get crash data for the current roads that were on the list for paving and also to come back at a future finance committee meeting with funds that would potentially pave a short section of Potomac Drive.

[00:15:26] So the list that we, this is an amended plan because we already had the approved plan back in July. So we're amending it with the limits of Old Wheatland Road.

[00:15:43] We'll get to that one in a minute. Here's the limits of Hogback Mountain Road. The rural rustic road resolution would extend from Mount Gilead Road, the intersection at Mount Gilead Road there on the west, to Route 15. A segment of Hogback Mountain Road has previously been hard surfaced by VDOT, and this would be extending it, it's about, the existing pavement is about seven-tenths of a mile from Route 15.

[00:16:14] It would be extending it to the intersection at Mount Gilead Road. I'm sorry, Susan, can you say that one more time, please? Yes, ma'am. So from Route 15, Hogback Mountain Road is currently hard-surfaced for approximately seven-tenths of a mile.

[00:16:35] The proposed paving would extend that surface treatment to Mount Gilead Road. How much more is that? It's roughly about a mile, I believe. One mile. In terms of the crash data, we obtained crash data from January 2015 to March 2023 along Hogback Mountain Road.

[00:17:03] during that time frame, there had been 13 crashes, which include two crashes that occurred along the segment that is proposed to be paved. Both of those were roadway departure crashes. We did go ahead and send ballots to the folks along the segment of Hogback Mountain Road that is proposed to be paved. That went to 10 property owners. We received responses, positive responses in favor

[00:17:35] of the paving from eight property owners and two were opposed old wheatland road we previously had proposed paving it from vert's lane over towards milltown road eastward to milltown road

the limits of that were reduced to Rosemont Farm Place to the existing paved section that terminates just west of Milltown Road. We note that the county previously received a cash contribution

[00:18:12] from the developer of Old Wheatland Estates that \$612,000 has had some interest added to it over the years. It's accrued interest. It's a little over \$680,000 currently. Nine crashes were reported along Old Wheatland Road during the same time frame, January 2015 to March 2023. Only two of those crashes occurred along the segment that is proposed to be paved. And again, both of those

[00:18:45] were roadway departure crashes. We sent ballots to 106 property owners who have access to their parcels from the segment that is proposed to be paved. We received responses. 64 are in favor of paving, 22 are opposed, and we didn't receive responses from 20 people. And John Walford Road had a very short segment of proposed paving, basically to fill in a gap of existing pavement

[00:19:25] between, was it Creek Point Place? Creek Point Place and Plank Lane. The limits of the proposed rural rustic road resolution, VDOT asked us to stretch that out so that it would connect to portion of the road that was previously paved up there where the bend is. We did send ballots to there are four property owners who have access along their property to the proposed section to be paved for property owners only. We received three ballots back all in opposition, none in support of that

[00:20:04] proposed paving project and then finally there is Canby Road which is proposed to extend the limits of the existing pavement that ends approximately half a mile up from Colonial Highway. It's proposed to extend it to Longview Crest Place along Canby Road. There have been during the same time frame, uh, what was it, sorry, January

[00:20:43] 2015 to March 2023, five uh, vehicle crashes, um, those were uh, property damage only and then there was one severe injury crash that was further down towards Harmony Church Road. None of the crashes occurred within the proposed segment, the segment that's proposed to be paved up there by Longview Crest Place.

[00:21:07] So when you're saying none of the crashes occurred on the segment that's proposed to be paved, are you actually saying none of the crashes occurred on the unpaved segment? No, ma'am. I'm saying within that 300-foot segment there in the vicinity of Longview Crest Place, there were no reported vehicle crashes along that 300-foot segment.

[00:21:30] There were crashes elsewhere on Canby Road when none occurred there. And then recently, in August, there was a pedestrian hit and run that occurred south of the proposed project limits.

[00:21:51] Excuse me. We did send out ballots to 13 property owners. We received responses in favor for the proposed paving from 12 property owners, none opposed, and one resident, one property owner did not respond.

[00:22:12] And then the final slide shows the proposed amended secondary road six-year plan with the prioritization of the proposed paving projects.

[00:22:34] You good? Yes? Yes, ma'am. That concludes my presentation. All right. Thank you very much. Supervisors, if you have questions, I'm going to go to most of these, not all, but most of these are in Mr. Kirshner's districts. So I'm going to go to Mr. Kirshner first.

[00:22:50] Thank you, Madam Chair, and thank you for all those who are sitting in front of me. I've seen you a lot in the last couple of months. So thank you for all the work that you've done. Thank you for

everyone who's come to talk on this. Just so my fellow supervisors up here know and those who are watching, I've done a number of community meetings concerning the proposed six-year plan.

[00:23:10] Some of the roads that are on here obviously are far more controversial than others. One of the things I have discovered throughout the process, and I'm kind of making a statement, Madam Chair, and I'll try to get off the statement and then ask one or two questions, is that the whole process that we're going through really puts a lot of onus on us as supervisors.

[00:23:29] And I think it's really important that we kind of work towards a more objective process rather than a subjective process. I think we're beginning to implement some of those, including the survey that we've done, trying to determine the crash report data. But I think there's a lot of other data points that are really, really important before we begin to consider roads that should or should not be paved.

[00:23:52] Again, as I've mentioned in the papers and as I've mentioned in previous statements, I think one of the things in my plan, for the most part, I think, is to defer most of the, almost with the exception of Canby, I had planned to take that off the six-year plan for now.

[00:24:09] I'm going to work with the residents who have, assuming that passes, I'm going to work with the residents who are on that short little piece. I've already contacted VDOT to see what other improvements we can do on that road for now. But in terms of the others, my plan, I think, at this point, is to defer them out until next year, simply because I think there are a number of data points, including, for example, Old Wheatland, whether or not that would have an impact on the historic designation of Waterford.

[00:24:35] That's important, I think. And before we really make some of these decisions, I think we're going to need to get some of these data points and really come up with a little bit more of objective criteria. So that's kind of my plan to do today. But with that said, I do have a question. If we were to defer this matter to July of next year, which is what my motion is in large part, how does that impact Hogback Mountain Road specifically?

[00:25:00] Because on that one specifically, I think we had a unanimous with two not voting to pave the remainder of those who are adjacent to that road. Do we know how that would impact the funding that's currently laid out in the item? Right now, it says that \$1,036,000 would be designated for FY 2024.

[00:25:21] Or has that already been designated and already on track and in the plan? Can you help me understand that? Sure. If I understand your question, the money that's proposed for Hogback Mountain in FY 2024, we have not begun work on that project.

[00:25:45] So we wouldn't, you know, have access to begin any early activities, which if the board doesn't want to move forward with the road, that is why we don't begin work. But the money honestly would just sit there and wait.

[00:26:01] If you waited until July to make a decision on Hogback, we probably wouldn't be able to begin any work on it until in the fall with design activities. So any construction would be the following year. Okay. Okay. Thank you.

[00:26:17] Thank you. I'm out of time. Thanks. Yeah, you are. You are. Mr. Turner? Thank you, Madam Chair. Just a point from a data geek. We've identified accidents on the segments that we want to improve, and we've identified the segments we want to improve.

[00:26:36] So you've got accidents X and segments Y, but we have absolutely no data that correlates a causation between X and Y. We just have data that says here's X and here's Y, And we have, there's no supposition. I mean, there's an implication here that if it's unpaved, it's causing the accidents or it's contributory.

[00:26:55] But there is no data to support that, is there? We just know there's been accidents on segments of the road. So, Supervisor Turner, I think you're asking, and I think this is really where we're headed, is to try to develop some objective criteria that looks at the system as a whole.

[00:27:12] And I think, to date, we don't have what you're looking for. That is certainly something that we can work with you on. Okay, is there anyone at the table can explain to me just a summary of what the Rural Rustic Road program is? Sure, I'll give that a start.

[00:27:33] The Rural Rustic Road program is something that we've been using in the past for many of the roads in Loudoun. It allows us to pave the existing gravel road essentially on its exact same alignment grade with making no changes.

[00:27:50] The intent is to maintain the rural characteristics, not cut down trees, not do a substantial amount of work. It does have more flexibility. That program has more flexibility than if we were to do a typical design project where we have standards, where we have to check all the grades, we have to check all the water flows, we have to do stormwater management and that type of thing.

[00:28:16] So it's low cost, relatively speaking, and it's also low impact. So it's really the method of choice for paving rural gravel roads as long as they meet all the criteria. Is it our program or is it a state program?

[00:28:31] Is there state funding associated with this? Yes, there's state funding with this. It's a program we've established, and the funding is the district grant funds. It can be used only on unpaved roads. Okay, and then the last question really quick in my remaining time.

[00:28:48] Do we have assurances that an unpaved, because I've been out on some roads, have been paved that were unpaved and that the shoulder drop-off is dramatically increased when you pave an unpaved road in a lot of circumstances, which to me makes it more dangerous. Is there some assurance within the program that when you pave under the rural rustic road program that the shoulder drop-off, that you have to keep it fundamentally the same as it was before it was paved? It does need to be fundamentally the same as what it was before. There can be small changes

[00:29:21] And when we do our rural rustic roads, we do have our materials group go out and do a full soils report and put in a substantial pavement section so that it lasts a long time. Occasionally, we do have on the order of inches that will raise the road surface, but we need to grade that out and make sure it all transitions and drains.

[00:29:43] Great. Thank you. Thank you. Off the clock, I just need to do a point of information. My colleague and friend wants to bring this back June, July of next year. Madam Chair, that's what staff recommended. I'm willing to bring it back sooner, but I think there's plenty of time.

[00:30:00] After the first of the year, though. So the point of information is to remind everybody that this is an election year, and we have no idea who's, with the exception of Mr. Sains and Ms. Umstead, because they do not have opponents, we have no idea who's going to be on this dais by July of next year.

[00:30:17] I hope, I'd love to see us all back. I'm not saying I'm not making any statements one way or the other. I just think it's important that when we're talking about something that will happen next year or after the first of the year, everyone knows that we can't make statements for what we might do because we may or may not be here.

[00:30:36] That's all. I'm just making sure everyone remembers that. Mr. Sains. Thank you, Madam Chair. In regards to Hogback Mountain, can you clarify your response to Supervisor Kushner when he asked about possibly delaying Hogback?

[00:30:52] If he delays it, did you say design and work would start in fall of 25, so then potentially construction wouldn't start until 26? Is that what you stated? Okay. Yes.

[00:31:12] After the board would approve a road, it takes us a certain amount of time to get everything in order and set up. you should just round numbers plan for about six months so if you were to approve hog back in july i would say we probably wouldn't be ready to hand it to our construction folks for about six months so if you're coming to us in july of 24 i don't think it would be actually constructed until 25 calendar 25 did i say that if it's six months from july of 25 24 24 okay i was thinking

[00:31:49] the year it was a January 25 or sometime in 25 yeah we would see construction in 25 and and we would that doesn't appear to be a problem funding wise all right all right thank you all right um you all might not know this and I probably should have sent this question to you in advance when people are buying on these roads um for purchasing a home do you know if the the developer or the real estate agent is telling them that these roads will be paved i don't know that you don't know that okay um is paving this paving a road i mean because there's

[00:32:29] some things that you know any board does or another board can reverse is does paving a road pay change the nature of that road forever if it's a gravel road and it's paved however and whatever materials are used and however that's done especially though when we think of traditional asphalt paving does it can you ever go back to what it was before are you going to address go Sure. I know that's a tricky question. Sorry. I'm sure that people in the room would answer

[00:33:06] differently. When we do the paving under the Rural Rustic Program, the idea is that it would remain rural in character. In the past, we've tried to implement different strategies in order to keep that character. For example, I believe in 2022, we paved Nixon Road and we put a rougher surface on it, so you can both feel it, and it looks more like a gravel road. That's something we've tried. Some people liked it, some people didn't, so it's hard to say.

[00:33:42] Okay, all right, that's fair. We have heard before, I've been told before, that Aurora roads are historic, and I know what that means kind of colloquially. I know what the connotation of that means, but do you know under the specific denotation and the historic structures, do you know if any of the roads have been deemed historic or are eligible to be deemed historic?

[00:34:17] We do recognize, of course, the historic nature of the area, but to my knowledge, the roads themselves don't specifically have a historic designation. I've been told that's a high bar to have it um officially designated as historic um but there are a number of resources that you know we we sort of like to treat or any of the roads i'm sorry to cut you off my time is running low or any of the roads running through historic areas i think part of part part of old wheat part of what wheatland road is within the waterford national historic landmark the eastern

[00:34:56] end of old wheatland road is okay all right um all right thank you thank you very much and thanks you. Thank you for all your work on this item. Is there anybody, before I go to people in the room, it's time to go to people to speak. Lisa, I'm going to take the people on the WebEx after I do everybody in the room, okay? Yes, okay. Okay, wonderful. Okay, so when I call your name, you have two and a half minutes to just come to the podium closest to you, and I'll call your name in advance so that you know that you are next up. Our first speaker is Thomas Donahue, followed by Aaron

[00:35:33] Walter, followed by Sandy Finnell. Good evening, sir. You hear me okay? Yeah. So I'm Tom Donahue. My wife and I have lived on Canby Road for over 36 years, and we endorse Supervisor Kirshner's view that the county approach to the rural roads process needs an overhaul. The board needs a proactive outreach to the full community at the beginning of a process to meet the standard of

[00:36:09] Virginia law that requires consideration of the views of residents and property owners served by the road. I would argue that the polling that you've done to date, looking only at the people who happen to access the road exactly where the paving is, does not meet that standard. Also, the board should be not expected to make funding decisions without the benefit of a technical evaluation of what's being proposed. What is the actual outcome and what are the actual implications of what is being proposed so for example in the case of canby road there was a proposal to add 300

[00:36:44] feet in part because of the minefield of potholes at the transition this proposal would move the transition move the potholes not actually solve the problem that would be a completely different thing paving would never solve that by itself is not going to solve that problem in in considering your question about the ditches, our experience on Canby Road, where we do have the more limited type of paving, it does cut into the width of the road when they actually set out the ditches, and you get very deep ditches that if you go into them, you ain't coming out. It also leads to other

[00:37:20] water flow issues that we can talk about and associate with the water catchment at the end at the Harmony Church intersection, which is the most dangerous thing on the road and probably the most dangerous thing I've actually seen anywhere in the county. The current process forces a divisive choice around paving instead of seeking improvements that increase safety. We need to focus on the safety of all people, including pedestrians, people riding horses, people riding bicycles. Gravel in these debates generally is portrayed as not safe, yet traffic calming by the

[00:37:57] gravel is in fact our best safety net. Rural roads need traditional traffic calming measures on the pave portions, and new methods to address structural deficiencies. Use the district grant money to improve the roads. Paving should be the last resort, not the only option.

[00:38:14] Thank you, Supervisor Kirshner, for your efforts on this. Thank you, all of you, for your consideration and all of your time. We stand ready on Canby Road to assist in any new process. Thank you. Thank you, sir. Thank you. Erin Walter. Oh, oh, oh.

[00:38:32] Well, first of all, I didn't expect that, but in the boardroom, we don't do cheering or jeering because it can get out of hand really fast. But if you saw Kate back there, she's been in this boardroom enough to know jazz hands are absolutely something you can do, but the cheering or the jeering can get out of hand really quick.

[00:38:55] Although, because I hadn't explained it, that means, Mr. Donahue, you got the loudest applause ever in this boardroom. All right, Aaron Walter, followed by Sandy Fennell, followed by Christopher

Fennell.

[00:39:12] Good evening, ma'am. Hi there. So I'm Aaron Walter. I'm from Canby Road. I'm against paving. I think that the process as it stands right now is fundamentally broken. I think you need technical criteria to decide if a road should be paved or not.

[00:39:33] some technical criteria, and you need broad community involvement. You know, this is a map of Canby Road, this one end, this the other end. All of the residents along this road access their home from this one road.

[00:39:48] And when the survey went out, quote-unquote, it only went to these few residents along that one patch. Everybody along this road uses that one patch for riding horses, walking, you know, biking on their gravel bikes. So you need broad community involvement. I understand that it might be difficult to define a community, but at least in Cammie Road's case, it's fairly clear. We have one road that runs from one end to the other, and we all access our homes. And so to me, it was

[00:40:22] pretty shocking that only a few homes got the survey. And I know it was noted that all of them agreed, and at the time that was true. Since then, I did want to note that quite a few of them had change their mind. So what you'll see here is the map, and all the ones in green are the ones that signed the petition against paving. All the ones that are not noted, those are either abstain or paving or no contact. So we have two-thirds of the community in Canby Road on this map that disagreed with paving, although this official survey was everybody was for it.

[00:41:01] So there's a broad difference between the current survey. I'd also like to note that our current problems on the road are speeding. It would be very helpful to have an electronic sign to at least help slow people down.

[00:41:16] We have met with DTCL. We've discussed our concerns, and we're hoping to work with them to address those. But moreover, Tom mentioned the end of Canby, and I say the other end of Canby. it's down near Harmony Church in Canby, we have a very large hole. I mean, there is no, if we're really talking about safety concerns on the road, if somebody wants to discuss that, we have a large, large hole that many multiple serious accidents have occurred in. Cars have gone in this hole. I'm going to stop your time's up. Yeah. Oh, sorry. Yeah, that's okay.

[00:41:54] Thank you. Thank you very much. Sandy Fennell, followed by Christopher Fennell, followed by John Schultz. Good evening, ma'am. Good evening. I am Sandy Fennell, and I am a resident of Canby Road, and our farm has a one-quarter mile border on Canby Road, and we were not pulled to see whether we agreed or disagreed with paving the road. Over seven years ago, when our family began a search for a farm, we agreed it needed to be

[00:42:29] on a rural road. Coming from Arlington, we certainly weren't looking to live in the past. We were looking to embrace a new and quieter lifestyle. Being an equestrian and a horse owner, the opportunity to live on a gravel road in western Loudoun County was ideal. It offered a safe place to ride our horses and for my husband to bike in the rural atmosphere that we had always hoped for.

[00:43:00] As a horse owner, most mornings are spent in the barn, and I have a direct view from that angle onto Canby Road. I have the pleasure of seeing neighbors out walking their dogs, a family on horseback enjoying a quiet ride, joggers, groups of gravel cyclists whizzing by, friends out for a morning walk together, and yes, vehicles going too fast.

[00:43:28] But what I see mostly is a community using the road for recreation. Our gravel road network in Western Loudoun is a part of our unique rural heritage. These roads deserve our thoughtful consideration.

[00:43:45] They deserve better than binary decisions, just pave or don't pave. They deserve better use of current methods, materials, and maintenance. They deserve a transparent process with decisions, decision-making that involves the whole community, not just part.

[00:44:04] Government leadership and VDOT, all working together for better and safer practices. To borrow phrases I've heard from neighbors these past few weeks, for us residents who live along the road, this is our park. For those coming from afar to enjoy this gravel road network, it's Loudoun County's equivalent to covered bridges.

[00:44:30] Thank you. Thank you. Christopher Fennell. You guys cut under that real fast. Christopher Fennell, followed by Joan Schultz, followed by Nicole Roca. Good evening. Okay, good evening. I just want to throw out one data point that Aaron alluded to.

[00:44:50] The survey that was done of the community following the July meeting by the community had 66% or about 70 out of 120 households said no to the Royal Rustic Road program. What was done by county staff was to not survey anyone who actually lives on Canby Road, but it's those nominally a dozen or so that live adjacent to it in Longview.

[00:45:16] And even though we asked to be surveyed, we were told, no, you are not going to be surveyed. So I just want to put that out there just to get that on the record, that there were 66% of the families on that road said no to the Royal Rustic Road program. So with that, a couple of really quick glass half full, glass half empty thoughts to share.

[00:45:36] Glass half full, we've come a long way since July. I had never been, this is my second time ever speaking at a public hearing. I'd never done it before, and people said, oh, you were the pissed off guy that called in from the phone. And I was like, yeah, that was me. So I'm not the pissed off guy, didn't I? So in July, since then, our objective was to get our road off of the Royal Rustic Road list.

[00:45:59] Thankfully, that's where we are at this point. It aligns with the view of the majority of the folks that live on the road. And as my wife and neighbors have shared and will continue to share, in the view of most, that's a good thing. Glass half empty, it shouldn't have been this hard.

[00:46:16] We shouldn't have been here in the first place. This entire process was started, and we learned this through a FOIA request, by e-mails from two residents, new residents to our neighborhood, our community, that live in Longview, and these were communications with Supervisor Kirshner.

[00:46:35] Two people started this whole thing, a third then added to it. No transparency, no community engagement until that was kicked into gear in July. So that's the glass half empty, glass half full, credit to Supervisor Kirshner. coming out. We hosted the community meeting at our property, and we were happy to do so.

[00:46:54] Got all views heard, positive, negatives, whatnot. So in the future, Loudon has the opportunity to establish best practices. We should. We should expect better of ourselves, and moving forward, I think there's every opportunity to do that. So in summary, I'm glad this is where we are. I think Supervisor Kirshner hearing from us really was, I think, impactful as the process was.

[00:47:21] Thank you. Good lesson for all of us. I appreciate that. Joan Schultz, followed by Nicole Rocha, followed by Barbara Kaufman. Good evening. Good evening. My name is Joan Schultz. I live on a cul-de-sac off Canby Road.

[00:47:38] I do not support the request for paving any more of Canby Road. I also ask that the Board of Supervisors remove Canby Road from the Rural Rustic Roads Program, which doesn't seem to help address some of the safety concerns we have on the road.

[00:47:53] This request for paving an additional 300 feet of Canby was from a small group of residents wanting to address possible safety issues related to potholes at a bus stop and car maintenance was also mentioned. Bus stop safety is obviously important, and a reason the county has a process for reviewing parents' concerns, which should be the first course of action.

[00:48:18] This proposal to move the transition and lengthen the paved area by 300 feet will likely cause a new safety concern by creating a longer and smoother runway for drivers moving past the current bus stop area and likely at greater speeds.

[00:48:36] If all of Canby were to be paved, as a few have suggested, instead of worrying about seasonal potholes, we will be gripping the hands of every child and feverishly containing every animal as the character of the road would be dramatically changed.

[00:48:54] A tarmac road encourages heavier use and greater speeds, often by cut-through traffic not familiar with its twists and turns. A gravel road naturally slows speeds and provides an audible warning to children, families, equestrians, and wildlife.

[00:49:14] When I moved here in 2008, I knew unpaved Canby was going to be a part of my future, as did all of the newer residents of the road. And yet we all chose to move into this unique environment. The character of the road is clearly valued by a majority of the homeowners and their families who saved and searched for their home on Canby Road.

[00:49:41] Decisions that influence the future of the road should only be made after transparently clarifying the issues discussing options and with the opportunity for full involvement of the community. As Supervisor Kirshner has stated, the process is certainly broken and needs to be fixed.

[00:50:01] I am asking the Board of Supervisors to reflect the wishes of the community by voting against the current request for the 300 feet to be paved, as well as... Ma'am, thank you, thank you, thank you.

[00:50:18] It does go fast, I know. Nicole Rocha, followed by Barbara Kaufman, followed by Catherine Maud. Good evening. Good evening. Thank you, Supervisors and Chair Randall, for having us. My name is Nicole Balding Roca. I live at Full Circle Farm on Camby Road, right across from Casanal, if you know that.

[00:50:39] I am here to support and thank Supervisor Kirshner for his initiative to remove Camby Road from any kind of paving and remove it from VDOT's Rustic Rural Road Program. I am a horseman. My family and I and our parents moved to Camby Road 27 years ago so that we could have our horses at home and we could have ride out.

[00:51:04] What is ride out? Ride out is where we can take our horses to the back. We have permission to go through hundreds of acres of woods and agriculture, and we can go out the front. We can walk on the rough rural road.

[00:51:21] You've seen horses in New York, in D.C., in Lexington, Kentucky. They are city horses. They are police horses. They are magnificent. They have got horseshoes on them that would cost the same as your wheels on a Ferrari. They take special training for those horses and special training for those riders.

[00:51:41] It's very dangerous to ride our horses on paved road. Think about your best, newest shoes on slick ice. So paving on our road is a never for me. We compete our horses. We fox hunt. We trail ride. We spend a lot of time, money, and energy on those animals, and we love them, and it's our life.

[00:52:03] That life is valuable to me. And yes, changing the nature of this road by paving, that would change my life. That's a negative for me and for all the properties on this road who have horses. No one who has horses wants that road paved for that reason.

[00:52:20] We want it safe for everyone, for everyone's kids, for my parents who are touching 90 this year, for all our families, all of our dogs. We want to do it together. We're a large community. We're smart people. We've got a smart VDOT here and a smart board, whoever they may be.

[00:52:40] We can do it together. Thank you. Thank you. Thank you very much. Barbara Kaufman, followed by Catherine Mott, followed by Patty. I think it's Pissaris. Good evening. Good evening, ma'am. Good evening. I'm Barbara Kaufman, and I live off of Old Wheatland.

[00:52:58] How many of you live on or drive on a gravel road daily? Anyone? I'm asking the supervisors. Okay. They are neither quaint nor charming. They are bone rattling, teeth jarring, dangerous, dusty nuisances. Well, I'm not worried about my dirty car. Frankly, my husband wishes I'd wash it a little more frequently. I'm worried about my lungs. Unpaved roads are a significant source of particulate matter pollution. It's PM10. It is part of the air quality index,

[00:53:37] and it is a health hazard. The idea of Old Wheatland being a historic road, it may be a historic road, but its only significance is the route that it takes, which will not be negatively impacted by paving. It is not on the National Register of Historic Places. It's not on the State Register. The historic viewshed, if that's what you're worried about, that changed years ago.

[00:54:04] The portion that we want paved, the majority of the trees that used to line the road, even when we moved there 10 years ago have all been cut down. It's housing. There's no historic viewshed left. The majority of the historic roads in Loudoun County have been paved. Snickersville Turnpike, Leesburg Pike, Charlestown Pike. We are not living in a horse and buggy era. I have to drive my car to get to the grocery store, to get to the doctor's office, to get anywhere I need to go.

[00:54:42] Paving is required in almost all new subdivisions. Why aren't the roads to those subdivisions also required to be paved. If you don't want to fund proper infrastructure in Loudoun County, then don't approve the development. The majority, three to one, of residents on Old Wheatland want it paved. It's past time to pave it. Thank you. Thank you. Kath Lorraine, Katharine Ma, followed by Patty Hussaris, followed by Mark Newsome. Good evening. Hi. Katharine couldn't

[00:55:16] make it. And I would like to ask you, she had submitted her talk. I don't know if you want me to read it or if I should submit it as a record. You should submit it for the record. Thank you very much. Yeah, you should submit it for the record. Okay. Thank you, ma'am. I appreciate that.

[00:55:34] Patty. I'm Patty. Oh, you're Patty. Okay. Okay. And after you, ma'am, would be Mark Newsome, followed by William Niedering House, I think. Niedering House? Yes. Niedering House.

[00:55:51] Ready when you are. Okay. Thank you, Madam Chair. Supervisor Kirshner and members of the board, I'm here to ask you to remove Old Wheatland Road from the Rural Rustic Road program. I have lived on the road for 25 years, and this is really personal for me.

[00:56:08] I'm a civil engineer. I've served on the HOA board. I lead the annual cleanup every year for 20 years of the road, and I'm a past member of the Waterford Foundation. I walk this road every day, every morning, and I see firsthand the drivers and the condition of the road.

[00:56:25] And please believe me when I say the road is safe. The road is safe. It's the speeders who make traveling on the road unsafe. Old Wheatland is a very special and unique road. It is in the only National Historic Landmark District in Virginia.

[00:56:44] That fact alone should give every supervisor pause. It has its own storied history, used by a young George Washington as part of Braddock's march through Loudoun in 1755. And this is retold by our own historian, Eugene Shield, who also lives on the road, did not receive a ballot, and he would like to see the road remain gravel.

[00:57:07] It connects and impacts the very unique and important village of Waterford. And I, like many others who have spoken, want to tell you the system that is currently being used is broken. It's based, in our case, for Old Wheatland on a complaint.

[00:57:24] The ballot included only residents that live adjacent to or, you know, who exit onto that portion of the road that's in the proposed project. And this is a really false premise. You've heard everyone say that. Everyone is impacted, everyone who lives on the entire road, the village, and the recreational community.

[00:57:45] This ballot, I think, should be considered null and void. There's been little to no notification about the issues to all residents. The information on the project is conflicting. We see what's been presented today, and we heard at our meeting, we had a small meeting, a different concept of what was going to be paved.

[00:58:04] There's been no analysis, no alternatives, only a binary choice. So, again, all of that based on a complaint. And when it comes to VDOT, I sincerely hope as a technical person that they could become the heroes and help us with a solution to this problem.

[00:58:20] While paving may be a perceived solution to some residents, it is a mistake and a detriment to many others. Over 350 people have signed a petition to keep the road gravel. Thank you.

[00:58:36] Thank you very much. I appreciate that. Mark Newsome, followed by William, and we've all agreed your last name is Negringhouse, so I hope that's what it is because that's what we've agreed to, followed by Sharon Fronk. Good evening, sir.

[00:58:51] Good evening, Supervisors. Thank you for allowing me to speak. My name is Mark Newsome. I'm here with my wife, Sunaina Williams. We live on Hogback Mountain Road right off of Mount Gilead Road. We're here to express our strong opposition to paving Hawkback Mountain Road.

[00:59:11] One of the primary reasons we moved to Hawkback Mountain Road over a decade ago was to live in a historic rural road where we can safely walk and share the road with horses and ponies, other wildlife, and bikers.

[00:59:28] We're very concerned about safety, as many folks are. We've heard from Supervisor Turner the point that crashes being caused by dirt road, that there's no evidence of that yet.

[00:59:45] That's correlation without causality. What we do know is when you pave a road, it increases traffic of both volume and speed, and that could lead to more accidents. We are particularly concerned because our house is located right next to a blind hill.

[01:00:02] So increased speeds over that hill would create a hazard right in front of our house. We also believe that paving Hogback Mountain Road is not a good use of limited tax dollars. Our observation over the last decade is that most of the traffic on our road is on the other end, connected to Route 15, traffic going to Stone Tower Winery.

[01:00:27] In conclusion, we asked the board to reconsider the recommendation to pave Hogback Mountain Road, saving county taxpayers two million dollars of the budget for the project thank you for your attention to our concerns thank you thank you sir william needing needing house followed by sharon frank followed by john lovegrove good oh yeah okay good evening good evening i'm bill needering house potomac heritage trail association in most of western loudon outside a few parks and

[01:01:01] town sidewalks. Walkable areas neatly coincide with the unpaved roads. There's proof in my September 9th email to the board, which I encourage you to look at. It shows two maps, one the unpaved roads in Northwest Loudoun. The other is a Strava heat map of where people walk there. And it's amazing how closely they coincide. The unpaved roads, in effect, are the linear parks and Trails Network in Western Loudoun. We should treat it that way. Loudoun's wise investments in the Linear Parks and Trails Program increase walkable trail mileage, but paving any gravel

[01:01:40] road permanently undoes this good by shrinking walkable mileage. In January last year, the Northern Virginia Regional Commission found the annual benefits of trails in Northern Virginia to be an eye-popping \$494 million every year. These benefits are in jobs, transportation, and especially in health. The benefits stem from the availability of places to enjoyably bike and hike. These lead to fewer heart attacks, less obesity, fewer hospitalizations, and longer lives. The health-only

[01:02:13] benefits of Northern Virginia Trails at \$404 million every year dwarf any extra costs of maintaining the gravel versus paved roads. Imagine what would happen if, instead of chipping away at the gravel road network, we nurtured its linear parks and trails aspect. Trail advocates have ideas that could safely increase connectivity and increase hiker-biker use of the unpaved road network at relatively little cost. Here are some examples. Number one, possible conversion of discontinued roads to trails. Number two, possible natural surface trails along roads where the

[01:02:52] right-of-way width substantially exceeds the road width. Delegate Reed is now exploring this idea with VDOT. And number three, which builds on the first two, our proposal to extend the Potomac Heritage National Scenic Trail from Leesburg to Harpers Ferry National Park using many of the unpaved roads. This idea will be studied in the upcoming feasibility study, which the board has funded, and thank you so much. There are many reasons to preserve the beautiful gravel road network, and here's a new one. The most cost-effective way to maximize the trail mileage in the LPAT network and to increase health benefits is this.

[01:03:30] Stop paving the gravel roads. Thank you. Thank you. Thank you very much. Thank you. Sharon Frank, followed by John Lovegrove, followed by Madeline Skinner. Good evening, ma'am. Good evening.

My name is Sharon Frank, and I live in Waterford, and I'm opposed to paving Old Wheatland.

[01:03:48] I'm a member of the Waterford Citizens Association, and I chair the traffic committee. I also happen to be on the board of the Waterford Foundation. There's not many of us, so we wear lots of hats. In the meeting last Thursday, some people mentioned that driving the unpaved part of Old Wheatland was very unsafe.

[01:04:07] They said that cars were regularly exceeding the 25-mile-per-hour speed limit, and if the road were paved, it would be safer. This makes no sense to me. In my experience, people drive slower on gravel roads than on paved roads. They may not always go to the speed limit, but it's still slower on a gravel road.

[01:04:23] In my role as traffic chair, I receive the monthly data from the county on the three pole-mounted display signs, speed display signs that are around the village. They count the number of cars or vehicles going through and then the speed as they pass by the signs.

[01:04:42] We are not anywhere near the pre-COVID numbers of 8,000 vehicles or more a day, but we're getting there. It's coming up each month. In one month, 163,876 vehicles passed through the village at one of the three entrances.

[01:05:03] According to the county's own data, 80% of them were speeding. So the signs are there. I don't know if it really deters people, but at least we have the data. All this is to say that no one can convince me that a paved road is slower than a gravel road.

[01:05:22] The county has recognized that Waterford has issues with walkability. All our roads are paved. but we don't always have sidewalks where we would like them to be. We sometimes have to walk in the roadway to get where we're going in the village. It's dangerous. It is very nice to have the gravel roads around the village.

[01:05:41] Most people walk or jog or walk their dogs on Clover Mill, Old Wheatland, Old Waterford. If they're gone, you can't walk on those roads anymore or jog or bike. No one, I guarantee you, is walking their dog on Clarks Gap Road.

[01:06:01] You would take your life in your hands if you tried to do that. Another question from the meeting. Oh, I'm running out of time. I will just put in my comments. But please don't pave the roads until you've considered all options.

[01:06:18] Thank you. Thank you very much. John Lovegrove, followed by Madeline Skinner, followed by Robert Mueller. Good evening, sir. Hi, I'm over here. Hi, I'm John Lovegrove. President of Loudoun's Future, board member of Saverall Loudoun, member of the Facility Standards Committee, and member of the Royal Roads Committee.

[01:06:39] The question I have is very simple. Why pave? Why do we have to pave these roads? To go faster? To keep our cars clean? These are roads that were laid out as Indian trails. These are roads that were wagon trails.

[01:06:56] They're not built to go 50 miles an hour on a nice slick sheet of pavement. They don't have drainage. And when the members of DTCI say, we don't do that sort of work, they don't change the drainage. Water sluices down these roads much more quickly when they're paved. They create the hole that's at the end of Canby Road. If you're not going to re-engineer the road, it makes no sense to pave it.

There's really, there are a number of ways of maintaining gravel roads better. The Federal Highway Administration has a handbook that says,

[01:07:36] here's how you do a better job of maintaining gravel roads. For some reason, VDOT continues to resist using those methods. There are a number of states, Pennsylvania being one of them, that maintain their gravel roads to a higher standard. I don't see why we couldn't do that in Loudoun County. We don't have to pave these roads, but it seems like we have this binary choice. The rural roads designation says we can improve these roads, but for some reason we only can pave them. I submit that we should try some of these other methods. It was tried on Old

[01:08:12] Waterford Road and it was a success. Why are we waiting? The VDOT wants to do a five-year study on doing this. I don't understand why we can't do it here, why Loudoun can't be the leader to implement some of these methods. There's nothing holding us up from doing it except inertia and bureaucratic timidity. I think that the thing that I'm going to talk about a lot about this issue and a bunch of other issues is induced demand. When you pave a road, people will travel that road.

[01:08:44] People will find that road. So traffic is going to increase tremendously on all of these roads that we pave. I'm running out of time. Thank you very much for the opportunity to share. Thank you, Mr. Lovegrove. Madeline Skinner, followed by Robert Mueller, followed by Mike Dickerson.

[01:09:01] Good evening, Ms. Skinner, and thank you for taking me on a tour of the unpaved roads. Oh, good. It was my pleasure. Was that two weeks ago? Yes. Two weeks ago. Thank you for that. It was my pleasure. Good evening, Chair Randall and supervisors. My name is Madeline Skinner, Chair of the Loudoun Historic Village Alliance.

[01:09:17] I think we can agree that the process up until now, randomly paving the rural roads in the West, has been a bit ill-conceived. Whether it be my road, Greggsville, that was a pay-for-pay via campaign donations from one person who did not even live on Greggsville to a former state politician, or petitions signed by customers of a winery that don't even live in Loudoun, or a handful of people complaining about a gravel road that will bring in more drivers through the rural historic village of Waterford that we've seen has been as high as 8,000 scar car trips per day pre-COVID. Money that a developer gives to the county to pave access to their developments road. None of these situations should warrant the

[01:09:55] decision to pave. We need a better evaluation to determine the end result. Better drainage, alternative aggregate, just leave it as it is. We need rules, guidelines, and a fair process, not the squeaky wheel syndrome. As Supervisor Kirshner stated, the system is broken. Until a fair and just process that evaluates what the actual problem is, a dirty car should not be the determining factor. I will state again, thanks to Supervisor Buffington, we were able to save our side of Greggsville Road, which gave us a four-mile gravel loop in Philomont that so many people

[01:10:30] enjoy, our walkers, our bicyclists, and our equine. However, the long stretch that did get paved had two accidents in the first six months of paving, and the extreme drop-offs under the ditches are frightening. Not only to people trying to walk or walk their dogs, but anyone unfamiliar and to slow down if uncertain when meeting another vehicle. I do want to do a couple of clarifications.

[01:10:53] Yes, I know for a fact that real estate agents and developers do tell tall tales sometimes with people that are going to be moving onto a gravel road. Oh yeah, no problem. Don't worry. They'll get paved. They'll get paved eventually. I know this for a fact. And yes, I do also want to clarify rural roads are

historic and are currently in the process of being designated a National Register of Historic Places by Jane Covington with America's Roots. Also, on our side of the county, you have the Beaverdam Creek Historic Roadways District, which is a county thing. It is on the

[01:11:28] HDRC. It's in the book. So anyway, you all have heard time and time again that these roads are part of Loudoun's history, but they should also be part of our present and future for others to learn the stories that go back hundreds of years not just a race by paving personally i love the immediate feeling of slowing down taking a breath and enjoying the view so let's slow down and take a pause thank you thank you miss skinner thank you um robert muller followed by mike dickinson followed by susan mitch good evening good evening my name is robert muller go by craig um thank you

[01:12:03] council members for for hearing us tonight um while it was a big shock in july to learn that there was going to be a potential vote to pave Canby. I really appreciate Council Member Kirshner for coming out and getting engaged with the broader community. There's nothing I could say that some of my Canby Road neighbors haven't already said better than I would have said, so I just want to say I do appreciate everyone's efforts to get a broader consensus. I live on the section of Canby where it is paved and transitions to gravel, so I'm kind of right front and center.

[01:12:37] I am technically a part of the Longview Crest community or Longview neighborhood, but don't little off that road. So very close to me that this is not looking like it's going to happen, and I appreciate the removal of it from the rural road program. So again, I appreciate everyone's time, and I look forward to working with everyone on safety measures to improve Canby that way.

[01:12:57] Thank you. Thank you. Mike Dickerson, followed by Susan Manch, followed by Andy Bacon. Good evening, sir. Good evening. I'm Mike Dickerson. I'm here speaking to oppose the paving of all gravel roads, specifically Old Wheatland Road. I've lived in Waterford for 19 years, and I've owned a bicycle shop here in Leesburg for 24. Every single Saturday, 40 to 70 cyclists show up at my store, and they come from all over the D.C. region to ride these wonderful special roads

[01:13:35] of Western Loudoun, these gravel roads. They come all this way, bring their economy, because they love and cherish riding on these special historic roads that are the roots of Western Loudoun and the last bits of glue holding rural Loudoun together.

[01:13:56] If these roads are paved, they will stop coming and Western Loudoun will be just another place that used to be. In addition to walkers and cyclists enjoying the rural gravel, one of the great joys is coming along equestrians or even a fox hunt.

[01:14:15] when you're out riding on these roads. It's just fantastic. When was the last time you saw somebody riding a horse on a paved road? I don't really see that often. In addition, if the car speeds are fast on gravel, just wait. If you pave Old Wheatland, there will be cars daily hitting 60 to 70 miles an hour, I guarantee it. And the volume of cars will be monumental, all dumping into Waterford, which is not just a bunch of old houses. It's a National Historic Landmark. Thank

[01:14:50] you. Thank you, Mr. Dickerson. Susan Manch, followed by Andy Bacon, followed by Walter Tennyson. Good evening. Good evening, Chair Randall, Supervisors. My name is Susan Manch. I'm the President of the Board of Directors of the Waterford Foundation. And of course, those 1,420 acres in Loudoun County that are the National Historic Landmark are very important to us.

[01:15:15] we are its caretakers. 144 of those acres are on Old Wheatland Road. We were not surveyed. No one at the foundation received a survey to ask us what we thought of paving Old Wheatland Road, even though we own 144 acres. It's really important to think about the historic nature of the road. Eugene Shields, as Patty pointed out earlier, has called this a 250-year-old road that was once known as the Great Road. Not only George Washington traversed it, but before that it was an

[01:15:49] indigenous people's pathway. It was Civil War soldiers walking down that road, enslaved people working on the farms outside of Waterford. It is a part of the history of this National Historic Landmark. It has been there long before Waterford was there, and Waterford starts in 1733. So let's think how many years of history that encompasses.

[01:16:11] How do you, whether you designate at a historic road or not, it has a deep, deep history and has seen a lot of history. This August, the Department of the Interior National Park Service updated and reaffirmed Waterford's National Historic Landmark status, calling it the single best example of an occupied rural 18th century village in the United States.

[01:16:37] Think of that importance to Loudoun. We bring over \$4 million in revenue into the county every single year with the fair and the trail run and other events that we hold. We educate Loudoun fourth graders, and we're soon to be educating Loudoun seventh graders every year in our historic programs.

[01:16:56] It's really important that when those students come and see our village, that they experience the true impact of rural life and what it looked like. I recognize and I'm sympathetic to people whose cars are dirty and get frustrated on the dirt roads, but we have other solutions, and VDOT can be the leaders in this.

[01:17:17] We are working so closely now with VDOT on the project to tame the traffic in Waterford, and I know we can find a better solution. There is a solution beyond PAVE or not PAVE, and we feel that this would be antithetical to the program that we're planning for Preserve the Landmark.

[01:17:34] So thank you so much. Thank you. Thank you very much. Andy Bacon, followed by Walter Tennyson, followed by Mindy Pless. Good evening, sir. Good evening. My name is Andy Bacon. I'm the owner and ride director of Loudoun's largest gravel cycling event, the Loudoun 1725 Gravergrinder.

[01:17:53] I've been hosting events in northern Virginia for 23 years. My company has. We've had events in Fairfax, Prince George's County, Montgomery County. Five years ago, we introduced an event to Loudoun County with our gravel cycling event. I'm here to talk about and firmly ask to be against paving really as many roads as possible.

[01:18:18] The Gravel Road Network is an absolute treasure, and it should be protected and preserved as aggressively as possible. Five years ago, when we introduced our event, we had 500 participants sold out in the first year.

[01:18:33] This last year, we had over 1,000 cyclists from all over the country participate. I will tell you, if this Gravel Road Network was not a treasure, those 1,000 people would not come to Loudoun County to participate. People come to Loudoun to enjoy the beautiful vistas, enjoy the crunch of the gravel underneath their bike tires.

[01:18:54] They don't do it to ride on pavement and look at subdivisions. But there's been several conversations about safety, which I paid attention to, was interested in from an event perspective. And

having so many people travel on gravel roads is one of my biggest concerns every single year hosting the event.

[01:19:13] This past year, we had 1,000 participants in our event. Zero incidents with vehicular traffic. I will tell you, if those roads get paved, I won't host the event because it will be too dangerous. Thank you very much for the opportunity to speak, and I appreciate all your support.

[01:19:32] So how far do they ride? So we have several different distances, 40 miles, 60 miles, and 80 miles. They start in Hiddleburg. They ride in a day? In a day, yeah. I'm sorry. In a day. Thank you.

[01:19:49] Okay, thank you. That's amazing. I'm sorry, but that's amazing. Are you even riding? Yeah, no. I don't want to drive 80,000 a day. Walter Tennyson, followed by Mindy Plesk, followed by Catherine Johns.

[01:20:07] Good evening, sir. Good evening. I see bicyclists on the road all the time, but it's on paved roads. I've lived off of Old Wheatland for seven years. I can count on one hand a number of times I see bicyclists on the stone road. All right, that wasn't what I came here to say. Thank you very much.

[01:20:23] How many of our distinguished board members have been to Williamsburg? Have been to Williamsburg? Williamsburg. How many people in the audience have been to Gettysburg? Sir, you've got to be talking to the microphone. How many people in the audience have been to Gettysburg? Well, guess what? They are both historic, well-managed, and beautiful areas that have their roads paved.

[01:20:42] That's undeniable. It can be done. Downtown Waterford that everybody loves is paved. Sir. It can be done. Just stop this time. So when you turn around, you're off mic, and if you're off mic, you're not involved. My apologies. Usually my voice travels very well, and that's not an issue, but I'll keep that in mind.

[01:21:02] To illustrate what us residents have been dealing with for the past seven years, there's three phases. Phase number one, the road gets graveled. Car filters get clogged with dust, and stones eat away at your tires. I could say for a fact that I used to get 60,000 to 70,000 miles on my tires.

[01:21:23] I get 30,000 to 40,000 miles on my tires now. That's my experience. Phase two, you get high-frequency jostling that can compromise the integrity of your vehicle due to the water, the washboard effect. And then you have phase three, my least favorite, which is a dilapidated, pothole-infested road surface that is a danger to society with the way people have to drive to avoid the potholes.

[01:21:53] What happens after that? The insidious cycle repeats itself, rinse and repeat. They gravel the road, the three phases I just went through start over again. Now, I'm glad to see that there is a half-paved compromise because that will cut down on through traffic that people are concerned with.

[01:22:10] For those that have concerns that some folks drive too fast, which is inevitable, we have human beings that live in Virginia. We can put speed bumps every 100 to 200 yards. We can put speed cameras on the road and have a new revenue source for the county if it's truly that big of an issue.

[01:22:33] There's ways to work through the concerns that people have raised. You just need to have the wherewithal to consider all options. Regardless, it's well past the time for the road to be paid for both public safety and cost to Loudoun County citizens, cost of a vehicle maintenance.

[01:22:53] How much does it cost to gravel the road every three to four months? Is this my time up? Your time up. Thank you very much for your time. Thank you. Mindy Pless, followed by Catherine Jones, followed by Christy Hertel.

[01:23:09] Good evening. My name is Mindy Pless. I just want to say I'm getting tired of this. Disclaimer, I don't live in this area. I live in a little bit more rural area. You probably might be familiar, the Plains and Middleburg.

[01:23:26] I see the writing on the wall with this because this would be precedent. The road that I live on is a very narrow gravel road, almost like a driveway. There's almost like an accepted practice that when I'm driving down the road, anybody else must pull aside, okay?

[01:23:45] Because two cars cannot fit side by side. Maybe that's why in some of these areas you're hearing about cars going off the road because they're not familiar with the system. If these roads are paved, first of all, we're coming into fall where leaves are going to be falling and the roads get very slick and there's no protection against that.

[01:24:07] When you're driving on these gravel roads, sure, you have to have a car that can be more off the road. And when I drive into Leesburg, because I work here, it's a badge of honor to have my car covered in dust. They know I live out there.

[01:24:23] I used to live in New York. I used to live in Chester County, Pennsylvania. I'm getting tired of being chased by these developers. I'm getting tired of every other week going to some meeting and fighting against these developers and fighting against VDOT.

[01:24:41] There are ways that these roads could be better taken care of. And being a horse person myself, maybe it's the roads where we are, but those roads are groomed maybe monthly. Maybe it's because the owners are putting in their own money to upkeep it, but they are well taken care of.

[01:24:59] If there's a whole one week, another week or so, it's going to be re-graveled and groomed. I've seen the trucks. By the time I go out in the morning, they're already done. I even read about on Wheatland Road that there was a proposition to put something on it to make it less dusty.

[01:25:19] And this could be done. And as far as horses, I mean, I make my business in horse health care. Some of the gravel is a little bit too thick when the fox hunters are coming over the coops and going across the gravel. and then they get stone bruises we could work on that we can make it a lighter finer gravel maybe coat it with something so it won't be dusty but it looks to me like this plan's already in effect they already have this set up for the next five years ma'am thank you thank you very much very much katherine jones followed by christy hotel followed by lucy um huber good evening

[01:25:56] Good evening. How are you? Good evening. Our gravel roads are part of the special history of this area. They are a national treasure unique to Loudoun County and Loudoun County alone. Fundamentally, the current system is broken. Recently, the Loudoun County Department of Transportation and Capital Infrastructure administered a poll of 12 homes along Canby Road. This road has approximately 120 homes. The Virginia Commonwealth Code sets out factors that must be considered before paving a road.

[01:26:31] It states that the views of the residents adjacent to or served by such roads shall be taken into consideration. The Board of Supervisors should not make permanent decisions based on erroneous data.

[01:26:49] Paving gravel roads and the destruction of 250 years of American history is not reversible. Destroying the bucolic way of life is not reversible. It's not a question of paving or not paving. It's not one or the other.

[01:27:05] That solution lacks ingenuity and foresight. Fundamentally, we need higher standards and not a binary choice. Thank you. Christy Hertel, followed by Lucy Huber, followed by, I'm going to go through, I think, the order in which I receive these, Becky Ward, and then you will be followed by.

[01:27:33] Mindy Pless already spoke. Mindy Pless, she just spoke. So, Christy, yes. Well, no, no, no. I asked the speakers in the room first. I didn't speak. I know.

[01:27:49] Good evening. Good evening, Chair Randall, Board of Supervisors. I am Christy Hertel. I'm the president of the Waterford Citizens Association, and I'm coming here this evening to respectfully ask that Old Wheatland Road, a road also known as Main Street through the village of Waterford, be deleted from the amended FY 2024 and the secondary road six-year plan FY 2024 construction improvement budget. While the village residents and many of our neighbors who live on Old Wheatland Road only learned of the intent to pave in a little over a month ago, we have secured and

[01:28:25] shared over 345 signatures on a petition asking you to reserve VDOT's plan that was created without ever consulting those most impacted we respect those who have signed a petition asking that old wheatland be paved but that petition only included three residents who actually live on old wheatland road we further respect and support supervisor kirschner's interest in working with all citizens to create a process that includes crash data speed camera data environmentally sustainable goals and and the historic significance of the roads finally as noted by others and stated

[01:29:05] in our petition, we know of a better surface treatment that has been proven in Pennsylvania and in Maryland, even piloted on Old Wheatland Road, that will serve to satisfy the interests of all and strongly encourage you to ensure that VDOT emptied these surfaces, ensure that they work with these surface treatments.

[01:29:25] Thank you, and thank you for considering our request. Thank you. Thank you very much. Lucy Huber, and then Lisa, we're going to go back and forth now based on the speakers that came in, and the first, we'll do the next three Webex speakers, and then the speakers in the room, so after Ms. Huber, it would be Susanna Curran, Alexander Nance, and Derek Van Nutt.

[01:29:50] Good evening. Good evening. My name's Lacey Huber. I'm sorry. That's okay. And I'm here to speak on behalf of my family, first and foremost, and our business, which is Stone Tower Winery. My family's been farming off of Hogback Mountain Road since 1975.

[01:30:08] and has owned and operated Stone Tower Winery there for the past 15 years. We're committed to preserving the agricultural traditions of Loudoun County and are proud to have one of the largest vineyard plantings with 95 acres under vine and more to come.

[01:30:24] We believe that you can be in favor of both land preservation and having roads in good condition. We're in strong support of putting the remainder of Hogback Mountain Road into the rural rustic road program.

[01:30:40] As discussed, the first seven-tenths mile of the road was paved in 2018 as an experiment by VDOT. And five years later, that portion of the road is still in great condition. The rural character of the drive has not been impacted, but the road conditions and safety have significantly improved, especially after major weather events and during the winter and snow and ice and all of that.

[01:31:10] Currently, the paved section just stops as you're going along Hogback Mountain Road and turns into an extremely bumpy, pothole-filled gravel road for the remaining portion. I've been driving on this road my entire life, and VDOT just isn't able to keep up with the maintenance that's needed when here when we heard um that this hearing and vote would be taking place we sent out an informal petition to our customers the majority of whom are Loudoun County residents um and within 48 hours we received over 1300 signatures in support of um this project

[01:31:45] um in addition 30 members of our staff have written testimonials in support of paving hogback of course the property owners along hogback are the most important participants in this discussion and i'm glad that the majority of our neighbors are in support of placing the rest of hogback mountain road into the rural rustic road program as well since both the support and the funding for this project are available we ask that the board vote in favor at this time and don't delay this project it's already halfway done so if we just finished the job you would actually delight many

[01:32:24] people um you might not feel that tonight but you actually would so thank you all very much for your

[01:32:30] time and um and support thank you thank you very much thank you fine it's absolutely fine all right

[01:33:09] on the webex we have uh Suzanna um Suzanne Curran Alexander Nance and Derek Van Nutt Lisa are they on the Webex? Yes, Madam Chair. Ms. Curran should be connected now.

[01:33:28] Okay, we're ready when she is. Hi, good evening. Can you hear me? We can hear you just fine. Okay, great. Thank you. We are newer residents of Old Wheatland Road, and when we first came here, our real asked us, you know, how do you feel about living off of a dirt road?

[01:33:50] And we were like, bring it, because we came from an area of Ashburn where it was super congested young kids we wanted that natural speed buffer of the dirt road i walk the road all the time with my dogs and i noticed that even though the speed limit is 25 miles per hour people are still going upwards of 40 and that is where you're going to have a lot of discomfort and risk to their vehicles the area that you're considering is straight is the paving this road is just going

[01:34:25] to encourage people to go even faster and with all the children who live along this road and who are sure to be riding their bikes and playing and the walkers self and the runners and the horses this is completely unsafe on top of that we also feel like this is going to rob that rural that we wanted to have coming out here this is something that we wanted in our move here We've already changed the look of the area enough by building new houses.

[01:35:01] Having this dirt road makes us kind of slow down and pause and reflect and enjoy the beauty and the history and the nature around us that I think we will lose. And we just want you to please consider not paving the road because it's preserving so much for us, our safety and the beauty of the area around us.

[01:35:27] and we also have all black cars in our house so they're dirty and we're okay with it thank you so much thank you thank you miss Kerman Alexander Nance followed by Derek Van Nutt followed by Becky Ward who's in the room with us all right madam chair can you hear me we can hear you all right great good evening madam chair members of the board of supervisors and thank you for time tonight to hear public

comment on this important issue my name is alexander nance and I'm speaking on behalf of the Virginia-Piedmont Heritage Area.

[01:35:58] And we strongly support the county recognizing and preserving our rural unpaved roads. We encourage the Board of Supervisors and the county staff to continue to take steps to protect this important piece of our history that is so essential to our rural communities and Western Loudoun.

[01:36:15] The safety and convenience of Western Loudoun's roads are important, and we fully support taking reasonable measures to ensure convenience for drivers. However, our rural roads must be more than just maximally efficient transportation drivers. They're integral parts of our history and our identity in rural western Loudoun.

[01:36:34] We strongly believe that Loudoun should strike a balance between practicality and preservation, and the county should work towards adopting a framework for balancing the competing interests at play when road paving is being considered. We're all extremely appreciative of the hard, deliberate work that this body, along with the county staff, does every day to keep our roads safe while maintaining the quality of life for the residents in all of our many communities. Thank you for your time tonight and for your careful consideration of this important issue. Thank you, Mr. Nance. You will be followed by Derek Van Nutt, followed by Becky Ward and

[01:37:08] Thomas Deal. Hi, thank you, Chair Randall. Thank you, Board of Supervisors, for the opportunity to speak here today. My name is Derek Van Nutt. I left a meeting, the July public hearing, and I express my gratitude for your willingness to consider my road, our road, a portion of old Wheatland Road for paving. I'm part of the majority of homeowners, the taxpayers, and I'm part of the majority of the people directly impacted by this proposal. And I make that distinction very intentionally. We are the people who deal with this road and do every single day,

[01:37:46] multiple times a day. The opposition to this proposal represents special interests that don't set foot on the road very often or ever. But they're using our roads to push their agendas. Now, I don't necessarily disagree with the agendas, but in this small specific situation, the homeowners and the majority of people that are impacted by this have been, and they have said they don't want the road paved. When the plan was presented to build communities off Old Wheatland Road, the county committed itself to provide the infrastructure necessary to support that plan.

[01:38:21] Without substantial investment and maintenance, the gravel road is not capable of carrying the amount of cars that Old Wheatland Road carries every day. It's unsafe, not right. Funds have been provided. Homeowners have compromised and agreed to an abbreviated plan.

[01:38:40] The homeowners have spoken with their pens and their petitions. I hope that you listen to the side that's directly impacted and simply using our road as a soapbox. Please vote to pave Old Wheatland Road. I thank you for your time. Thank you, sir.

[01:38:57] Becky Ward, you are followed by Thomas Deal. And then we will go back to the WebEx for Jim Ostrich. Good evening, ma'am. Hi, good evening, Becky Ward. I live on Old Wheatland Road. Our farm fronts the area that you're thinking about paving.

[01:39:14] And I wanted to express our interest of getting the road paved, even with the traditional paving or an alternate method. Ma'am, can you talk just a little louder? No, I'm sorry, reasonably would be reasonable for us as well. We live on a farm. I don't mind my cars being dirty.

[01:39:30] That's not the issue here. It's just having a, the dust is a problem. Also in the water, running off from the gravel roads into our streams that are on the farm is a concern to me as well. I'm a civil engineer.

[01:39:46] I spent 40 years doing environmental engineering, and that's important to me as well. So thank you for your time, and I hope you consider to have this short section of Old Wheatland Road paved. Thank you. Thank you. Thomas Deal, followed by, as a remote speaker, Jim Ostrich.

[01:40:08] Good evening, sir. Good evening. First off, I'm going to apologize. I'm a horrible public speaker. This is the third time, though, that I've been to one of these meetings in as many months. Needless to say, the first meeting that I came to, there was a strong support for the paving of Old Wheatland, which I am supporting.

[01:40:33] Needless to say, there's been a hue and cry, I gather, amongst those that want to leave it as gravel, and they've come out in force today. I'm hearing a lot of what I consider to be spurious arguments about people walking, people biking on these roads on Old Wheatland and the nine years that I've lived here.

[01:40:56] I can count on one hand the number of times that I've seen anybody on a horse and or bicycle on Old Wheatland. Excuse me. The number of walkers on Old Wheatland are very, very few.

[01:41:12] I know my neighbor Patty does walk on it, along with a few of my other neighbors. But they are the exception. They are not the rule. I would like to walk on it. I would like to bike on it. It is dirty. It is dangerous. The last time I was on a bicycle and on gravel, I did not find it safe.

[01:41:32] It is slippery. Your tires do not hold the road. I've heard the arguments about the deterioration along the sides of the roads. Well, the gravel roads, that happens just as badly as it does on any kind of a paved surface.

[01:41:52] And if you go along Old Wheatland, you can walk along a lot of the spaces there where you've got literally sides that have been worn away that are that deep. And as far as the traffic control, yes, that is a problem.

[01:42:09] it's a problem whether it's gravel, it's a problem whether it's paved. I will pay for having a little flashing light that'll show people what their speed is. That may be something to help slow things down. I worry about that too, just as much as anybody else, but I think it can be worked out. I don't find that a paved road destroys the historic nature at all. That to me is a false argument and with that thank you very much thank you sir um uh remote speakers we have

[01:42:46] two jim ostrich followed by william clark and then in the room we have jim bingle lisa yes chair randall mr ostrich is on the line he should be able to speak through now okay thank you i'm

[01:43:16] mute lisa madam chair we'll go back to mr ostrich it seems that uh his line is not answering at the the moment. Let's go to William Clark and then we'll go back to Mr. Arstrich. I'll patch him through now. Thank you. Can you hear me? We can hear you fine, sir. Okay, thank you. My name is William Clark. I live on Vivian Bride, which is directly off Old Wheatlands Road, and I wish there was a way to have each road have a separate vote. Each unique circumstance deserves its own special

[01:43:55] consideration. The partial paving of OWR is the least controversial of all of them because the people living directly on the road want it done, and it has absolutely the least impact all the proposal can be wrote as a different beast and they don't want it. Pogback is its own universe. Please consider having

separate votes for each road and not lump them together. And how come all of a sudden we've declared the process broken? We want to add a bunch of new bureaucratic and unnecessary hurdles to the RRRP. How the heck did we implement anything before this? Let's listen to everyone's inputs, of course. A previous speaker said it shouldn't be this hard, and he's right.

[01:44:29] It shouldn't. The large majority, three to one, of the driving voting residents that live directly on this section of OWR want it paved and have their inputs weighed more than those who don't live there but can be affected by their occasional usage of the road. Those who live nowhere near the road but want to preserve it should also have their inputs heard too. But neither of these should count as much as the residents. It's our daily necessity and reality and only their pet issue. I don't believe paving destroys history and you've heard endless debates about this, increased traffic speeders cut throughs cyclists horses horse riders safety on and on and on there's

[01:45:08] an equal number of people on each side of those arguments so a word i have not heard in my last two meetings is compromise the residents on the proposed segment of old whelan's road are not asking end-to-end fully engineered road project like really old whedon probably should be no we are simply asking for one paved way out of our neighborhoods and yes the builder told us the road will be paved and they believed it, and they documented the money that they put up for that purpose. This small segment done via the low-impact rural roads program is a great compromise, and that's how things get done in America. Old Wheatland Road is paved already, ends,

[01:45:45] and over half of the middle will remain unpaved and pristine under this compromise. No one fully wins, no one fully loses. Please approve the small partial paving Old Wheatland Road measure separately from the others and get it done. Thank you very much.

[01:46:01] Thank you. Thank you, Mr. Clark. I'm going to go back and see if Mr. Ostrich is on the line. And after that would be Jim Bingle. Chair Randall, I have Mr. Ostrich connected.

[01:46:17] However, I don't know if he's still there. So how about this? Can you ask him to drop off and call back in? Yes, I will do that. Okay, do that. Thank you. And then I'll go to Jim Bingle. And after Ms. Bingo is Brett, I think it's Flowers, but I'm not quite sure about the handwriting.

[01:46:38] Good evening. Good evening, Chair Randall. I hope I didn't write the wrong thing. I had intended to speak on a following application, not on this. On Defenders West. Okay, you're right. You are right. Never mind. Although I support support. No, no.

[01:46:56] Good shot, though. Yeah, you are right, and then I don't know, just give me a second, I do not know Loyler Collier, it doesn't say what she wants to speak on, everybody else that says what they want to speak on, everybody else is on something else, except for Ms. Collier, who is a remote speaker, and I don't know if she wants to speak on this issue or another issue, because it doesn't say on my paper, and did we get Mr. Ostrich back on the line, and it doesn't

[01:47:32] say what he wants to speak on either, actually. If you guys don't mind, could you maybe write the item that they want to speak on because it would be helpful. Thanks. That's okay. Is he back on the line, though? Okay. Chair Randall, unfortunately, Mr. Ostrich is not on the line any longer. Okay. Since we're on the item, is Ms. Collier, Lola Collier on the line? I'm only asking because it doesn't say what she wants to speak on, and I want to get her in if this is the issue she wants to speak on. Mrs. Collier is on the line for item five.

[01:48:11] So not this item. Okay, then we will hold off on her then. We will hold off on her. Mr. Ostrich actually was for this item. And Ms. Collier, we will wait. So then that means that we have completed all the speakers for this item. Mr. Kirsten, let me make this suggestion. You can do both these motions together you can do when I also move and I do part motion two first motion one second as a I further move. You can do them together. You can do them together but just

[01:48:46] do them together in that order. Do you have to do no? Oh yeah you put can be first. Okay yeah but you can do when I further move if you'd like. Thank you Madam Chair. I'm going to I've handed out a motion to my fellow supervisors and I'll make comments in a minute I move the Board of Supervisors delete the Canby Road project from the amended FY 2024 FY 2029 secondary six-year road plan and the FY 24 construction improvement budget priority list I further move or I also

[01:49:20] move the Board of Supervisors defer the amended FY 2024 FY 2029 secondary road six-year plan and the FY 2024 construction improvement budget priority list to the July 2024 Board of Supervisors Public. I'm going to second that. Thank you. Sure. And you want to have an opening, Mr. Kirshner? I would, Madam Chair. And first, I just want to start by thanking everyone who I've spoke to over the last two months. I had no idea the passion there was for our rural roads in the county. I grew up in a dirt road, so I understand the love for it. I also

[01:49:56] hated it at times, so I understand both sides of this argument a lot. And I really appreciate everything everybody has to say and quite frankly um nobody's really wrong here there was some misinformation that was said tonight but for the most part everybody has um very legitimate points on both sides and that's why i've said from the beginning i believe this process and unfortunately puts us as supervisors in the middle um is a is a bit broken and there is not a real good objective criteria there is not a full analysis and i think to this point it's just been simply kind of driven by complaint-based, and, you know, someone calls, a number of people call, there's maintenance that's

[01:50:33] needed on the road, okay, well, we can look at the six years. So I really appreciate everyone's perspective, because now it's given me a much greater perspective of everything. Now, with that said, that doesn't mean every single road in the county, I think, that's currently gravel needs to remain gravel, but it also means that we have a significant job in front of us, and that is to ensure that we preserve a significant amount of this 250 gravel road networks that we have, as many as you pointed out on how important that is. The real question is how that kind of boils down. And I believe there's so many criteria that go into it that will need to be part of this

[01:51:10] objective process that I can't really get into all of those today, but some of you mentioned them, the historic value of it, whether it provides cut through traffic or not. How does it create a network or doesn't it create a network? I think one of the last speakers mentioned the people who live on the road should have a significant weight in the process. I really, truly believe that because they live off that road. And so that's one of the reasons in this particular motion I have chosen to remove Canby because the majority of, it became clear that the majority, even though the portion that we put on the road to suggest paving had a majority for it, it was a very short

[01:51:49] section i think we can address those folks with um some and i've met with vdot to try to work on some additional maintenance there bus drop-offs that sort of thing um and i'm going and i and i will tell you one of the things that i love about representing catoctin is all the challenges that it brings um this

is a case in point everyone that came out here and in July and I know my fellow supervisors love to love to listen to all about the rustic roads here but it is an important thing

[01:52:15] It is a part that makes how we look, and so we want to get it right, and that's why, and I know it's some disappointment in those who really want to get their portion paved on some of these roads, and I'm not making any promises, but this is the promise I am going to make.

[01:52:32] I am going to work overtime, I'm going to work hard, I'm going to work with the stakeholders, and I do believe each road deserves its individual consideration to come up with solutions, because that's what I do as a supervisor. I work hard, and I pride myself in getting solutions done. So thank you, Madam Chair. Thank you. Mr. Laterno. Thank you. At the risk of sort of shoot-the-messenger syndrome, I did want to just mention that it's really more for staff's benefit as we look at this into next year. I revolve Switzerland on this, because the last Dulles District Road is getting paved, and I'm good.

[01:53:05] So I am happy to defer to my colleague and the will of the majority. However, I will say occasionally there are some things that I do in my day job that creep into this job, and one of those relates to National Ambient Air Quality Standards, NAACS. There is a new proposal from EPA, likely coming in October, that will lower the NAACS standard from 10, possibly down to 8 or 9.

[01:53:28] The challenge with that is there are fewer and fewer what we call non-point sources available to reduce your particulate matter emissions. Therefore, EPA itself has increasingly been focused on unpaved roads as a target of those type of PM emissions.

[01:53:45] What happens is if a county or a locality is out of attainment, you have to essentially come up with a compliance plan. And the compliance plan will be the things that you do to lower your PM emissions. EPA is encouraging, will be encouraging localities to look at paving unpaved roads as a way to become compliant with the new regulation.

[01:54:10] So I am simply raising that as a, again, don't shoot the messenger standard. If, you know, the trend typically with NAACS PM has been every so often, every four or five years, EPA updates the standards and they push it lower and lower and lower. And we can debate whether that makes sense in a different form, but that's just what happens.

[01:54:29] So over time, it will become more and more difficult for localities to be able to meet those standards without looking at unpaved roads. It's just going to be impossible because there's nothing else we can do. So I'm just raising it. We should look into it. I agree with my colleague, Mr. Kirshner.

[01:54:47] I was part of a group early on in my tenure here that wanted to put in a process by which we evaluated unpaved roads. Now, I wanted to do that back then because I was convinced that the unpaid roads in the Dulles districts would rise to the top of the list because they had the highest volume of traffic.

[01:55:03] And I think that that is true and that has happened, but we have since taken care of those. The process that we started to try to come up with a sort of criteria sort of fell apart at some point in time. So I think it's smart to go back to that, to try to put together objective criteria.

[01:55:21] Now, the results may not be what some folks like. You know, that's just, there's always, you know, when there's objective criteria, it's objective criteria, and you may not like the results, but it makes more sense than kind of doing this by the seat of our pants. I do want to say, though, there is a significant

portion about maintenance and how much resources VDOT has to put into a given road that should be part of that criteria.

[01:55:42] Because if VDOT's spending a lot of money to maintain a road, that's something we need to know, given all of the numerous maintenance problems that we have in the Northern Virginia District and the strain on resources that they have trying to deal with them. that's I'm out of town thank you miss Brixman thank you madam chair the the motion to delay the conversation to July 24 does that does that run the risk of us losing any sort of grant money or anything like that yeah we asked can I

[01:56:18] can I respond I'm chair would you prefer staff either one okay we asked a question earlier and just there's no funding that would be lost it's just a delay. Okay, great. Mostly hog back. Okay. And then do we run the risk of losing any of the developer contributions for the one road? There is no risk that I'm aware of on the cash contribution that was paid to the county by the developer of Old Wheatland Estates. Okay. I do want to support the Catocin supervisor on this. And I think I'm a little bit, I'm not quite

[01:56:56] Switzerland because I do have a fondness for the historic nature of Waterford. I do have a fondness as a proud EX2 trail runner of making sure the gravel grinder is successful as a tourism event in the county. I do have a fondness for the idea of continuing our work on LPAT and trails that folks can hike for. So I'm happy to support the motion, and I look forward to the future analysis.

[01:57:27] Thank you. Thank you. Ms. Glass. Thank you, Madam Chair. I will also be supporting the motion. I had spoken earlier to Mr. Neitringhaus and Ms. Jones regarding our trails and the opportunities that we have to increase our trails from the eastern portion of Loudoun County all the way to the western portion. So I think we need to look into see how we can fill those gaps that we have

[01:58:03] missing. Thank you, Madam Chair. Thank you. So Mr. Kirshner's constituents are my constituents. So there are two supervisors who are sitting here now who represents this area. And I could be, And I guess if I was maybe a little smarter, I would be kind of silent on this issue and just let us ride into next year because why does anyone need to really know where I stand before the election?

[01:58:29] But I actually don't feel I should do that. I feel I should be a little more frank and honest. And the truth is, and with due respect, one lady asked, do I ride on gravel roads every day, which is a great question. I don't because I chose not to move where gravel roads are, so I would ride on them every day.

[01:58:53] I asked the question, were you all told that your roads would be paved? Because that would be the only explanation I kind of would understand for people to move on a gravel road and then demand that the gravel road gets paved. It seems to me that if somebody told you they were going to get paved and you made that part of your decision to move there, that makes sense.

[01:59:14] But it doesn't make sense to me that you knowingly move on a gravel road that you do not believe is scheduled to be paved, and then demand that it does get paved. That's just not, I don't understand that.

[01:59:31] I do understand all the issues you're talking about. I understand the particulates. I understand the cars. I get it. But it's kind of, I had a lady not long ago send me a call me who lives in Western Loudoun County and asked me why weren't there any big box stores in Western Loudoun County.

[01:59:52] And I'm like, because you moved to rural Loudoun County. I've had someone who moved to rural Loudoun County, and I'm not kidding, call me about her neighbor's cow. You moved to rural

Loudoun County. And so with, and I'm not, I'm honestly not trying to be disrespectful, but with the exception of you thought it was going to be paved because somebody told you it was going to be paved, I don't understand moving there and then saying it has to be paved.

[02:00:22] So I am going to support this motion. If I am lucky and blessed enough to be back here next year, it is very unlikely that I will be voting to pave roads. It will be the very big exception. And I have gone out. I have driven the roads.

[02:00:37] Thank you, Ms. Skinner. I do my due diligence. I do my homework. I do my, I call on my field trips because I really want to see and know. And I understand. I mean, you know, the car was a mess. That's all true. But with some minor exceptions, and it'll be something that Mr. Kirshner is back with me, I'll talk to him about, I don't want to be coy.

[02:01:02] I don't think that's fair. I don't think it's fair trying to do the hide the cards. That's not fair. I'm going to say right now that if I'm here next year, it is unlikely I'm going to be voting to pave roads. So, Mr. Kirshner. Thank you, Madam Chair.

[02:01:17] And just to kind of close, first of all, I want to thank everyone who has been patient in this process. I am not a person that makes quick decisions, at least I have learned not to be in my 48 years of life. When you have five boys at home, you kind of have to do that because you can react quickly to things.

[02:01:35] And so I know that measured, thoughtful process is really important, especially when you're governing. And that's really what I am trying to do here. Obviously, I would love to make everybody happy through this whole process, but I do think this is the best process to follow.

[02:01:51] And so thank you for those of you who have had patience, who have reached out. who have provided very thoughtful analysis on all sides of this issue through the process. And I believe when I came into office three and a half years ago, we had been trying to bring broadband to Western Loudoun for a long time, more than a decade or so.

[02:02:11] And we were able to solve that in this term because I took it on my shoulders and my fellow supervisors here supported me in it. And we were able, we are bringing high-speed broadband to the western land over nearly 9,000 homes.

[02:02:28] Why do I share that example? I share that example because there are solutions to these problems that we're talking about here. And that is the conflict over many of these roads. And so we're going to, I'm going to, if I'm fortunate enough to be elected, I'm starting already.

[02:02:45] I'm going through, we're working on criteria. I've already been talking to staff about it. I'm coming up some with my own personal staff, and we're going to be putting that through in a BMI. But if I'm fortunate enough to be elected, I'm going to tell you one thing. I'm going to take it on just like we took on that broadband, and we're going to come up with a solution that has objective criteria that really takes into consideration the people who live on the road, the historical aspects of the road, the safeties of the road, and we want to make Loudoun a better, more beautiful place to live, whatever that ultimately ends up being.

[02:03:20] in this objective criteria, because we all want as high quality of life as we can. And so thank you for your patience, and I appreciate my colleagues' vote on this motion. So this motion is made by Supervisor Kirshner, and I was happy to second the motion. All my people who say aye. Any opposed?

[02:03:37] That motion will pass 801, with Mr. Buffington being off the dais. Thank you very much. You all did learn that real fast. That's very impressive. Supervisors, we have – well, actually, let's just wait until the room kind of clears out first.

[02:03:57] We do have four more items, but I think they'll be a little faster. Let's do one more before we take a break. I am going to adjourn the public hearing that is VDOT, and we will take up the items – the VDOT public hearing will take up the items on our regular public hearing now.

[02:04:21] Oh my God, I cannot be in the days with you. Okay, item number three is the Dulles District.

[02:04:39] The adoption of ordinance for demolition removal of unfinished, no, no, no, I'm sorry, that's not, is that right? That is right, yep, of unfinished structure at Lizzle Center Drive. Staff, will you please come to the table? Do we have any speakers on three?

[02:05:01] No speakers on three? Huh? Yeah, and no applicants. So there's no applicant on this, right? No, Chair, but the property owner's counsel, Mr. Montenegro, is here.

[02:05:17] I believe he would like to speak as a member of the public after the staff presentation, if that's allowed. Well, if he's here for the—he can actually come to the table, if you'd like, and if he's speaking on behalf of the— No, no, no.

[02:05:36] Wait, you're saying the— No, no, no. You said the property owner? You should sign up and speak as a member of the public. Stop, stop, stop. Here, Randall. Tell me again who this... This is the legal counsel for the property owner. Oh, for the property owner.

[02:05:52] Yes, sir. All right, cool. Have you signed up already, sir? Would you go over here and sign up, please? Thank you. We're ready when you are. All right, good evening, Chair, and the rest of the Board of Supervisors.

[02:06:08] I anticipate the board has read the staff report at this point, So I will briefly hit some of the high points from that report, then I can update the board on what has happened since that report was submitted, and then I'd be happy to answer any questions you may have.

[02:06:24] This is an ordinance that's being brought under the authority of Virginia Code Section 15.2-906, which states any locality may, by ordinance, provide that the owners of property therein shall at such times as the governing body may prescribe remove repair or secure any building wall or any other structure that might endanger the public health or safety of other residents of such locality and i know that's that's long and and winded but i'll get to the point with what we're dealing with here and how it relates to that ordinance what we have here at issue

[02:07:01] as a state in the staff report is a structure, and it is a structure that is unfinished. It's been a building that's been sitting in its current state for almost 15 years. This is dating back to 2008, 2009. At one point, it was going to become a hotel. Construction got underway. The economic conditions caused that construction to stop, and it has not changed since then. It has changed hands.

[02:07:28] The current owner has had the property since 2013, but, again, nothing significant has happened as far as construction or completion of this hotel. And when I refer to this structure, what I'm referring to is really just steel beams and concrete.

[02:07:44] And I know we weren't able to get great pictures for the staff report, but we weren't able to get access to the property for the purposes of the report. But it's a large structure. At one point, this hotel was

going to be over 160,000 feet of space, 243 rooms, but it's really just a skeleton, and that's what I would continue to refer to it as.

[02:08:07] Being this skeleton, it does not have any security cameras or lighting. To the best of my knowledge, there's no security patrol. It's not visible from neighboring properties, so it's out of the view of the general public. And because of that, it's become a popular place for people to go where they'd like to partake in activities which they could be free from supervision.

[02:08:33] The owners have made efforts to secure the perimeter of the property with tall fences. But in all honesty, those efforts aren't what they could be. I'm not going to tell them exactly how a fence could be better or what fence could be put up.

[02:08:50] But as you will see, there have been continual breaches, and the fence that is put up is really just not the most secure in this instance. If you go to the property and do observe it from the street or from where the public would be allowed to go, you'd see that the fence can be breached.

[02:09:08] It has been breached. There's pictures of that in the staff report. There's also a lot of graffiti, a lot of trash around the property, around the structure. So it's pretty evident that this is being accessed and that people are coming here again to do whatever they may want to do without prying eyes looking upon them.

[02:09:30] The county has made effort through the building code to try and address this. We have issued a notice of unsafe structure under the building code, which required the individual, sorry, not the individual, the property owner to secure the property. They have secured it, but it seems that what they're doing is securing it just to the point of its passing code.

[02:09:52] We get another complaint or somebody else observes that it's been breached again. We reach out to the property owner. It's been a cycle for what feels like a few years at this point. And so I go back to that code section that I read earlier, and the standard that's found in that code section is might endanger the public health or safety.

[02:10:13] So the board does not have to find that this danger currently exists, but rather that it might. And I'll tell you, I think there's an argument to be made that this danger does already exist because there's been, albeit in 2017, deputies visited the premises to assist with rescue of an injury.

[02:10:37] So there has been at least one instance where this unsupervised structure, Someone went in there and was doing whatever it was and they got hurt to the point where they needed an ambulance and they needed the deputies to come assist them in getting that individual out of there. There's also been two other instances where there have been calls for trespassing.

[02:10:57] The most recent one was in August of this past year. But again, if you go to this property, this structure, you can tell that it's being accessed pretty frequently. So I would argue that this danger not only might exist, but it does exist. And if the board were to adopt this ordinance, the owner does not have to remove the structure immediately, but they have to do so after being given reasonable notice to do so.

[02:11:26] And that's looking at the calendar, giving them the notice that we would have to give them, which includes publication and newspaper, would give them probably 45 to 60 days to do this before the county would step in the the ordinance or I'm sorry the code and the ordinance would give the county the authority to use its own agents or employees to take it down we've got an initial estimate for that it's about

\$485,000 we're not we're not too confident in the estimate it could be higher it could be lower but again we're not able to access the property to get a

[02:12:02] better estimate since this issue was last before the board and even since the staff report was submitted. The owners have made what I would consider more significant efforts to change the status of the property, to change the status of the structure. They have submitted land use applications for development of the property into a mixed-use development with 434 residential units in a multifamily setting and 16,000 feet for retail and commercial purposes. And they've also applied for and were issued on Friday a demolition permit for the structure. I have

[02:12:37] been provided a letter that indicates they've entered into a contract to have the building demolished. I'll note that that contract indicates it's about \$120,000. So again, we're just really not sure about our estimate. That points to that a little bit. It would appear the goal of this proceeding that is to have the building removed is going to occur but even with that in mind I would continue to recommend that the board adopt the ordinance in the case that the demolition is not done with the urgency the county believes is necessary to protect health and safety of its

[02:13:14] citizens okay all right thank you that was I know exactly what you're talking about questions for staff none none okay I think we have just one speaker on this item and I don't have yes Carlos Montenegro. Good evening, sir. Good evening. Thank you, Madam Chairman, members of the board, Mr. Letourneau. I'm not here to object at all. We think it's a good idea. We just wanted to give

[02:13:49] you some of the background on this project. We acquired it after the bank that had funded the project for others bellied up and removed all the funding from the project. The contractor, was doing the project acquired it through court system and we bought it from that contractor it was our intention throughout this to go ahead and um it was a flag what we call a flagged hotel

[02:14:23] facility and to pursue the the finishing of the building and and move forward but the flagging went away the market went um went that way down the drain for hotels in that area occupancies were in the 60% range. And so financing was very difficult. We then, this is over time, obviously, we then did get it flagged by Wyndham Hotels. And then after about a year, Wyndham walked away.

[02:14:58] So during that time also, we were negotiating with the next door neighbor, which was a TAPCO. and we acquired the one acre earth mound and required them to remove it so the dirt mound that was sitting between our properties they removed it is now ours part of our project and and they were able to develop their site with a commercial center because of that more recently in the past couple years we've been working on a redevelopment of the property remember was already development

[02:15:36] started site plan approvals and all that so we are we are now filed we're completing the qc requirements and the filing for the rezoning of the property um i don't want to cry on your laps regarding all this it was it was it's been quite a road uh included including major litigation with other parties regarding contributions and things of that nature so we are now propped up ready to go forward with our rezoning.

[02:16:09] And hopefully everything will be much smoother now. Thank you, Mr. Montenegro. I appreciate that. Thank you. All right. We can then go to a motion. Mr. Letourneau. I move the Board of Supervisors to suspend the rules.

[02:16:25] Second. And motion to suspend. Discussion on the motion to suspend. Seeing none, all in favor say aye. Aye. Any opposed? That motion passes. 01. Mr. Letourneau. I move the Board of Supervisors approve the adoption of the ordinance for demolition removal of the unfinished structure at 25450 Lizio Center Drive, provided as attachment one to the September 13, 2023 Board of Supervisors public hearing staff report. Second. Mr. Letourneau,

[02:17:01] I made the second. Would you like to have an open to that? Thank you, Madam Chair. And I want to thank Mr. Sproul and his colleagues for all of their work on this over a long period of time. I do know Mr. Montenegro. We've had several meetings. This has been one of the most frequently asked questions in the Dulles District for a very long time, what happened with this property.

[02:17:24] I have repeated some of the story that Mr. Montenegro told many, many times. But the bottom line is I have always asked that whatever happened, can we please remove the structure once it be clear that it wasn't going to be used. If you do look at the pictures in your packet and you see that, I have actually been inside this hotel. I was with the sheriff's deputy, so I wasn't urban exploring on my own. But we did go in there, and I can confirm that it is not in good shape inside.

[02:17:55] I don't believe it could ever be used for anything else at this point. And there is significant signs frequent visits for all sorts of activities. It is not an easy visibility to other residential units, which is why I think there haven't been more calls to the sheriff's office because people just don't see it. But if you look on either side, on the 50 side or behind it, which opens sort of to a shopping area, it's clearly accessed frequently. And I'm just really concerned about what will happen there at some point in time. As we get into the winter months, we've had

[02:18:31] situations with other structures like this one next door where um or nearby where uh you know bonfires happen and then all kinds of things can go wrong and we've had fire rescue have to deal with those so um i've kind of i've been very very patient i think during this process understanding all the difficult uh circumstances uh financially that have happened with the market and the changes with the plans and all those things but at this point this thing just needs to come down And I would certainly prefer that the owner of the property take care of that.

[02:19:04] And if they can do it less expensively than the county can, then that's fine with me. But one way or the other, I think passing the motion ensures that it will, ensures that the owner of the property is sufficiently motivated to get that taken care of on their own. And if they don't, that we have the ability to come in and do that.

[02:19:21] And I know that Mr. Hemstreet is researching funds. We discussed this at the Finance Committee last night, actually, in the fund balance item, should the county need to step in and do that. So I would encourage everybody to support this motion. I can tell you that residents in the Dulles District would be very pleased when this structure is not there.

[02:19:38] And I do hope that the property can develop into something else and certainly be more than happy to work with the applicant on those plans in the future. Thank you. Thank you. Thank you very much. Chair, I'm sorry. Could I add one thing, Chair? Yes. - Oh, with regard to the funds, if the county were to take it down, this was in the report, but I should have mentioned the presentation.

[02:20:02] There would be a lien on the property for the cost, and it would be treated the same way as a tax lien was with the same first priority. So it wouldn't be sunk in funds if the county were to go in and take

it down. The cost would be recoverable, and I apologize for not including that.

[02:20:20] - Thank you, thank you very much. I would associate myself with all Mr. Letourneau's comments. And no one else? Mr. Trent, do you want to close? Okay. All in favor say aye. Any opposed? That motion will pass 801 with Mr. Buffington being off the dais.

[02:20:38] I think we have three more items. I know, I know. I've got to eat, I've got to eat, I've got to eat. We have a speaker for four and quite a few speakers for five, actually. Quite a few for five. Just give me one second.

[02:20:57] We may be able to just knock one more out, guys. We can. We can, I believe in us. We can do one more item. We can do item number four real quick before we... Okay, never mind.

[02:21:13] It's not going to be that quick. Sorry. We're going to take... Let's take a 15-minute break.

[02:21:18] Okay, we're back.

[02:53:13] And I have the wrong thing pulled up on my computer because we're doing right now item number four, which I thought was going to be quick, but maybe not as quick as I thought it was going to be. So I know we have a lot of speakers for item number five. But we'll do that right after this one. So will staff please come to the table for number four, please?

[02:53:42] Good evening, everyone. Mr. Minshew, you can sit at the table if you want to. You looked a little sad when you went to the back and did the seat behind, so, you know.

[02:54:07] Oh, did he tell you that? Okay. All right, we're ready when you are. Good evening, board members. For the record, my name is Bryce Johnson. I'm the county project manager for the Defender West application. Before we begin, I do want to note that this application, like other land use applications, has now been assigned what is called a LEGI number.

[02:54:28] That's why you'll see that LEGI 2023 up there. LEGI stands for Legislative Application. With the launch of Landmark last month, all legislative land use projects have been assigned a LEGI number, which effectively serves as the umbrella application for that project, similar to the project name.

[02:54:49] The parcel subject to the subject application is located in the Dulles Election District. An aerial of the site is shown on the screen with north and Route 50 oriented to the top of the screen. The site is located below or south of Defender Drive in between Ellick Road and South Riding Boulevard.

[02:55:08] We'll note the applicant proposes to only develop approximately half of the roughly 21-acre site. The portion slated for development is highlighted in yellow. The other half is slated for open space to be given to the south riding proprietary that's marked in the green.

[02:55:25] So that's why that's a little bit different than usual for that. I will note the subject property is located in the planned development housing for PDH4 zoning district permitted for a mixture of office and commercial uses. It is located in the suburban mixed use place type described by the 2019 general plan.

[02:55:46] Tonight, the applicant requests consideration to develop residential uses on the subject property. To do so, they propose a few different applications, first of which is a zoning map amendment or ZMAP to rezone the site to the R24 zoning district to allow up to 262 multifamily attached dwelling units, which would be apartment units.

[02:56:06] This does include 27 attainable housing units, including 17 affordable dwelling units and 10 unmet housing needs units available for rent. The applicant also proposes a few zoning modifications or ZMODs, which are summarized on the screen, effectively affecting, sorry, modifying the height buffer requirements and the required active recreation.

[02:56:30] For reference, here's an excerpt of the applicant's concept development plan or CDP with defender drive oriented to the top. The multifamily units would be concentrated in four buildings shown in yellow on the screen. Active recreation space is shown in that light green and a tree conservation area is shown in the darker green along South Riding Boulevard. Site access would be from Defender Drive and Alklick Road. For tonight's discussion, I want to focus on the outstanding policy issues identified by staff during review. For reference, they are summarized briefly on the screen.

[02:57:02] For the transportation issues, staff identified issues with two nearby intersections. These have an existing failing level of service per the applicant's traffic study, and they are projected to worsen upon development of the site. I will dive into each of these separately.

[02:57:20] The first is the intersection of Route 50 and South Riding Boulevard. The 2019 countywide transportation plan anticipate or rather plans for this intersection to eventually be an interchange. That interchange, the plan for that dates back to the original South Riding approval.

[02:57:36] At that time, the South Riding proffers required that applicant or now the property owner to either construct the interchange or pay a cash contribution towards the construction of the interchange. The cash versus construction was up to the property owner. That specific proffer was applied across three different land bays, which are now several different parcels, and it was effectively whoever was first after a certain threshold of development.

[02:58:01] Because development has been permitted to occur per the proffers, and the proffer is split across several different parcels, staff recommends that this be addressed through a fair share contribution. This is similar to what has happened in the past when development was taken out of the proffer, in which case prior developments essentially paid a fair share contribution to address that commitment.

[02:58:25] In this case, staff is recommending a fair share that's equal to this subject property's share of the permitted development associated with the proffer. That is roughly 9.5%. So we recommend that the fair share be 9.5% of the cash contribution that is owed under the proffers.

[02:58:44] The commission considered this fair share and recommended that the applicant take that and divide it approximately in half because half the site is proposed as open space, which would not generate additional traffic impacts. So based on that guidance, the applicant is proposing a fair share contribution of \$479,000.

[02:59:02] Next is the intersection of South Riding Boulevard and Defender Drive. The applicant is committing to construct a traffic signal at this intersection. However, the applicant is requesting a credit against the regional road contributions. That is inconsistent with a county policy, so staff would recommend the applicant not receive a credit for constructing that signal.

[02:59:24] Additionally, in the event that VDOT recommends an innovative intersection control instead of a signal, for example, a roundabout, the proffers do allow the applicant to pay a cash-in-lieu contribution

without installing that specific improvement, meaning that the applicant would be permitted to develop the site without any necessary safety improvements at this intersection.

[02:59:45] staff does recommend that the proffers be revised to address that. I will note that this was also a topic of conversation at the Planning Commission work session specifically regarding the timing of construction of the traffic signal. The applicant has worked with staff to kind of speed up a little bit the installation of the signal in regards to the triggers for the signal. They've also been coordinating a bit with Suvarez Letourneau's office and the specifics of that are summarized in the staff report. Next, staff has identified an outstanding environmental issue. Consistent with the 2019 general plan, the applicant is committing to a 50-foot River and Stream

[03:00:23] corridor resources management buffer. However, the applicant does include or propose a roughly 17,000 square foot encroachment into this buffer that consists of parking spaces and associated drive aisle. However, the general plan envisions very limited uses within this buffer. Typically, we would think of like trails. And when there is a permitted use within the buffer, we would recommend mitigation, such as reforestation elsewhere. In this case, the applicant is proposing that the park can be in previous spaces and that there is reforestation elsewhere. However, per plan policy, this isn't a use that we would anticipate in the buffer. For reference, here's a

[03:01:02] zoomed in image of the CDP showing the area of encroachment. The buffer is marked in that bold dotted line or dashed line the previous parking spaces are shown in the dark gray. Next I want to identify issues with the zoning modifications. Staff cannot support these as they do not meet the zoning ordinance criteria for approval. Starting with the height the proposed 70 foot building height while limited to one building is inconsistent with the suburban mixed-use place type which does envision no more than roughly 60 feet or equivalent to five stories per the plan.

[03:01:37] Additionally, staff cannot support reducing the on-site active recreation. The staff, the applicant's justification is that there's nearby active recreation. However, those amenities are to serve existing active recreation needs. Additionally, staff cannot support increasing the maximum percentage of shrubs within a portion of the road corridor buffer along Defender Drive.

[03:01:58] By increasing the percentage of shrubs, they're effectively reducing the number of trees. would be inconsistent with both the environmental policies of the general plan as well as the place type finally staff identifies issues with the fiscal impact of the proposal specifically the anticipated contributions for attainable housing units staff acknowledges that the board has approved residential applications which did not provide these contributions for attainable housing units however until the board approves an alternate policy we will continue to make this recommendation unique to this specific application staff has identified an additional factor for the board's

[03:02:35] consideration because the 10 unmet housing needs units or unus are specifically available for rent for households earning between 50 to 80 percent area median income however what staff has found is that when a unit is available for rent above the 60 percent area median income threshold that unit begins to mirror a market rate unit so staff highlights that for the board's awareness as you continue to make these decisions regarding the contributions for attainable housing units just to say that again please i staff is highlighting that just for your awareness to make sure um

[03:03:13] the board is aware of what you're getting in exchange when you approve these projects which don't provide the anticipated contributions for the attainable housing units however again per policy

staff's primary recommendation is to provide those contributions but in this case a specific emphasis on those rental units. At the July work session, the planning commission forwarded the application to the board with a recommendation of approval contingent upon a few revisions, one of which was to adjust the fair share contribution discussed earlier, as well as to work with staff

[03:03:49] and the board regarding the timing of the traffic signal installation. So that is a recommendation of approval pending the board's satisfaction with the traffic signal. However, staff cannot support of approval of the application as it is inconsistent with the plan policies. I will note that the applicant has indicated pending revisions to the application following tonight's public hearing that does include removing a portion of the property which includes site access from Ellick Road. For unsolicited changes the zoning ordinance does allow staff to extend the critical action date to allow time for review to identify any complications that may arise. So staff does

[03:04:27] recommend that the board forward the application to the November 15th board public hearing for action. I'm available for any questions and Marie with Marie Pham with DTCI is available online with any for any questions as well. Thank you very much. Just give me one second please. Okay questions. This is in the Dulles district. Mr. Letourneau. Thank you. So that last part is is probably something everybody to key into which is that there were revisions to the application made within the last week or so. And if you look up on that map, the primary entrance and exit are

[03:05:04] on Defender Drive. However, the previous version of this application also had an entry exit on Ellick Road right there, which I understand in the new version of the application will not be possible because a portion of the land in that area is no longer going to be part of the application due to a covenant restriction with the HOA on a land swap.

[03:05:27] And yeah, this is all really complicated. So one of my questions for staff is going to be to evaluate the movements associated and the sort of circulation associated with this application without that entrance and exit.

[03:05:43] And also whether the Ellick Road turn lane could be modified. It's a really long turn lane. It's like a 225-foot turn lane. It's probably massively overbuilt, to be honest, in order to incorporate the entry-exit that was originally planned, which I understand would require modifications.

[03:06:04] And that's something I'm sure the applicant would look at as well, but if staff could look at that and work with VDOT and see if that's possible. So that's one sort of set of questions. The reasoning on the regional road contribution from the Planning Commission was that half the application is open space, and therefore the applicant shouldn't have to be penalized, essentially, for the fact that half the application is open space.

[03:06:36] But staff can't technically agree to that number because it's just not policy? Because that does seem like a logical... So I'll agree it's logical. I think both sides are logical here.

[03:06:52] However, the origin for that interchange dates back to the south riding development. So the impact that's being mitigated is the intersection itself, not just the traffic. And then on the Defender Drive signal, I know Marie's on.

[03:07:08] My primary concern is without this application, this is a project that's part of the intersection improvement plan. And we haven't gotten the report on it yet, but we know it's Category 5. We know that we're likely to recommend a signal. Is it fair to say that the applicant could potentially get the signal done

at Defender Drive and South Riding Boulevard sooner, potentially significantly sooner than the county if it was a standalone project?

[03:07:37] I would agree to that. You would agree? Okay. Yes. Okay. Thank you. Thank you. Ms. Bricksman. Thank you, Madam Chair. So are you saying that there's not going to be an entrance here now?

[03:07:54] That is what it's anticipated with the changes. I'm anticipating that the applicant's going to formally submit those revisions tomorrow morning. Revisions that there isn't going to be access? Correct. Okay. Is it, well, that's probably not for you.

[03:08:14] Is the, what is the percentage of ADUs that the applicant's offering? So they're doing the 10% total for attainable housing units. I believe it was the 6.25% per the zoning ordinance for the multifamily.

[03:08:32] and then the additional percentage to make up the total 10%. So, sorry, it's 17 ADUs. I'll double-check the percentage. Okay, 17 ADUs you think is about 10%? No. The ADUs plus the UNUs is 10%.

[03:08:48] Okay, define an UNU for me again. So that's an unmet housing needs unit. Typically, that's defined in the proffers. So, essentially, an applicant can come in, say, if it's for rent or purchase, And they will then define the percentage of area median income that that unit is available to.

[03:09:06] Oh, I see. Okay. And that is different from the county's UNU program, which is specifically for rental units from 0% to 30% AMI. Gotcha. Okay. And the highest AMI they can do in UNU for is 80% to 100%? So the applicant is proffering 50% to 80% AMI.

[03:09:25] Okay. All right. And that brings them to 10%. Correct. Okay. Okay, great. I was worried when I thought it was only 6%. Are there any other proffers? I mean, besides the road contributions? I mean, they're proffers.

[03:09:43] What do you mean in terms of the other proffers? Well, yeah, there's probably... I guess I'm wondering if there's anything for the schools or sidewalks, missing links, crosswalks. Yeah, they are proffering to sidewalks along their frontages to extend the sidewalk along Elk Lake Road to the south off of their property.

[03:10:02] So, it is a missing connection there. Okay. As far as schools, that'd be addressed through the Capital Facilities contributions. And I'm sure the applicant would be happy to walk through the other commitments. And are they meeting or exceeding parking requirements? Staff does not typically review the parking requirements until site plan.

[03:10:21] So, right now, they're just meeting it. Right now, they're just meeting it. Again, they're not proffering to anything in addition. Okay. All right. That just seems like an awful lot of asphalt to me. Thank you. Mr. Saints thank you can staff explain why you cannot support the reduction in and then in rec space that there that applicants proposing so the zoning ordinance does specifically say active recreation on site for these new units the applicant's justification is that there's nearby

[03:10:57] active recreation associated with the south riding proprietary to their credit that is true and they're proffering to connect to it however that is to exist existing active recreation needs and it's subject to a different set of proffers so what we look for in a rezoning is making sure okay does this rezoning by itself account for those needs in this instance we don't see that and where is the the self-writing active area so it is um if you see that whitish building south of the site yeah right here yeah around to that there's a dog park and i believe some

[03:11:31] other amenities in that area okay so will this application be part of that hoa i'll let the applicants speak to that but that is my understanding okay and then the other issue you can staff can speak to they want to go to 70 feet or the height the height up to 70 feet and that would be for the building located approximate to defender drive horizontal right there so only this building but the other ones would be at 60 correct and what was the difference why that one

[03:12:06] again I'll let the applicants speak to their reasoning for that all right thank you can you go back to what you said, and I may have misunderstood you, you said if it's above 60% AMI, it acts as a market rate unit. Can you explain what you just meant there? So the per month rent after 60% AMI begins to mirror the rent for a market rate unit. So that's why we typically will just kind of identify that as a bit of a threshold for after that point, is there

[03:12:40] really as much of a benefit to it being a attainable housing unit. Really? I did not know that. Okay. That's very unfortunate. Do you know if it, do you know if the, well, I'm going to ask the applicant, were LIHTC funds going to be used at all? You don't know that? That's not being proposed that I know of. That's not being proposed that you know of. Okay. When you go to page 11 of the presentation, were you saying the word permeable when you're talking about that corner

[03:13:14] the paper permeable so say say that part to me again also so you're saying that because you said that the the they're going to encroach into the river stream corridor is that what you're saying the risker correct uh so that parking would be previous pavement so basically it's going to be parking that they want to put there on previous pavement correct and that's not normally allowed in that in that area in those areas the parking itself is working itself yes so to mitigate it they're proposing previous can they can how many spaces is that because it doesn't what is that

[03:13:53] three spaces uh 29 total no no it just in that little area is 29 where that little that arrow's pointing um no all of the dark gray oh all of the dark gray okay so it's 29 total total that they're that they're proposing and they're saying because it doesn't belong there, they'll make it permeable?

[03:14:13] Correct. Okay, are they meeting parking standards without those 29? They're not proposing to modify the parking standards. Parking is something that typically will evaluate a site plan unless they're proposing to reduce it.

[03:14:32] So as proposed, they have to. As proposed, they have to, okay. Okay, I think that was... The units are all... These will not be for rent. They'll be for sale, correct? The units are specifically...

[03:14:49] No, no, no. No, the market-rate homes. The regular... The... Is this a development that is... They're proposing for rent. All of it. Correct. Okay. Okay. All right. Thank you. Thank you.

[03:15:06] Good evening. Good evening. Good evening, Chair Randall and supervisors. I have a presentation. Okay. You guys can pull it up. Thank you. We're going to turn our backs on you now, okay? Yeah, that's fine. For the record, my name is Sasha Brower.

[03:15:23] I'm an attorney with Walsh-Galucci. Sitting next to me is Randy Minshew with JLB Realty, the applicant, Graham Brock. I also have Brian Martin from Urban, our civil engineer, and Les Adkins, our traffic consultant from Wells & Associates, with me this evening. And we have met all notice and posting requirements for this public hearing.

[03:15:40] Next slide, please. So Bryce went over where the site is located. I'll just note that the site is on PDH4 and is governed by the original South Riding Approval, as amended in 2001, which currently allows for up to 90,000 square feet of office and hotel uses. We think it's important to note that this area has remained undeveloped for over 30 years.

[03:16:00] Next slide, please. So before we filed our rezoning application, we met with the South Riding Proprietary Board of Directors and have agreed to provide approximately 10 acres of open space to them, as shown here. This area is currently not planned for open space. Under existing approvals, today this area could be developed as office commercial uses.

[03:16:19] So we're taking around six acres of developable land and dedicating that as open space with this application. In exchange for the land, the proprietary has agreed to annex the project so our residents can use the open space and active recreation within the South Riding community.

[03:16:36] As a part of the agreement, the applicant will provide funds to the proprietary, and the proprietary plans to use those funds to convert that open space into a soccer field. This future soccer field will be about a five-minute walk away from the residents in our in the community. The proprietary's letter of support for the project is also shown here on this slide. Next slide, please. So as you can see from this illustrative, we're proposing four apartment buildings with an internal courtyard that will have a pool for our residents to use.

[03:17:06] The majority of the units will be one-bedroom units. Approximately over 70% of the units will be one-bedrooms. We'll also have some two- and three-bedroom units. I'll explain a bit more in my presentation, but we'll be resubmitting, as alluded to earlier, we will be resubmitting our application, the concept plan and proffers. Currently we have a proposed 262 units. We will be resubmitting to remove that 1.5 acre parcel circled in red there due to that restrictive covenant that we recently uncovered. We'll be removing that portion of the property and proposing 230 units. So to allow for this project, as Bryce mentioned, we're requesting

[03:17:45] to rezone to the R24 district. We are requesting two zoning modifications, one for the road quarter buffer type adjustment, which I can go into more detail if any supervisors have questions. We're also requesting to increase the building height of one building from 60 to 70 feet, and I have a picture in another slide that I'll show and explain why we're requesting that increase. I'll note that with our resubmission, hopefully tomorrow, we are removing the request to reduce the active recreation. We're actually going to be proffering to that soccer field that the proprietary is planning to construct. It was just a matter

[03:18:22] they always planned to use that field as a soccer field, but it just wasn't included in our proffers. So that will be committed to in our proffers, and so we will no longer need to request a reduction to the active recreation requirements. Next slide, please. So our revised concept plan is shown here.

[03:18:41] As I mentioned, we'll be removing that 1.5-acre proprietary-owned parcel from the proposed development, and we're decreasing the amount of units from 262 to 230 total units. From a traffic perspective, I just wanted to mention the Ellick Road entrance, the right in, right out, that's proposed to be removed due to the turn lane requirements that VDOT has, but we're open to discussing that with the supervisors this evening.

[03:19:06] But this layout works well because we still have two entrances on Defender Drive, and overall with the reduction in density, that's a 13% reduction in chip generation with this change. Our traffic consultant has reviewed, and the change will result in reduced traffic at the South Riding Boulevard Defender Drive intersection, and there is no appreciable impact on Elklick Road.

[03:19:28] Next slide, please. Just briefly, we are in the suburban mixed-use place type. However, during staff review, community planning did say that they support residential use here, given the small size of the parcel. Next slide, please.

[03:19:45] Architecture. So this is an illustrative of the project facing towards Defender Drive. As you can see, we've committed to really high-quality architecture. The main building here will have a leasing office on the first floor as well as a fitness center. So we're requesting a building height increase only for this building from 60 feet to 70 feet.

[03:20:03] And the reason is, as you can see from this picture, the building has a sloped roof, which we believe, looking at the surrounding community, is more in keeping with the character of the residential use. So the request is really just to allow for that sloped roof. Otherwise, it would be a flat roof, and we just looked at the surrounding architecture and thought this would look more compatible and have that more residential feel.

[03:20:25] Next slide, please. So this image shows the buildings facing Elk Lake Road. As you can see here, you can see the architectural treatment for the project provides a lot of visual interest. We have balconies, recesses, and different types of building materials shown here. Next slide, please.

[03:20:43] Pedestrian connections. So this image shows in red an off-site sidewalk that the applicant is committing to construct, which will provide the missing pedestrian link down to Tall Cedars Parkway. We've also committed to install a natural surface trail connecting to Elk Lake Park. That trail is highlighted in yellow and connects all the way down to the basketball court there.

[03:21:00] And again, this future soccer field is shown there as well. Next slide, please. The applicant is committed during this process to a substantial proffer package. I won't go through all of these. We're happy to answer questions, but I did just want to highlight our contribution for affordable housing.

[03:21:16] As Bryce mentioned, we're actually exempt from the ADU ordinance because we're a four-story elevator-served building. However, we understand and appreciate the county's need for affordable housing, so we're opting out of that exemption, providing the 6.25 ADUs, as well as the UNUs 3.75, so a total of 10% affordability for this project.

[03:21:37] Next slide, please. Two issues on transportation I'll briefly note. On the Route 50 interchange, as Supervisor Letourneau mentioned, we worked on this issue extensively with the Planning Commission. We think our approach is fair, providing the contribution for the developable area for the interchange.

[03:21:55] And the proffer as drafted, I'll just note, is drafted in a way that the county can use the funds for any transportation improvements that are deemed necessary in the area. For the traffic signal at South Riding Boulevard and Defender Drive, we acknowledge that it's a problem intersection, and JLB is committed to doing their best to get that up and running as soon as possible.

[03:22:16] We've worked with Supervisor Letourneau's office on the traffic signal. We are proffering to construct it, but the timing of the signal is important. We want to get it up and running soon. So we have

committed to start on the signal design before VDOT approves the signal warrant study, and we've also proffered to submit the signal design plans within 30 days of VDOT's approval of the warrant study.

[03:22:37] Next slide, please. So in closing, we believe this project is compatible with the surrounding commercial and residential developments within South Riding, and we're proud to have the full support of the South Riding Proprietary. That concludes my presentation. We're happy to answer any questions, and thank you for your consideration.

[03:22:56] Well, thank you. I will go back to Mr. Letourneau. Thank you. Well, I appreciate we had discussed several of the items that were mentioned, in particular the off-site sidewalk improvements, which I had requested that you do on Ellick Road to help connect to other amenities that are further down, and then also the letter that you sent to my office yesterday, which I think was up there.

[03:23:24] Can you just sort of synopsise the discussion we had regarding the Defender Drive signal and the timeline originally, and then what we discussed doing to try to accelerate the timeline of the signal at Defender Drive? Yeah, of course, Supervisor Letourneau.

[03:23:39] So our traffic consultant looked at the timing for installation of the traffic signal, given the county's need to review the signal warrant study and then VDOT's approval, And the timing was April 2026 is the earliest the signal could be installed. And so that was a concern right off the bat for everyone involved.

[03:23:57] So we worked with Supervisor Laterna's office to come up with a way to work on expediting it. And so that's what you see in the proffer is that we're doing everything we can to go ahead and work on the traffic signal design while VDOT reviews the signal warrant study. So we'll be ready to hit the ground running when we get that approval from VDOT and hopefully move forward in a more expeditious manner to get this signal.

[03:24:19] Normally, the design process would not occur until a signal warrant happens, but we're going to shortchange that to try to get that done, even though you won't have a warrant, although I am sure we're going to meet warrant. So as I mentioned, I do have some concerns.

[03:24:34] Well, first of all, we just need to understand a little bit what's happening with the changes to this because they are more significant than what we would normally see after a public hearing, I think. My concern with losing the Ellick access is, particularly in the AM, it's an easy way for people to get to 50. Ellick is restricted as an eastbound only at 50, but the fewer people we can put on Defender Drive and be tempted to go over to South Riding Boulevard and over, the better.

[03:25:05] So I liked having that Elk Lake area because I thought some of those vehicles would probably go that way. So I would like to have your commitment to look at that turn lane and whether there's anything that we can do from a sight distance perspective to try to accommodate continuing that.

[03:25:24] Yeah, Super Resilaterno, we were exchanging emails this afternoon, and our engineer and traffic consultant are looking into it. I will note that there are two entrances on Defender Drive, so some of the residents will be able to still go on the Ellick Road route to get to Route 50 rather than go to South Boulevard, South Riding Boulevard.

[03:25:41] Yeah, they will. If you're already on Ellick, you're definitely going to stay on Ellick. Yeah, I hear you. And I'm just trying to get as many cars out of South Riding Boulevard and Defender Drive as

possible. Is there anything on site at all? I didn't ask you this previously, because this is out of left field, but is there just like a swing set or a tot lot or anything that's on site?

[03:26:00] We do have an active recreation, I don't know if you can pull it myself, we have an active recreation area on site, so we have the pool, the internal courtyard, and the fitness center, and then there is an active recreation area on site, the southern portion, I don't know that we, oh, with the updated layout.

[03:26:19] Graham Brock from JLB Partners, I assume you're, I'm going to infer that you're asking for children more so than anything else, we do not have a tot lot or swing set, the, what we found on a lot of our projects is the inside active rec gets used a lot we have a gym there's games pool that sort of seems to be like the congregation spot for some of the younger people but we do not have anything per se there but with the pickleball courts the basketball court and the soccer field which will probably be used as a multi-use field and not just soccer i think

[03:26:54] there's more than enough there mr saints sorry i meant to put my light on oh okay too late I thought it was on this whole time.

[03:27:10] So does this project trigger the traffic light, or was it triggered before? Yeah, so the intersection, Defender Drive and South Riding Boulevard, I know it's failing today, essentially.

[03:27:26] It's a problem intersection today. Our contribution to that is minimal, but it is an increase, so that's why we're committing to construct the traffic signal. I'm just curious why it wasn't constructed before, but I'll ask my colleague from Dulles.

[03:27:41] I'm sure he'll tell me. So you're putting one soccer field in over by where they already have the basketball court? So the area in green, highlighted in green, that's about 10 acres of open space that we're conveying to the South Ryan proprietary.

[03:27:59] And that will be, we're proffering that it will be an open play area, but our understanding is in talking with the proprietary that they want to make it a soccer field. it used to be a soccer field i believe and so here yep so that area will be an open play area open play field open play field field okay it just seems to me like you can maybe put two soccer fields there so is it going to be like one soccer field and then open space to play it it definitely could be i think from the proffer standpoint we'll be committing to an open play field um but then the proprietary will have the use of that land as they see fit for open space purposes

[03:28:38] for the South Writing Residence. Okay. Do you know if you are exceeding the parking minimums? As of right now, we are at the parking minimums. You're just at the parking minimums.

[03:28:54] Okay. I'm very concerned about the amount of asphalt. Did you give any thought to doing parking underneath the buildings? These are apartment buildings. It's fairly common to have parking underneath an apartment building. And we do do a lot of different styles of parking.

[03:29:10] It's cost prohibitive here to do anything with a structured deck, a structured parking, or concrete. The cost just starts skyrocketing at that point, and you can't really afford to do it on this site. Is there any way to re-engineer so there's no parking in the risker?

[03:29:27] I can speak to that. Just having worked on infill sites in the county, unfortunately, this site is very small, and this is just the only way we could make it work as far as the concept plan. It is a small encroachment, and I will say we met with natural resources.

[03:29:45] several times at least two times to go over the mitigation because we were concerned and we wanted to make sure that it was addressed and we did address natural resources concerns and they agreed with our mitigation for the risk or encroachment okay so we're providing the 1.5 times reforestation do you sorry i'm running out of time do you know if there's a tot lot or a playground by the recreation center i kind of agree with supervisor letourneau that a tot lot would be would be good on this i don't believe so i think you need a tot lot mr sayings thank you i'll pick up where supervisor brisman left off yeah i would um highly recommend to look

[03:30:23] at doing a top lot uh on your site um you know the soccer field sounds nice um looking at you know the site yeah you have a basketball court there's a dog park great but again if you're building apartments and you know you're going to have various residents it's safe to say you're going to have residents that have young children there so next have a top lot i know the you know The developer was mentioning about having a game room and fitness room and all that stuff, which is great.

[03:30:53] But that's going to be more to your younger adults, older adults. But, again, there's most likely going to be some children here because, correct me if I'm wrong, it's not age-restricted, is it? No, it is not. So there's most likely a chance you're going to have some children in this building.

[03:31:09] And then I know you mentioned earlier that you're going to be looking at doing a lot more one-bedrooms than anything else. Why is that? Yeah, that's correct, Supervisor Sainz. Yeah, we have over 70% one-bedrooms. The need for one-bedroom units is pretty great in Loudoun County. The Unmet Housing Needs Strategic Plan identified smaller unit types is more important, so I think that's what JLB is trying to address that need.

[03:31:31] Okay. All right, and will this have a pool on site? Yeah, we have a pool. Okay. And in regards to the height of the building, you're saying you need to go higher because on the bottom floor you're going to have the lease?

[03:31:48] Right. The leasing office and the fitness center is on the first floor of that first building facing defender uh and so to provide that sloped roof to make it um compatible with the other buildings on the site we need that additional 10 feet now we thought about moving potentially that building instead of it being right on defender moving it more to the interior um or to we looked at a few different layouts uh that's a really good location for that building um because it's prominent along defender so it draws people in uh and then i will note that we're not near any

[03:32:25] adjacent residential that it would be towering over across the street it's commercial so there's no negative impact for adjacent residents there okay but or flip it the other way it'll be closer to the dog park and the soccer field so again there will be to your point obstructing homes home views um parking i would for my taste i would like to see underground or a garage attached to the buildings we've seen that and newer developments instead of just having all surface parking with all that to my supervisor Brisbane said a lot of

[03:33:02] asphalt to jazz it up a little bit more so those will be some of the things I'll be looking for when you bring this back and and notice yeah you said you're gonna go from 262 to 230 but yeah pool hot lot the location of the the bigger building and parking would be some of my concerns. Thank you. Thank you, Mr. Sains. Can we go, well, I'm still, I don't have you all's presentation, so I'm still looking at mine and it's our staff's

[03:33:36] and it's this one with the page where I'm right here. So are these stick built? Yes, they are, except for the front building as a podium. It's a concrete podium on the first floor to try to get more height for the leasing and the gym. So even the ones you want to go to 70 feet, that's stick build also? Just with the concrete floor. The first floor is about 12 to 14 foot clears.

[03:34:00] So we're going to do that out of concrete and then four stories stick above. That's five stories altogether. That's five stories altogether. I can fit that. We can fit that in a flat roof without asking for any problems. We just looked at it. We really, really sort of keyed in on a modern farmhouse look than a flat roofed, very industrial sort of self-storage looking facility.

[03:34:24] I just, I, I, I I didn't know you could go that. So is it anything over six stories? It has to be, it can no longer be six, the stick build. Is that, is that the line? Without taking up too much time, you can go to about 75 feet. You can do two stories of concrete and then five stories stick above.

[03:34:42] Okay. But to do it all out of wood, if you're doing a building out of wood right now, it's five stories per code. Okay. And these are, all the buildings will have elevators in them? Everyone will have elevators. They'll be conditioned corridors also. And would you then put any of your... attainable units no matter what the AMI is you would dock them throughout the the they would not be in one location that is correct and like one of the things that I'm not gonna stand on a soapbox we will have all the same finishes and everything else for all those units you were just talking right to me right now thank you so much so all the same materials all the same

[03:35:19] finishes and and and throughout the not all in one place but throughout the correct yeah that's that's how it should be done that's how it should be done um so have you have we done any um i know we're really still early still very early on but we have but we have looked at any of the surrounding schools to know that if we have you did you told us with how this would impact the roads how will impact the schools yeah the schools have capacity we did take a look at that and i um they do have capacity all three all three levels okay all right all right well i'll

[03:35:56] wait till it comes back and see what see what it looks like I think this is you know some more work to be done and so I could ask more questions now but it's going to come back anyway so I'll wait keep my questions till later thank you very much and truthfully we need homes in Loudoun County so I'm excited that we're trying to do something different and I'm real excited that we're trying to do some AMIs I'm going to go look into what you just said though if it gets to be 60% AMI It's almost the same as market rate.

[03:36:20] That is really interesting since technically, you know, affordable is, what, about 35 to about 85% AMI, and then technically 85 to 110 is workforce.

[03:36:36] And so to say that 60% is at the same rate as market rate, that is really – We got a long way to go into looking to build really 0% to 30%, which is low income, or 30% to 60% because we're leaving a whole lot of people out of getting homes, which I thought we were doing better than that, actually.

[03:37:02] Can I respond really quickly? Sure. I can coordinate with the Department of Housing to provide some more information. Can you do that? That'd be great. And I will note that that 60% number, that's specific for rental units. Yeah, I understand what he was, yeah, but that doesn't make me feel any better.

[03:37:20] The reason I offer that is because usually we are looking when an applicant comes in and proffers the UNUs, often they're proffering for purchase. So we haven't had as many of these rental UNUs. Yeah, I would love to hear more about that, though. We have, as far as I can see, one speaker, or I think it's just one speaker on this item.

[03:37:41] And now she's up. Jim Bingle is speaking on this item. Good evening. Members, I'm Jim Bingle, speaking on behalf of the Piedmont Environmental Council. Well, it was really good to hear the applicant's presentation.

[03:38:01] There were a lot of things that just reading the staff report were not 100% clear, and the changes even make it more clear. So I've got to work a little bit on what I had prepared to say. So the reduction in density is actually a good thing for this property, and if the applicant is coming back with changes, there are a couple things that I would mention related to that.

[03:38:30] Specific to the percentage or to the commitment of housing devoted to affordable housing and UNUs, it would be nice. I know that they're going above and beyond the 6.25%. If specific percentages of housing devoted to the 30% to 70% range could be included, so you have a number, that would be nice.

[03:38:58] It wasn't quite clear before about proffering to the south riding proprietary, and understanding now that this is proposed to be part of that is good to know. The open space, I think, is really important for residents, new residents.

[03:39:17] So having that opportunity is important. I support the discussion about totlots. With the increased space, reducing the density, I would hope that there's room to get the parking out of the 50-foot risker management buffer.

[03:39:38] And it seems like there's opportunity, but of course I just saw it quickly, so I can't, what do I know? However, if you're not able to do that, I would suggest that having more than one low-impact development best management practice would be really helpful.

[03:39:58] It would demonstrate in advance your commitment to green building standards, bronze. I don't know all the details that are involved in bronze, but given that Elk Lick Run has been identified as suboptimal habitat health since 2009, it's undoubtedly not gotten better since then.

[03:40:19] The commitment about a roundabout is a useful thing with the traffic. Oh, my gosh, Jim. I mean, Ms. Bingle, I'm sorry. Am I done? Yeah, we're done. Shoot! You were interesting. I was just like, I was just listening to you. I wasn't watching you. I'm sorry. All right. Well, you can send us any comments. I will. Thank you, ma'am. I appreciate it. Mr. LaTurna, would you like to make a motion?

[03:40:41] Yeah. Can I just ask staff a question before I make the motion? Just on the timing now, because there are significant changes we haven't even gotten yet, staff needs us to go to November public hearing? At the earliest, yes. At the earliest. Okay. All right. I'm going to make a motion for November. Just one second before you make the motion. I'm sorry. We have somebody from LCPS here and I, you know, I, I never, I didn't know that. And I apologize. Did you have anything you want to say on this application? No. Okay. Wonderful. All right. You just, you've been spending a lot of time with us lately. You really have.

[03:41:10] all right miss eterno okay so i'm going to make november as the if there's an issue obviously we can coordinate and work it out but um i move the board of supervisors forward legy this is new legy 2023 0039 defender west zmap 2022 0014 zmod 2022 0051 zmed 2022 0052 and zmed 2023 0019 to the november

15th 2023 board of supervisors public hearing for action second discussion the motion mr leterna yeah so first of all it's probably worth noting in case it wasn't clear

[03:41:48] that the south riding proprietary is actually a co-applicant on this application and have been involved at length in this open space discussion some of the details tonight actually was the first time i heard some of that because it was a little bit up in the air to answer supervisor brisman's question on the intersection, would love for it to have been fixed previously, but in all of the previous iterations of our intersection improvement study, this intersection was only a category three, which I vehemently objected to at the time, but the data, as per our staff, it was only a category three. I actually brought an item as a BMI to reevaluate this intersection. If you all remember

[03:42:27] that and you approved it, it was reevaluated and upgraded to a category five. There's a Chick-fil-A on the corner that alone is a magnet there's a taco bell there's about to be a 300 student daycare on the east side of defender drive that's about to open among other things this is a very very bad intersection and it's paramount that we get it fixed as fast as possible I do think this application would help us to achieve that faster personally I'm not concerned about the building height issue I think that's just an architectural kind of quirk I was kind of the one that pushed

[03:43:03] them on the one bedrooms because we have that need and also quite frankly because it has a less student generation than than larger units do um but you know knowing kind of the need and i think that may have kind of led to the discussion about sort of who this was going to be targeted to in terms of probably younger adults and things like that we don't have a lot of product that's geared towards this market in this part of the county so i think from that standpoint it's welcome as well as the fact that that section of South Riding Boulevard, which is, this goes way back to the first section of South Riding, would maintain open space forever, which would be really welcome.

[03:43:41] So I'm, you know, I think this is largely in pretty good shape. The, you know, the issues for me, like I said, I want to work on this alkaline issue, understand better exactly how these changes look at things. I think given my colleagues' comments, maybe we can look at something small to accommodate families that may be in the other types of units in particular um not talking anything major but something we can talk about there um and then you know obviously we'll have any for any future questions to answer uh miss fagel's question and you're welcome to call my office tomorrow about this we had a lot of discussion on the roundabout i know that's where she was going before time came

[03:44:17] up um unfortunately you've got to channelize so this is south riding boulevard's four lanes here going up to 50 very short distance between 50 and defender there's a dual turn lane on left there what you'd have to do is channelize that down to one lane all the way before you get to defender it wouldn't work you'd have to take out one of the lanes so we had this whole discussion with lou and dtci i think we're all in agreement that unfortunately the only solution here is going to be a signal and i think that's what's leading them to go ahead and proffer that um up front

[03:44:49] Thank you. All I would say is, first of all, thank you, because, again, we need homes. I actually wasn't, the height doesn't bother me. I just didn't know what the limit was for stick build and past that. I think that the design's actually very interesting and kind of new.

[03:45:07] And, you know, I really hadn't thought about it before. You're right. We do need things for, I mean, we do things for, like, young families, but not always young people, like people who are, you know,

who are straight out of college or, you know, between the ages of, like, 22 and 30, maybe don't have a family yet. That is a deficit in the county.

[03:45:24] So I do appreciate, maybe I can get my son to move back home now and leave Atlanta because I really miss him. So I don't like that. No, thank you, Mr. Sainz. I really want to think that about my son. That's really very helpful.

[03:45:43] All right, Mr. Leterner, would you like to have a closing? I would be delighted to represent your son on the Board of Supervisors Chair, you know? And I'd be delighted to have you. My pleasure to be getting back here. All right, all in favor say aye.

[03:46:00] Opposed? That motion will pass 801. Wonderful. Thank you very much. Let's go on and go to item number five. We have quite a few people here for the Dogwood Farm discussion.

[03:46:18] Quite a bit of speakers, I mean. Thank you.

[03:46:35] This legy word is kind of tripping me out, too, to be honest. How are you doing? Doing well. Very good. Very good.

[03:46:51] We are ready when you are. Wonderful. All right. Good evening, board members. My name is Marshall Brown with the Department of Planning and Zoning. I'm here to present the Dogwood Farm Station application. The subject property is approximately 20.08 acres in size.

[03:47:07] It is located north of Route 7 and south of Riverside Parkway in the Algonquian Election District. It is located in the suburban mixed-use place type. The applicant is proposing to rezone the subject property from agricultural and residential uses to R24 townhouse multifamily in order to develop 485 multifamily dwelling units consisting of 265 multifamily attached and 220 multifamily stacked units.

[03:47:35] The applicant is proposing a special exception to permit a child care center in the R24 district between 4,000 and 10,000 square feet in size and six ZMODs to allow private street access, increase maximum height without additional setbacks, reduce parking and building setbacks from certain roads, and to allow buildings to front an open space.

[03:47:55] This is a view of the CDP. The multifamily attached buildings are shaded in orange towards the bottom of the screen adjacent to Route 7. Multifamily stacked units are shaded in yellow, and they are closer to Riverside Parkway. And Bonny Court, excuse me, the pool and clubhouse area is shaded in blue.

[03:48:16] Two entrances are proposed. One is off of Bonny Court and one is off of Garden Center Drive. The applicant is proposing two options for affordable housing. The first option is if LIHTC funding is secured, between 90 and 100 of the multifamily attached dwelling units will be provided as age-restricted AHUs, and that will be in one building.

[03:48:40] If LIHTC funding is not secured, the applicant is required by the zoning ordinance to provide 6.25% of the units as ADUs, and they are proffering an additional 3.75% of the units as Affordable Market Purchase Program Units, or AMPPUs.

[03:48:55] That results in 31 ADUs and 18 AMPPUs, and these would be spread throughout the site between the MFA and MFS units. The applicant has proffered design standards for the buildings on site.

[03:49:12] Multifamily attached buildings, you can see, are on the bottom of the elevation, the bottom picture, and the multifamily stacked on the top picture. Multifamily attached buildings will be up to 70

feet tall adjacent to Route 7, and the height lowers to 50 feet at Riverside Parkway.

[03:49:32] They have proffered certain sustainable building features and to construct a bus shelter on Riverside Parkway. The applicant is meeting the open space and active recreation requirements in the 2019 GP through on-site trails and active recreation areas, as well as the pool in the clubhouse, which again is in that top right corner.

[03:49:50] They are also proffering to implement three LIDs and native landscaping on site. There is an ongoing road abandonment application on Bonny Court to abandon a portion of county-owned right-of-way to accommodate future development on site. The county-held right-of-way to be abandoned is shown here in yellow, while in new required cul-de-sac, which would also be new right-of-way dedication, as shown in green.

[03:50:14] The draft proffer statement contains the phased process by which the applicant may proceed with the abandonment of the right-of-way and the subsequent process for dedication of new right-of-way construction and acceptance of the new cul-de-sac area on Bonny Court and the bonding of all future improvements required for the completion of the road.

[03:50:32] The RDAB and related construction and dedication applications are currently under staff review. The applicant is proposing to phase the development of the property while the concurrent road abandonment application proceeds for a portion of Bonny Court, which is highlighted on this slide in red.

[03:50:48] Phase 1 is limited to 200 multifamily dwelling units that have access off of Garden Center Court, which is where that blue arrow is. The maximum number of units that can be constructed utilizing a single entrance is 200 units, which is the reason for that phasing number. The remainder of the site will be allowed to proceed once the existing right-of-way on that portion of binding court is abandoned and the improvements are in place. Staff has identified outstanding issues with the applications regarding capital facilities contributions, which under option two

[03:51:21] are not provided for AMPPUs. That is contrary to the 2019 GP policy. Regional roads and regional transit contributions are not being provided for all units, which is contrary to the county-wide transportation plan policy. And the fire and rescue services contributions are not being provided for affordable units either. And depending on the final unit mix between options one and options two, that's why you see these numbers varying. At the July 13th planning commission work session, the Planning Commission voted to forward a recommendation of denial 801 to the board staff could support approval of the else of the applications if these

[03:52:00] outstanding issues concerning contributions are resolved I am happy to take any questions this is in the Algonquian district so I will go to miss Frickson first thank you so we had a vote to deny the application from the Planning Commission but staff can support the application could you explain the discrepancy? Certainly. So the commission's findings for denial are in the staff report. They're in the body of the report and also as an attachment. I believe the commission

[03:52:37] found some issues with the density that was proposed as well as some of the zoning modifications. From the staff perspective, our analysis shows that this plan is generally consistent with the suburban mixed use place type and the suburban mixed use place type has what type of um what could have what type of housing uh the suburban mixed use place type is um could have a variety of housing a lot of multi-family is supported under the place type okay which is what is proposed

[03:53:09] here okay um there there was an issue with um actually never mind you explained that with the LIHTC with the option one and option two, so that's fine. The road abandonment, that's kind of concerning to me because some of the amenities are going to be coming in phase two, so the road abandonment is kind of concerning to me. Does staff have any, well, first of all, could, if this is approved and the road abandonment's not done, could we be stuck with phase one only and phase

[03:53:47] two never gets done? So there is an inherent risk, really, with developing this way. But it's mostly, you know, the way the proffer is prescribed, it sets out the process by which they have to develop.

[03:54:04] They can only do 200 units. I'll go back to that phasing plan. They can only do 200 units at that point in time. And in order to proceed with the rest of the phases, they have to complete a certain number of steps, and that includes, you know, abandoning the right-of-way and putting in all the rest of the improvements.

[03:54:25] What's the likelihood the road abandonment could be complete by the next public hearing so that we're comfortable? There are a certain number of steps that we would have to work through. The typical process is for road abandonments to be complete prior to rezoning.

[03:54:43] Okay. May I ask our council? Absolutely. Do you know, have you started negotiations for the road abandonment? No, we haven't.

[03:54:58] We've met internally. We're setting up a meeting with the applicant. Staff has indicated to the applicant that that needs to come first rather than having the rezoning come first. The board is under absolutely no obligation to abandon this right-of-way, and in the event the right-of-way is abandoned, the board is under no obligation to sell the property to this owner.

[03:55:21] Will the road abandonment be complete by the October public hearing? No way. Okay, all right, thank you. Thank you. Mr. Sainz. Well, thank you. How many acres is this property? 20.08.

[03:55:37] And they want to do how many units? 485. The last application, how many acres? I might look to Dan. Well, it was 20 acres. It was around 20. I can get you an exact number if you want. And how many units were they just talking about doing?

[03:55:55] They went from 262 to 230. And that's a difference of 255 units on the same acreage size, 20 acres. We have one applicant who wants to do 485. The other started at 262 and went down to 230 on the same amount of acreage.

[03:56:17] It was just mentioned a second ago by staff. I'll say this again during the applicant's time, but I'll just be honest with you and say it now, that's a little, that's too much, in my opinion, to have 485 units on 20 acres.

[03:56:34] exactly it's a little dense um for the road abandonment where the red is so would the plan be to have a right in only off of route 7 or is it just we just need that road but just it'll still be a dead end um from route 7 onto bonnie court that has been closed yeah so okay so even if say if the road payment was to happen there is no plans to make this a right in only or anything no that's been closed for some time okay so it'll stay closed yes i want to make sure of that okay All right, and the rest of my questions will be to the applicant.

[03:57:11] Thank you. I'm sorry. The specs that are being requested for the child care are somewhere between 4,000 and 10,000. That is a huge difference between those two numbers and pretty unusual. Do

we normally see a request that is that, I mean, that's like, it's double.

[03:57:32] Is that normal or should we not be closer? The size of that building from 4,000 feet to 10,000 feet is a very big difference. Do we not try to narrow that down some normally?

[03:57:49] I believe, and I can let the African speak more to it, but this started originally as 10,000 square feet, and as the plan has evolved, some flexibility was built in for it to be between 4,000 and 10,000 square feet. So what you're saying is the size of the daycare decreased, possibly decreased?

[03:58:08] Possibly. By more than half, possibly. Okay. Can we go to page 7 of 11? So this is one of these times when I know that they're meeting the open space requirements, but the way it's configured doesn't really help.

[03:58:33] I mean, there's not really a lot of places somebody can sit down and have a picnic or something. I mean, it's just kind of all over the place. there, and maybe because it's so dense, and believe me, listen, I want homes. We need more homes in Loudoun County, and we need more attainable homes, affordable homes, and the fact that they could possibly do age-restricted homes, I am surprised at how many more age-restricted homes we always need. So I'm not, you know, I'm always looking to figure out how to do

[03:59:10] affordable by designs in different homes in the county however this is a very this is very dense application and and this may be a question for the for the um for the applicant the the way we don't care how open space is configured as long as it's open space we don't care if it's for lack of a better word usable open space we certainly always try to look and see if the design is is usable um you think this is the disc well the discretion is left to the applicant to make the final design as long as they are meeting the square footage minimums and in this case they have um i can certainly let the applicant describe

[03:59:48] something okay oh that's the applicant that's fine that make that's absolutely fine um all right so we will do that good evening mr romio how are you doing uh very good chair randall thank you for asking absolutely ready when you are sir uh thank you very much uh chair randall and members of the board my name is michael romeo melanie splinter with walsh kaluchi here in leesburg for the record the affidavit for mailing and posting has been submitted I won't go through the whole team but just know that they're here if we have any questions. So next slide please. Can the team raise their hand?

[04:00:25] They're all excellent, excellent people. So I think it's important just first off to identify where we're located. So as was mentioned we're around 20 acres for the site. We're located adjacent to University Center, adjacent to Riverside Square, which was part of the original Lexington 7 rezoning.

[04:00:47] Within Riverside Square, there's a number of retailers there. Within University Center, there's a number of employment uses, educational institutions. So it's within walking distance of these educational institutions, retail amenities. There's open space, plus park.

[04:01:03] You can see that green finger sticking down. There's also a transit stop. It's all within a 10-minute walk of the site. Across Riverside Parkway, which was recently constructed in the past couple years as a four-lane major collector median divided roadway, separates us from the existing residential neighborhoods to the north, Potomac Farms, which is a minimum of 250 feet away, and Lexington 7 Active Adult Community, which is 1,000 feet away.

[04:01:30] So it's important to remember that there is a lot of amenities and open space and other items within walking distance of this site. That's one of the reasons we are proposing the density we're proposing. Next slide, please. The other reason that we're proposing the density that we're proposing is because it complies with the plan policy for density in this location.

[04:01:48] We are zoned, or I'm sorry, we are planned for the suburban mixed-use place type. It's hard to see on the screen, but the area, it's circled in green at the upper portion of the right image is our location. South Riverside Parkway, it's suburban mixed-use. North of it is suburban neighborhood.

[04:02:04] And there's a big difference between the two. Suburban mixed-use is an FAR of 1 to 1.5 in buildings of five stories or less. In suburban neighborhoods, it's a density of four to six dwelling units per acre, which is much less dense. Next slide, please.

[04:02:21] Another major reason for doing what we're doing is to comply with the Unmanned Housing Needs Strategic Plan from 2021. There are five major goals included in that strategic plan, which are listed on the left side of the screen. I will not read them, but we are meeting every one of those goals with this plan. Another major issue with housing in general in Loudoun County is the lack of smaller units.

[04:02:42] There are 92% of the housing units in Loudoun County with four or more bedrooms. The Unmanned Housing Needs Strategic Plan aims to fill the gap with more units of three or bedrooms or less, of which there are only 8%. Additionally, the pie chart on the bottom indicates there's 84% single-family detached and attached dwelling units in the county, whereas there's only 16 multifamily units or 16% multifamily units in the county of which all of our units are multifamily.

[04:03:09] Next slide, please. This slide just shows you what you already know. This was a second quarter report for TLUC showing the extreme deficit in housing that's being provided on a regular reporting basis. I'm gonna go through the numbers 'cause I think you're all well aware of the deficit.

[04:03:25] Next slide, please. I won't go through the layout too much other than to say it was intentionally done terms of having the taller buildings along route seven and gradually decreasing in height towards riverside parkway the units along riverside parkway are rear loading units so you only see the face of them along riverside parkway and garden center court that was intentional at every step of the process we had a public hearing two work sessions with the planning commission we made changes all the changes on the left were from the most recent planning commission work session and as a result one of the comments you made here randall was about the daycare center

[04:04:01] we originally were posing 10 000 square feet we had to modify the building types to help address smaller daycare and it just had to be reoriented because of what we changed and one of the major changes we made was with the building on the bottom left there which is the ahu building that was originally a non-age restricted building the residents that came out and provided input to us informed us that they were concerned about density they were concerned about parking they They were concerned about a number of different things, school chipped student generation.

[04:04:32] By converting 190 to 100 units from non-age restricted to age restricted, it kills three birds with one stone. We have no students that are generated, far less traffic, and our parking ratio drops considerably. We still kept the child care center within that building because this is a really unique feature that really doesn't occur elsewhere in Loudoun County, having a 62-plus building with a child care center within it.

[04:04:57] And if you go to the next slide, there are benefits that are included in studies that show that elderly residents benefit just as much as the children benefit. The children provides exuberance and activity for the older residents. The younger children gain knowledge and understanding as a result of that. So there's a really great symbiotic relationship, which we find to be fascinating for this site. Next slide, please. These are renderings or elevations of the two over twos that would face Riverside Parkway. Again, you'll note that these are rear loaded. You don't see garages from the front. These are designed to be more of a suburban style. They're made to

[04:05:35] look like townhomes. And these are capped at 50 feet in height along Riverside, even though they're actually going to be probably about 48 feet in height. Next slide, please. Again, elevations for the back-to-backs. I won't go through these. Just as a reminder, we have a great diversity of housing. We have four different housing types on this one site alone, three of which are for sale. Next slide, please. One of the for sale options are multifamily attached condos. Each one of these buildings has one, two, and three bedroom units in it. It is four stories of residential over one story of parking, so we're making the parking as efficient as possible. These buildings, similar to the previous

[04:06:11] application, are requesting an increase in height simply because we have a gabled roof. If we didn't have the gabled roof, which we think fits in better with the rest of the design and is more suburban in nature we could probably get rid of that modification next slide please this is just the one-story clubhouse right along riverside it will have a meeting room and an exercise room within it we believe this is amenity not only for our residents but also for potential communities nearby next slide please in addition to that we've agreed to a 25 meter swimming pool in the proffers it'll be adjacent to the clubhouse and we will it really is something we want not only

[04:06:49] residents to enjoy but could serve as amenity for nearby residents who don't have this amenity we we see this as a really great gathering space next slide please um that's okay you can just skip through all that uh it's that's okay uh again we just have some site features uh gazebo butterfly garden pollinator meadow those are all features that are proffered next slide multi-generational recreation is a unique playground area that will be located adjacent to the AHU building, which we, again, believe active adult, or I'm sorry, not active adult, but seniors and children can use alike. Next slide, please. Community outreach, we mailed

[04:07:28] letters to or flyers to every resident of Potomac Farms, every resident in Lexington 7 and nearby businesses. We had approximately 60 citizens show up at our August 22nd meeting. We had a lot of valuable feedback, and I made a promise at that meeting that we would reduce density, we would increase open space, and we would get all the buildings out of the setbacks, and that's something we will do and this is just a listing of all the rest of the outreach that we've had. Next slide please. One of the concerns that came up in the meeting was transportation. We have absolutely no transportation capacity issues. In fact we don't even have enough trips to trigger

[04:08:03] a signal at Riverside Parkway and Garden Center Court. What I will note is that if there ever is a demand for that in the future we are contributing 2.3 million dollars as part of our regional road improvements towards any future improvements the county deems necessary. Next slide please. School capacity, we have no school capacity issues. There is a concern, and this is for the elementary, middle, and high school. It actually, our capacity increases over the six-year planning period out to 2029. There is a concern about an existing staffing issue, which is causing a capacity issue at Stuart Weller, but it has nothing to do with building capacity.

[04:08:39] Next slide, please. In the vicinity of the site, there are, again, this is the intent of the suburban mixed-use place site being realized. There are three recent projects that were approved by the board, University Center at Lakeview, which actually is more dense with less open space and less affordability than this project.

[04:09:00] There's Commonwealth Center Residential and One Loudon. There are great amenities with all the great transportation facilities around us. You can walk within this whole area within 10 to 15 minutes. It is a wonderful area to have a mix of uses. Next slide, please. In conclusion, we appreciate staff support.

[04:09:17] The only outstanding issue that we have with staff from the staff report side is the contributions. This is, again, a policy that probably could use updating. The board has previously supported applications that provide cap facilities for market rate units.

[04:09:33] We are providing \$10.6 million in contributions for all those different pots of money. And we believe that's fair because if you add on additional contribution requirements on top of affordable units, it makes them that much more difficult to provide.

[04:09:49] And in summary, as I mentioned before, I did make a promise at the committee meeting that we would make changes, and we are absolutely in the process of doing that. We appreciate any feedback you can provide to help guide us down that path. So, Chair Randall and others, I would be happy to answer any questions. Mr. Emeril, that was literally right on that, right on, I mean, like the last second to finish.

[04:10:10] That was very impressive. very impressive. Supervisor's question for the applicant. I will go first to Ms. Bricksman. Thank you, Madam Chair. Thank you for the presentation. The building along Riverside Parkway, you said is 50 feet? 50 feet in height, yes. And that, are you asking for a modification for that? We are, but that's because we're currently in the setback. If we take those out of the setback, which we are going to do, we may not need that modification anymore. So I will have to reevaluate that okay okay great and um the modifications for the buildings along route seven it was originally my understanding that those that modification you were asking for that

[04:10:49] not only because of the roofing but because you're putting parking underneath yes it is a dual issue it's a dual issue right i'm i'm yes very happy about parking underneath i just think that that's getting rid of a lot of asphalt that could be there um so you said you're you're going to be addressing the setbacks and you're going to be addressing a density issue do you know how you're going to be addressing the density well first of all i don't like to call it necessarily an issue we need housing but how are you going to address the community feedback on density so for density number one when we get out of the setbacks we have to squeeze and that requires us to lose units

[04:11:26] throughout the site so we're going to lose units there we also are reconfiguring the mix within the multi-family attached condos and we're probably going to lose a few units in each of those buildings as well. We are also adding more open space. The open space you saw right along the cul-de-sac there is probably going to move more internal to the site. It's going to create a much better overall design. So that's kind of how we're addressing each of those issues. Okay. Do you have an estimate yet as to how much reduction you're going to do? It depends. It's probably going to be

[04:11:58] in the range of 30 to 40 units give or take. Okay all right. Maybe more. Okay and then have you had any conversations? I don't know if this question is permitted but have you had any concerns about the road? I'll just ask it that way. Have you any had any concerns about the road abandonment? We have

worked really hard to kind of resolve this issue and I give a lot of credit to staff for working with us on this issue is not the traditional way of doing it, as Attorney Rogers mentioned. We feel like we're at a really good spot. We look forward to having

[04:12:36] those discussions, which I think will happen early next week, and hopefully resolving those issues. Okay. This actually is really close to Bless Park, and my colleagues may or may not remember there's going to be sort of a path to Bless Park right off Riverside Parkway. My concern is how people get to that path to access Bless Park because you can access it pretty quickly would you commit to doing a crosswalk or something along those lines so that people can access Bless Park really easily absolutely we have a crosswalk commitment in the proffers and if that is not approved by VDOT there will be a cash and loan provided for it we actually moved our crosswalk

[04:13:14] at the suggestion of Lexington 7 residents from the closer the area closer to that Bless Park connection down to Garden Center Court that intersection because they felt that would be a better location for it. We're fine putting the crosswalk anywhere along our frontage, whatever gets it built, because we want to build it. Okay, thank you. I'm out of time.

[04:13:36] Yeah, okay. Mr. Sainz? Thank you, and thank you for the presentation, Mr. Romeo. As I said to staff earlier, I still feel this is too dense. I know you mentioned you might go down 30 or 40, but even still, that's going from 485 to 455 or 445. Again, that's still too dense to mean.

[04:13:57] Also, how many totlots are you looking to do? Well, I have at least one. And again, with the reconfiguration of the open space, we're going to have other amenities there that will also serve children. Okay, I think that's still something to look at because, again, what you do with your density or whatever you're proposing, one is still pretty not accommodating for this size.

[04:14:21] And so say if I'm on the bottom and you're putting it over by the pool, I've got to walk with my little one way over or drive my car to get to the one location. I can rephrase that. The multi-generational recreation area is also effectively a tot lot, so we'd have two in that respect, but we can look at it in another if that's of importance to you.

[04:14:41] Yes, it would be. Do you have a vendor for the daycare facility that you're proposing, or is that still up in there? No, we do not, and that's the purpose of the range there, to allow for a vendor that we hopefully can fit in there. Okay and you know if this was to come to pass I think that is a good idea the only other location that I could think of in at least in eastern Loudoun County is actually not far from here in University Center area in those apartments there is a daycare facility in one of those apartment building units and actually my you know full disclosure my child went there when we're in day

[04:15:15] care phase and it was actually very very good program so I like that again and if you're putting it with the 55 and better folks that's some might enjoy the the company and then some might be like these kids you know but either way I will say the other reason we did reduce that is because we did receive feedback from the nearby residents that they were concerned about a child care center so getting it below 10,000 was one of their comments that we helped address as well you know if you have it in there you won't you won't even notice until unless you you know you know it's there. I agree. Comparing it to the one that's actually not that far from this location

[04:15:55] because I didn't even know it was there until I really you know you're doing your research and I'm like oh okay it's tucked away in here pretty cool. Anyway nonetheless my main concern is the density.

If you can fix that up are you proposing any basketball courts or playing fields? We definitely are proposing a playing field as part of the next iteration. We have the pool of course in the clubhouse. We're going to again the more centralized open space that we're looking at.

[04:16:20] we can do a number of different things in there and probably we'll definitely have a tot lot uh playing field is very likely um but if there's something else you would like for us to consider let us know just look at your open space and your amenities because again if you're doing this much you need to have some activities for folks well speaking of which the multi-family building is that going to have uh gym space in that or do i have to leave my building to go to the one gym space uh the ahu building may have a room in it and i would defer to ben miller at wellington and development if that's the case, but all the open space on the site will be used by all the buildings. There won't be separate amenities within the multifamily buildings. Those condos will use all the other open space as well.

[04:16:58] Time is up. Thank you. I'm actually not worried about a parent walking across the two different, it's not that long ago. I know this area and it's actually a lot of building for a fairly thin space and so that doesn't bother me at all.

[04:17:15] Would you all have time to do LIHTC funding? That would be a really, really tight schedule, wouldn't it? It wouldn't happen under the October deadline, if that's what you're asking. So you're looking at how we do it? It probably would end up being a bond program.

[04:17:31] Because the October deadline is kind of our deadline. So a what program? A bond program. It could go that way. And if you have specific questions about that, Ben Miller can answer those. I did see him come in. Can you come up to the table, please, Mr. Miller?

[04:17:48] Because you did mention the LIHTC program. I mean, you said if it's the 100, it's the LIHTC, but you don't have time to do that. You couldn't meet the October 1 deadline for the 9%, but the county has extra to do all fours, a 4% and a tax-exempt bond.

[04:18:04] So they have a January and a June additional deadline. So you could hit, depending on when rezoning was approved, you could theoretically hit those. And then Virginia Housing's 4% tax credit application is rolling, so there's no deadline. So you wouldn't have to adhere to the October-March deadlines like you would in a 9% app.

[04:18:23] I know that the October deadline is kind of the county's deadline. There's an October county deadline that is primarily used for the 9%. Right, and you're looking for the 4%. They added, I think last year or the year before, there's a January and there's a June for 4% deals only.

[04:18:47] But what if I want the 9%? If we wanted to do 9%, we would have to wait until next year. Yeah, yeah. Yeah, that, yeah. And I don't know that it's, is it even called LIHTC if you're waiting to do the 4% and is it still the LIHTC, the same thing?

[04:19:06] I mean, you're familiar with Todd Kim's deal, he's at 4%. Okay, all right. Well, you know what, the truth is we're so early in this application, there's so many things that's going to change. I mean, I don't need to spend a lot of time asking questions for an application that's going to change a lot, right? So I'll just hold my questions till later.

[04:19:22] And we have people who like to speak on this item. In fact, we have quite a few. All right, here we go. Our first speaker on this item, I'll call your names a little bit in advance, is Brett, I think it's Flowers,

followed by Ross Rockinball, followed by Katie Wilson.

[04:19:46] Good evening, sir. Good evening, and thanks for having me. My name is Brett Flowers. I've worked and lived in Loudoun County. majority of my professional career. I'm also a volunteer as a treasurer and on the board of trustees of a local private school here in the county, which is, I think, important to this conversation we're having. I'm here to support the Dogwood Farm Station community. I think it's

[04:20:21] important. I think, as many of you have mentioned, there's a critical need for this type of housing in in our area uh we feel it um at our school when we're hiring teachers when teachers are starting family we have teachers that commute all the way from west virginia because that's where they that's where they feel like they can afford to start their families um i feel like the people that that work and contribute to this community should also be able to call it home and so i'm glad you guys are focused on that. I think this community does a lot to support that. I not only

[04:21:01] think of the teachers, I think of myself. When I was starting out, I couldn't live in this area. It took me a long time to be able to afford to purchase a place, but it's probably the best financial decision I ever made. And I can look back on that now and think of the equity I've built over time and what a difference it's made for my family. I also like the aspect of providing more housing for seniors in our community. As we think about our parents wanting to come with the grandkids from faraway places, let's give them opportunities. So I don't have much more time.

[04:21:36] I just wanted to thank you for allowing me to talk, and I hope you support this initiative. Thank you, Mr. Flowers. I really appreciate your words, but I will say I would prefer my mom not move here. But thank you. Sir, you will be followed by Kerry Cornerstones. Good evening.

[04:22:07] Good evening. My name is Ross Rockinball. I'm a homeowner in Potomac Farms. I've been there for over 10 years. I'm actually here against the rezoning. I believe this is a very bad location for a high density. I believe the county does have a need for that, for the high density housing, but this is not the place for it i want to make you aware of some of the things that aren't mentioned um we can start with the virginia power is going to be putting a high uh voltage transmission lines on route 7 it's going to be either on that side or on the other side of route 7 so i want to make you aware that that's going to be there um it is also in the 60 decibel to 65

[04:22:44] decibel airplane uh noise contour so i want to make sure you guys knew that um let's see uh there's no public transportation that stops anywhere nearby. So these people that don't have as many parking spots can't get to the metro. They can't get to places like that. It's also between a hotel and a recently approved brewery. So I'm not sure I'd want my house between a brewery and a hotel.

[04:23:13] So I just want to kind of point out some of these things that weren't mentioned and just let the supervisors know about this. Also, there actually is two different child care facilities that you can walk to from where this location is. So there's already, there's one right by the Texas Roadhouse, and there's one also by the Chick-fil-A.

[04:23:35] And then traffic, I think, is the last thing I wanted to bring up. Loudoun County Parkway and Route 7, traffic is terrible. It backs up every morning, every night, and now it's getting to be, it's backing up even when it's not rush hour. So I don't think we need to add more units.

[04:23:51] I believe we've already approved another 1,000 units that was mentioned in the presentation. that have not been built yet in that area. Thank you very much for your time. Thank you, sir. Carrie Cornerstones, followed by Sid Harvey.

[04:24:08] Good evening. Good evening, Chair Randall, Board of Supervisors. I'm Carrie Wilson with Cornerstones. Oh, you're Carrie Wilson with Cornerstones. I'm sorry, this was all one. I'm sorry, I apologize. I'm sure it was my handwriting. I'm sorry, I apologize. Cornerstones is a nonprofit that has programs in Reston, Herndon, Sterling, and soon to be Leesburg when the Tuscarora Crossing housing opens.

[04:24:31] And just as background, we've been founded in the planned community of Reston in 1970, and we've been working since then providing emergency food, shelter, affordable housing, running child care programs, and other community services. I'm here tonight to affirm the importance of your commitment to addressing the unmet needs for housing needs for Loudoun, including a critical need for seniors in this county.

[04:24:57] You all know nearly 17% of our residents in Loudoun County are over the age of 60, nearly 75,000 residents, and 4% of them live in poverty. The high cost of living, however, puts housing out of reach for so many more seniors who want to stay here, who want to have the opportunity to retire here in Loudoun.

[04:25:21] The concept, in addition to the need and meeting a need for age-restricted housing, of co-locating a child care center has been talked about. It's something that is a national model. Cornerstones is doing this in Fairfax County.

[04:25:38] We also, I can tell you the benefit every day. We have so many retired seniors. The folks from a low-income senior housing program who come over every day to volunteer with our kids doing reading and, of course, after-school work, but yoga and mindfulness painting.

[04:25:57] And the benefit to these kids, many of whom don't have the opportunity to be with their parents, is immeasurable and also reminds our seniors of the incredible worth. So I just think this is an important project, as we heard tonight. I think the first hearing tonight reminded us of the great diversity of the areas in Loudoun County, paved or not paved.

[04:26:21] One thing is universal, and that is the need for housing. And as we grow, and certainly to ensure that our seniors, my mom, me, and our kids can benefit from all that Loudoun has to offer.

[04:26:37] so thank you all for your thank you ma'am i appreciate that sid harvey followed by heidi i'm sorry wait a minute yes sid harvey you'll be followed by heidi pluth who's on the remote right evening thanks for having me i live in the lexington 7 hoa and i've spoken on this subject several times in public including the last time at the planning commission meeting in which the

[04:27:10] project was rejected eight to nothing now if you take a look at this site plan here if you look at the yellow borders, that's where the green space is. So the kids can play hard up against Route 7.

[04:27:26] They can play hard up against Riverside Drive, right? But if you look at the middle, there's no place to play. There's no basketball courts. There's one tot lot, right? The daycare center is shrunk. Why is it shrunk? So we can stick more units in. We don't have any objection to there being a facility there. We understand growth. What we're asking for is smart growth.

[04:27:55] This is not smart growth. This is just, let's see if we can get 485 units on 20 acres. Maybe you looked at the previous project. They have 235 units on 20 acres, and they've set aside 10 acres for green space, right? So that sounds a lot more smart than what we have now. Just because you can put 485 units on 20 acres by manipulating your CAD CAM software doesn't mean that you should.

[04:28:30] And really, so much of our objections really come back to the issue of density. We're okay with something being there. Let's put something smart there. Let's put something that the residents that live in the two adjacent neighborhoods won't mind having. Right now, I do believe that there are safety issues that have come out of this virginia power is going to run a power line very possibly on our side of the road and the answer is the that means that the kids who can play in

[04:29:06] the shadow of route seven can play in the shadow of route seven with high voltage power lines over their head we really need to come up with something that's a lot more viable than this thank you thank you sir sir i'm gonna i'm gonna give you a call tomorrow because whether it's 400 houses or 200 houses, if kids are going to play, they're going to play under high-voltage power lines, right?

[04:29:34] The number doesn't matter. Actually, if you made it 200 units, okay? Now the answer is you can spread out the buildings. Okay. All right. We'll give you a call tomorrow. You can get away from the border, right? So you heard what the representative said.

[04:29:49] I'm good. I'm going to give you a call tomorrow. I have your number. Okay. Thank you. Heidi Pluth, who's on remote, followed by Jim Bingo. Heidi Ploos. There you are. Good evening. This is Heidi. I'm also a resident of the Lexington 7 community and have similar feelings as just expressed. I am for smart development, not just any development. Supervisor Sains was correct when he said the density is way too high. We don't believe this is characteristic of the surrounding community. The buildings are taller. There's not

[04:30:27] enough parking. There's little room for recreation. The project will likely create traffic as well as safety issues. And I guess there's conflicting information about the impact on schools, the teacher shortage, but currently all students zoned for Stuart Waller Elementary unable to attend the same school as their neighbors. So what will happen with an increase in students? Are we going to be looking at another zoning? You know how popular that is in this county. Supervisor Briskman was initially against the development. Once they added a daycare center, she was willing to approve the project. At the last public meeting in Sterling, she said she's saying to increase

[04:31:03] affordable daycare in Loudoun County. I'm for that as well, but not at the expense of the impact this development as design will have on the surrounding area. And unlike the previous self-writing presentation, I understand these are all concentrated in one building with the daycare center inside of it. The developer should realize parking needs do not diminish with older age. I think they made a comment about that, but I can tell you in the community we have parking issues as it is, and we have four spots per unit. Nearby residents are highly unlikely to use the clubhouse and pool so they shouldn't really promote that as an opportunity there's no need

[04:31:39] to rush this project send it back to the drawing board to come up with a more reasonable plan thank you for considering these concerns thank you did i i might have missed chris uh cynthia wallace are you here again cynthia wallace you will be followed by jim bingo good evening ma'am good evening as you said my name is cynthia wallace i'm also representing the homeowners association for the residents of

lexington seven i want to speak about some of the effects this project has on the surrounding communities. We're afraid that there is going to be eroding

[04:32:18] property values. There's considerable concern that an urban style project one block from our green and pleasant community will damage the property values of our homes. A claim by the developer that this will not happen without presenting any studies cannot be relied on. As with most Americans, our homes in our community represent a significant percentage of our household wealth of our older population. The proposed project as envisioned is an urban style development in a suburban area it's not visually harmonious to what is already there nor does it provide any benefit to the neighboring communities it's environmentally insensitive

[04:32:52] it creates numerous safety traffic parking issues that have been mentioned before it will overburden public services have not been considered in the proposal and must be considered in the overall density plans for the immediate riverside drive university center one loudon and commonwealth furthermore our community is very concerned regarding the safety and quality of life which we've addressed previously. There are alternative uses. This parcel is too small for 485 units or even 300 units. 21 acres is a good size for a park. You could put a larger daycare facility

[04:33:27] there along with a play area for surrounding areas. Rezoning could facilitate the construction of, like I said, of a larger daycare center and a public play exercise area. As mentioned in our town hall in August, the safety of children is a major concern since there's no place in the of development for them to play, they will travel across Riverside Parkway in numbers.

[04:33:49] Realistically, many of these properties could ultimately become investment properties. For example, an investor could envision these units as potential housing for George Washington University students. This development is described as entry-level housing. Without a cap on the number of units that are not occupied by the owner, after initial sale, the argument for this type and density of housing then becomes moot. This further denigrates the value of the homes the adjacent neighborhoods the developer seeks to maximize the number of units sold instead of proposing a project that is more harmonious with the surrounding neighborhoods every suggestion but one that we've made to improve the project was rejected we suggested a front sidewalk and safety

[04:34:26] lighting on which they did agree to but just because 485 units can be stuffed into this small parcel of land does not mean it's the right thing to do these are just a few of the issues we've identified others have also identified parking ma'am and i will let you go thank you so much i I will be sure to provide the comments to you.

[04:34:46] Yes, please. Yes, please. Thank you. Jim Bingle will be followed by Jeanette Gandhi, and she will be remote. And then our last speaker will be Jennifer Cochran. Good evening. Good evening again, Chair Randall, members of the board.

[04:35:03] Again, I'm Jim Bingle speaking on behalf of the Piedmont Environmental Council. It is interesting to hear that this applicant is also making some substantial changes, or hopefully substantial changes that address concerns. I have to say it's pretty striking to see the last development and this one sort of one after the other because of the open space and centralized open space.

[04:35:32] To have a feeling of community, I think, is a really important factor that should be considered as this application gets revamped. I would note, though, that the percentage of affordable and attainable

housing at about 20% is a good number, and we don't see that that often.

[04:35:54] So I do hope that continues. It could be even better. Unfortunately, I do notice that the financial contributions aren't quite meeting. They're not up to par. They need work.

[04:36:10] So I think that there was mention of the lack of a bus line here. And if you're going to have that kind of density, we have planned the urban area, or it's not really urban, but more dense across the road at One Loudoun.

[04:36:28] Seeing that bleed out, I think we need to integrate our high density with our transit. And if it's not, then that's an adjustment that should be made.

[04:36:44] And so I would encourage that consideration as well. I don't know. To be honest, I didn't check the transportation plans along Riverside Parkway. So maybe I don't have that information.

[04:36:59] But it is important to make sure that the walkability is one thing, But the ability to get elsewhere beyond just the immediate area is also considered.

[04:37:16] So I'll stop there. Thank you.

[04:37:31] All right. We have Jeanette Gandhi, followed by Jennifer Cochran, followed by, if she's on the remote, we're going back to Lola Collier.

[04:37:54] But first, Ms. Gandhi. Hi, I'm Jeanette Gandhi. and my husband, Pravin Gandhi, and I have lived in Potomac Farms for 42 ½ years. While I do realize that the dog station is a planning area that's designed for infill development, this applicant has requested the highest possible density of R24 and has also requested six zoning modifications.

[04:38:24] One modification is because the maximum building height allowed in R24 is 45 feet or 50 feet, But the applicant wants 70 feet, which is a 6% increase. And this 70-foot building height is unprecedented in the surrounding areas along Route 7.

[04:38:44] The density, 485 units squished into 20 acres, is also unprecedented. The project is not in keeping with the character of the neighborhoods of Potomac Farms and Lexington 7. And I'm not really fooled by the properties of a child care center and a competition-sized swimming pool.

[04:39:04] I know that the county needs senior housing, but this is not senior housing that offers amenities like other senior housing areas. This is just senior housing put into a building with 100 units at 70 feet high. Dogwood Farm, as you know, in its current form, is unanimously denied the planning commission.

[04:39:26] It's the wrong project, in the wrong place, at the wrong time. And thank you for your time. I'm sorry. Thank you very much, ma'am. Jennifer Cochran will be followed by Lola Collier, and that will be followed by, gosh, I'm sorry, I don't want to mispronounce your first name.

[04:39:49] Your last name is Gupta, and I don't want to mispronounce your first name. Good evening. Good evening. My name is Jennifer Cochran. I live in the Potomac Farms community, and I want to just echo what my fellow residents from Lexington 7 and Potomac Farms have all said.

[04:40:06] There are petitions from both Lexington 7 and Potomac Farms. Overwhelmingly, the residents that live in this adjacent area are against this building. When we met with the developer on August 22nd, we were talking about revisions down to 385 units.

[04:40:25] Now we're talking about 485 units. I understand that that was what was on the docket for this evening, but I'm not hearing changes to 385. I'm hearing 30 to 50, not what we discussed on the 22nd. This is also not a walkable area.

[04:40:43] I'm a runner. It is not 10 minutes from that location to one Loudoun for someone who's 62 and over and maybe not a super fast walker. There's no grocery store local. This is a suburban area plan. Cars are the mode of transportation expected in a suburban area plan, which brings us to parking. This was not originally submitted as 62 and over. It was changed to that for the last planning commission meeting to remove the need to ask for reduced

[04:41:22] parking regulations. By making it 62 and over, it reduced the parking to one and a quarter cars. As you've heard from other people, that's likely insufficient. I have lived in University Center where the cars are now stacked on Bless Park Drive because there's insufficient parking.

[04:41:42] And I was on the board of Countryside for almost 10 years, and one of the largest problems we had was the parking issue in Morven in the townhomes that only had four additional spaces from what was required.

[04:41:59] Those people were parking on side streets. We had them parking in the pool parking lot. There were no parking signs put up on Algonquian. That was an unsolvable problem, and we were really, we were a creative bunch, and that was an unsolvable problem.

[04:42:20] So you have to make sure that the right parking is in place, not regulations from 1993. Thank you. Thank you. I'm not sure. We've been trying to get a hold of Loyola Carlier pretty much all night on the phone.

[04:42:36] Is she on? I'm here. Wonderful. We're ready when you are. Thank you so much. As you said, my name is Lola Collier. I live in Potomac Farms as well. Very close to where these buildings would go up.

[04:42:55] It would be, they'd be my immediate neighbors. Everything that has been said by Lexington 7 residents and Potomac Farms residents, I want to echo as well.

[04:43:14] I had had that originally, a lot of the same stuff to say, but I won't repeat that. I will suggest another issue, though, a couple more. A few years back, the county deemed, rightfully so, that this exact intersection of Smith and Route 7 was one of the worst bottlenecks in Route 7.

[04:43:48] And when they were trying to make this into, I forgot, limited road from Route 7, you know, most of it through here, they deemed it necessary to put connector roads on both sides of Route 7.

[04:44:07] The parkway, and I can't remember what the other one is, maybe Russell Branch on the other side, I can't remember. But that was to ease the traffic on Route 7 at this bottleneck. I just don't understand why that as currently there's a group home that was approved by the county like two doors down and behind me that's being built right now, the additional housing at Lexington 7 and potentially that Aspen to Golden Dominion power line.

[04:44:42] it's all right here why on earth um would would that be considered smart when they had to do those two connector roads to ease the traffic before and in lexington 7 um it's my understanding that the reason that was one of the reasons that that was approved was because it was um not going to increase the schools, the bus trips back and forth to the schools because there would be no kids in that community.

[04:45:17] And then now there's going to be... Ms. Collier? Yes. Thank you. I'm sorry, your time is up, ma'am. Thank you for your time. Thank you, Ms. Collier, I appreciate you. Thank you very much. And the last person to speak, I think they're with us, and I don't want to mispronounce your first name.

[04:45:38] Sorry about my long name. No, please don't apologize. Just teach me how to say it. It's Gyanendra Gupta, Gyanendra. Normally people call me Gyan. Okay, I can do that. Thank you. Thank you, and thank you for coming in. I appreciate it. Thank you for giving me time to talk.

[04:45:54] So I'll just echo what everyone has said. Just need to add a few more things. I love new communities coming in our neighborhood, as long as they blend and complement with our community. Right now, based on the current data available, Potamek Farms has one unit per acre.

[04:46:16] I live in Lexington 7, that has four units per acre. Van Meters, the Lexington Square that is coming up, has six units per acre. And this one is immediately going to 20 units per acre.

[04:46:33] That's a big difference in the community in this neighborhood. Talking about, everyone spoke about the previous application, we had 230 units in the same. But we missed one point here. There, most of them are one bedroom.

[04:46:49] Here, most of them are two or three bedrooms. That means we will have kids, more kids in these units. Yes, it was mentioned that because the kids are there, we have Bless Park. Imagine 100 kids walking to the Bless Park every day.

[04:47:06] There is a crosswalk, but how safe is that? We have seen kids moving across the road all the time. Summer vacations, holidays, what will happen? Because in the previous meeting, we expect around 100 to 125 students between the age of 7 and 15.

[04:47:27] They need to play something. They will start biking. They don't have a parking spot. Where will they bike? They'll bike on the roads. That's a big risk to the kids. neighborhood is becoming like unsafe because the kids are riding on the bike, going across the crosswalks to Bliss Park. It's not easy. It's not very close, but it's not where I just go out of my room and go get there. It's not that close. And so that's a big congestion. And I don't think that

[04:48:02] is a big safe, but nice region to it. Yes, I saw the pictures of swimming pool and the play areas. We don't have a space in there. The pictures are there. Swimming pool, I can have a swimming pool which can accommodate 10 people. But we are talking about a community of 400 units.

[04:48:20] Imagine 400 units. Mr. Gupta? Yes. Your time is up. Oh, sorry. That's okay. Thank you very much. Thank you. Okay, Ms. Bricksman, would you like to make a motion? Thank you, Madam Chair, I would. I move that the Board of Supervisors forward LEGIE 2023-18, ZMAP 2021-10,

[04:48:41] Zmod 2021-39, Zmod 2021-40, Zmod 2022-0003, Zmod 2022-0072, Zmod 2023-0004, and Spex 22-0025 Dogwood Farm Station to the November 15, 2023 Board of Supervisors public hearing for action.

[04:49:07] Motion is made second by Supervisor Sainz. Discussion on the motion, Ms. Bricksman. Thank you, Madam Chair. While I did express opposition, I just want to correct one thing that was said. I did express opposition to the original application that was coming forward very early in my term for this parcel.

[04:49:28] I have not expressed opposition nor full support for the plan that's in front of us tonight. I've been working with the applicant on this project for probably at least a year, if not longer, to try and prove

it. We held a town hall in August where we considered comments and answered questions from about 60 residents.

[04:49:49] While we had a lot of opposition, we also did have some supportive residents at that town hall who came up to me during, before, and after and said that they are supportive of the housing, the affordable housing, and the child care center. Additionally, we have letters of support from Riverside Commons, three nearby businesses, And I also recently met with the president of GW, the new president of GW, who said they are very supportive of potential new housing for students and affordable units for recent graduates nearby.

[04:50:22] We do have a letter of opposition from Lexington 7, and 52 people signed a petition from Potomac Farms in opposition. Our general plan has designated the area north, I'm sorry, north of Route 7, but south of Riverside Parkway as suburban mixed use and revitalization.

[04:50:45] That's what our general plan says. Suburban mixed use can have several types of uses, including R16, R24, what we saw earlier in Dulles. North of Riverside Parkway is a completely different type of zoning. It is a suburban neighborhood calling for less density.

[04:51:03] So the two areas call for very different things, and I think that's why being on the border makes some folks uncomfortable, perhaps. Suburban mixed-use calls for up to 70% of housing, up to five stories, up to 1.0 FAR, and even 1.5 FAR bonus if they meet certain planning goals, such as affordable housing, building techniques that exceed efficiency standards, additional community amenities, and those sorts of things.

[04:51:33] I would like to give the applicant the opportunity to incorporate the feedback from the community and make the changes that they have committed to and for us to work on the road abandonment, because I am very concerned about this passing without the road abandonment being accomplished, because to me, the best parts of this application are in Phase 2, and I do not want to see Phase 1 built without Phase 2 if it were to pass.

[04:52:03] So I appreciate my colleagues' support. I hope that we can get these things resolved by November. If not, we may have to forward it again. Thank you, Madam Chair. Thank you. So I know this area very well. I live in Lansdowne. Sorry, I pass this parcel every single day.

[04:52:21] And I do think that there is some validity to the statements. Just because it's allowed doesn't mean it should be there at this density. I think those are valid statements. I also absolutely think that when I'm looking at the greens with the open space, the open space is almost unusable.

[04:52:41] It's not, it's kind of on the outskirts. It's not, you know, when I think of open space, I want some place that might, you know, the kids can run, they can have a picnic, something. And I don't think any of those things are true for that open space. So I don't like the application in its current form for a number of reasons.

[04:53:00] And if I had to vote for this tonight, I would not. Having said that, I will say there were a lot of things that were said tonight that were just not factually correct. There are not one, not two, but three grocery stores within a five-minute drive, like literally three. You go one stop up, get off on Ashburn, turn right, you're at a Harris Teeter.

[04:53:18] You keep going, down one more, you're at a Harris Teeter in Lansdowne. Go across three to one louder, and you're in a, I forgot which grocery store is over there. There are grocery stores all over the place over there. And what? What did you say? Trader Joe's. Trader Joe's, yes, Trader Joe's.

[04:53:34] Most residents, there are a lot of, first of all, we're not going to do that. We're not going to be screaming from the audience. So there are grocery stores. I do have to check the 60, the 65. I guess what I'm saying is this. It's important for me when people are giving me the argument one way or the other that the things that are being said are kind of factually solid.

[04:54:01] Because I, you know, I tend to agree truthfully on most of the issues that you all that were brought up and that were said and the density and there's a lot of, I agree. But then I heard other stuff that I just know is not true because I live there. I'm right over there all the time. And so, you know, I just think that, you know, how we talk about these things are really important because for people that might not live that close, you might not actually know.

[04:54:29] And it's really important. So, you know, I'm glad they're going to take it back. I hope they're going to work on it significantly because it is, I believe, too dense right now. I believe it's unusable green space right now. I would not vote for this application as it is right now.

[04:54:47] I think it needs to be more amenities just in general right now. This is not an application that even though allowed, I would support. But I also know that some of the things that were expressed are not just not factually correct. So would you like to close?

[04:55:06] Thank you. I do think that my colleagues will appreciate the changes in the open space that will come with the new iteration of the application and the reduction in density. I've seen some ideas on what it's going to look like.

[04:55:21] But I will remind my colleagues that you can't see it on this map. But with a crosswalk, there is a path from Riverside Parkway directly to Bless Park. If you remember the skate spots that were in the plan, it goes from Riverside Parkway directly to Bless Park.

[04:55:43] And it's my intention to, provided this happens, to make sure Parks and Rec makes it not just skate spots. It makes it something that kids can ride their bikes on and people can walk on and they can share the space to get directly to Bless Park, and Bless Park, by the way, is 98% passive, but there's also going to be pickleball, soccer fields, playgrounds, all those things that we approved a while back at Bless Park. I do want to address the child care center. We are 2,700 seats short for child

[04:56:22] care in the county for ages six and under. That's costing our county \$136 million a year in revenue as estimated by people who study these sorts of things. I did specifically ask for a child care center in that affordable building because part of the reason child care is costing families as much as a year of college right now, part of that issue is a supply issue. Part of that issue is just simply that, you know, it's just way too expensive, period. But part of the issue is a

[04:56:58] supply issue. And I am a firm believer that any jurisdiction in this region that solves the child care issue will win economically. So I did ask for the child care center. Does that mean that I'm going to, you know, walk over fire to get this application passed? No. Does that mean I'm not going to listen to what the constituents have to say about the application? No. Does that mean I'm not going to ask for more proffers and and maybe less density no but the child care center is key for me in this application as a matter of fact well it won't make me vote yes for it if it were

[04:57:35] gone I might vote no for it um I I still like I said I would I would like us to give the opportunity moving it to November hopefully gives us a little more time to work on this and I would like to get to a yes on this because of our housing crisis in the county um but we'll just have to see what what comes uh to for in november thank you madam chair just a quick point of clarification um just because something gets moved to a new date for action on the on the legy item does not mean that

[04:58:11] that we would maybe not vote on it that date at all but also doesn't mean that we would vote on it in its current form and so whatever comes on that date we'd have to look at it and fight and decide based on that or not voting at all that date on that date but the way sometimes the way the motion is said people might think we're going to move it at that date and then vote on that and that's not that's that's just not i want to make sure that no one thought that was the case all right motion was made by the briggsman seconded by supervisor sayings to move this to the november public hearing. All in favor, please say aye. Any opposed?

[04:58:49] That motion will pass 801. And we have one more item. Item number seven, which we have a new motion on item number seven.

[04:59:08] Public hearing, we can't go straight to motion. We can't do that. No. I don't know. And this is actually in the Blue Ridge District, but Mr. Letourneau is going to lift on this one tonight. Do you need the eight slides on this one, Mr. Letourneau?

[04:59:33] yeah because i need a bathroom break so let them go ahead and show you all wow first of all tmi okay so so you've seen this and this is for us gotcha okay we're gonna see the slides we're gonna see the presentation

[04:59:55] are you ready i didn't know you're ready i'm sorry madam chair also um if um if it pleases

[05:00:40] the board staff is willing to defer their presentation staff is in support of the application so um i think that i think you have something you'd like to say to us tonight i was going to offer to wave at the my presentation because of the evening and uh so we're really all just waiting for matt to come back because we're about to turn because we're actually really kind of doing we're all just kind of waiting doing that right now let's just vote and then

[05:01:11] and then adjourn and we'll all be gone so there he is okay so um i he probably can't you probably can go to a motion mr leterna that's probably realistic madam chair before before you go to i think we have to have the oh we have to have the public hearing part of the public hearing so no one so okay seriously does anyone have anyone that they anything they want to ask either the staff or the applicant because we kind of know the application already if you read it

[05:01:49] yes okay so i'm going to introduce the issue which is related to this motion and just use a question so um braddock road is not the application is not proffering anything specific to braddock road because braddock road is being widened as part of a previous application which happens to be by the same applicant, correct? Similar applicant. We have different. Oh, sorry.

[05:02:20] We're on you. I thought we were on staff though. I'm sorry. No, we're on either. Oh yeah. No, good. Talk to either. It's a free for all time. No, well, I mean the staff didn't want, didn't need to go. So just. Okay, go ahead. Right. That's fine. I represent both entities. I'm Roy Barnett with Van Meter Companies. I'm group president of acquisition planning development.

[05:02:39] So I'm actually an officer for all the various entities. So there are two separate Van Meter entities, one that's building Braddock Road under a prior proffer commitment dealing with Hogan Kent Green, which you see on your screen to your left, and that is not part of tonight's application.

[05:02:54] So the side property, which is before you tonight, is the 9.6 acres and 9.7 acres that is south of Braddock Road right away. The intent was that this property and this application is coming in, tying into the existing entrance that is being constructed with the Braddock Road improvements.

[05:03:15] So the conversation that I have with you is my concern about how Braddock Road is being widened to four lanes. You see the intersection of Gumspring Road and Braddock Road, which is, you know, a few seconds from my house. That's a hill. So when you take a right on Braddock, no, take a left on Braddock coming down from Gumspring Road, you're going down a hill.

[05:03:40] So now you're going to have this entrance to this community, and across four lanes of traffic, you could have people going out and taking a left. So I expressed a concern about that free flow access, and we had a discussion this evening about being able to potentially change the access plan for Braddock Road in that location.

[05:04:03] But it is not exactly part of this application. It would be handled by a subsequent motion here. Does that summarize our conversation?

[05:04:20] Yes, that's correct, and if staff could pull up, if you have your, whether it's yours or mine, site plan, just the site plan sheet, whichever sheet shows the layout, the seat, yeah, your layout, right, that's fine.

[05:04:49] So the DeSci application, yeah, you want to go to, that one's fine. That's even better. That's even better, yeah. So the application is what's outlined in Heavy, the site property, what Supervisor Luterno is talking about is that the separate CPAP that's being constructed, that's actually designed, approved by both county and VDOT, permitted, and it's under construction.

[05:05:21] That has a full turn movement at the entrance to the site, which is this application. So we're tying into that current intersection that's being constructed under that other plan. The concern that's been raised by Supervisor Letourneau is that that's a full-movement intersection very close to the intersection of Braddock Road and Gum Springs Road.

[05:05:47] And so the suggestion would be that if you, the board, and the staff want to direct the van meter entity that's building Braddock Road to change that design to a, what we call a restricted left end, which means that if you go west on Braddock, you can turn left into this particular property.

[05:06:12] But if you're in this property, you cannot turn left on the Braddock Road to go west. It's just, it'd be a right in, right out with a left end. It's a left end. So if you're going west on Braddock, you can make a restricted left end. And as you leave this property, you can only go right.

[05:06:30] okay so that is because that's not part of this application the the there needs to be a separate direction from the board if you want to have that road design changed that i as acting as turning my hats not as the applicant for decide but as the entity building the road we would agree to any direction that we get from county staff and the board on changing that road design we're that Everyone is as helpful as you are being right now.

[05:07:08] Okay, we understand. Does anybody, are everybody good? There is a motion on the table. Yeah, I'm going to make a packet motion. I think we need to probably finish the packet motion and then. And then do, well, you can, I don't know if you need to do them properly.

[05:07:25] What are they trying to tell us over here? Oh, yes. You can do either motion. It doesn't matter the order of the motion, but Madam Chair, I don't believe the public hearing has been open. Oh, okay, that's true. Is there anybody from the public who would like to speak tonight? Thank you. Mr. Kroboff, do you want to speak? No, you're good?

[05:07:41] No? Okay, very good. All right, then. Can he make a further move motion on this? So he does both, puts the motions together, makes a packet motion, and then a further move on this one?

[05:07:57] Yes, they are two separate motions. They could be made together. They could be separated. Okay, okay. All right, well, the first motion I need to make is I'm going to move to suspend the rules. Motion to suspend and second it by Supervisor Sains. Vice Chair Sains, your discussion on the motion to suspend.

[05:08:14] I'll only pay up to say aye. Aye. Any opposed? That's 701, Mr. Letourneau. Okay. I move the Board of Supervisors approve. LEGI 2023-0032, Desai Residential, ZMAP 2022-0004, Special Exception 2022-0021, ZMOD 2022-0022, and ZMOD 2022-0023, subject to the proper statement dated August 30th, 2023, the conditions of approval dated August 29th, 2023, and the findings approval provided as attachments one two and three to december 13th 2023 board of supervisors public hearing staff report i further

[05:08:54] move that the board of supervisors direct county administrator to initiate a revision to cpap 2021 double zero 24 hogan kent green braddock road widening improvements to reconfigure the intersection of braddock road and the entrance of the side residential development to restrict left turn movements from the desire residential westbound onto braddock road oh i think the miss Ms. Glass seconded it?

[05:09:16] Okay, seconded by Ms. Glass. Mr. Letourneau. Okay, we are solving problems on the fly here tonight. And this is in the Blue Ridge District, but if you look at Braddock Road there and you look just across the street on Braddock Road, that is in the Dulles District, so it's effectively a shared intersection, and Braddock Road is shared between the districts.

[05:09:37] So I have been more deeply involved in this application. It's a very clean application. There's, as you heard, really no staff concerns. It meets the comprehensive plan. This is another, I believe, one of these transition compact neighborhood place types.

[05:09:55] So this is the second one that Van Meter has done. It's worth noting they are proving out the concept and the comprehensive plan that we did have some pushback on back then. But these are effectively a little bit smaller single-family residential homes, which I think is appropriate for this location with place type and with 50% open space.

[05:10:17] I do appreciate the willingness of the applicant to work with me on the intersection. That was my one concern, recognizing that we couldn't do it directly in the application, but I think we found a way to handle it here tonight. That's going to improve safety here.

[05:10:34] I just have a lot of concerns. If you go up just a little bit on Gumspring Road, we have several of these situations where different developments came in at different times and they all have access. And

quite frankly, it's proving quite vexing because you just can't put signals at each one of these things. I have accidents and residents who are concerned.

[05:10:51] I could foresee the same kind of thing happening here on Braddock. If you look just to the left of this property, there's a daycare there, Chesterbrook, that also has unfettered access. And then you have Royal Hunter Drive. So there's just a lot happening here. So I think this is gonna make it safer, especially if you could see the topography.

[05:11:08] there is an incline here that's pretty significant. So with this change, I am comfortable moving forward with this and appreciate, again, the work of kind of last minute here to handle it. Thank you. My only question is, what is the price? What could be the price point of these?

[05:11:25] First of all, I love the fact that we need new designs and new different heights. And I will say, I've told you this before, Van Meter, you all just do a fantastic job of trying to do new and different things. I think, you know, you're one of the companies where I say, try to think outside the box, do something different.

[05:11:41] You've done that. You might have been in Australia while you were thinking outside the box, and welcome back, but you've done that every time, so I really appreciate that. But what is the price point that might these be? Unfortunately, because of the supply and demand, and this is all single-family detached homes, we're seeing the home pricing and the lack of the resale market.

[05:12:03] These singles, the larger singles that are on the 50-foot watts, which are basically a standard lot these days, they're in the 800s. What? And I'm just being that's what we're seeing from the Hogan-Camp Green Market.

[05:12:20] The smaller single families will be in the mid-sixes to start probably, but we see that the homeowners in this marketplace are, especially for single-family detached homes, and that's one of the unusual characteristics of this particular application is that we are providing six ADUs with the application that are single-family detached ADUs, which you're not.

[05:12:45] What AMI? They have to meet ordinance. So that would be the ordinance requirements up to, I think, 70%. Up to? That's where they're at, L6, or at 70%? They're up to 70, but if you look at the model, that's because I was on the Affordable Dwelling Unit Advisory Board for a while, the models that they use are really geared to try to hit around 55%.

[05:13:08] Okay. Okay. All right. All right. Mr. Sands asked me, what is the price point for that? I don't know. \$55. I think we just did one or two in Lena, and I believe those are in the \$275 range.

[05:13:25] For sale, not rent. Yeah, for sale. Okay. That's okay. Okay. I'm feeling that. That's good. Okay. All right. Mr. Latour, would you like a close? Well, just to this point, so we've gotten some comments about Hogan Kent Green and the fact that, you know, the pricing is as high as it is for the single families.

[05:13:43] And the point that I've made to some of the residents is in comparison to what's out there, that still is actually on the lower side of the single family market. If you wanted to buy a home anywhere in this vicinity, there's not a lot of options and they are, the prices are getting pushed pretty high.

[05:13:59] So I still, you know, who knows where the market's going to go by the time you actually, Van Meter actually builds this. But I, you know, these are still going to be on the more affordable side for this

type of product. And I do like having some of these single families available because there's a real demand for it.

[05:14:18] And I think not having these single families is helping to compress the market because there's nowhere for anybody to move up to. You know, we had this progression of folks going from condo to townhouse to single family, and that hasn't really been happening because there's no single family. So I think this will help with that.

[05:14:34] Okay, I'm done. Thank you. All right. Motion made by Supervisor Letourneau, seconded by Supervisor Glass. On paper, say aye. Any opposed? Nay. That motion will pass, I'm sorry, that motion will pass 7-1-1 with one of opposition and one person, Mr. Buffett, not the dais, and Ms. Umstead opposing.

[05:14:55] I believe that is all for this evening. Thank you very much. We are adjourned. Thank you. Thank you.



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