



MACHINE TRANSCRIPT • CORAGGIO CONSULTING

Loudoun County Board of Supervisors, Public Hearing, Wednesday, November 15, 2023

Date Wednesday, November 15, 2023
Place Board Room, First Floor, Government Center, 1 Harrison Street SE, Leesburg, Virginia
Length 4h 35m (video)

- Official meeting video (county, Granicus): <https://loudoun.granicus.com/player/clip/7470>
- Agenda (Granicus): https://loudoun.granicus.com/AgendaViewer.php?view_id=73&clip_id=7470

Machine transcript (speech-to-text) produced by Coraggio Consulting. Not an official county record. Names and numbers may be misspelled; check the video at the timestamp before quoting.

Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-19. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:11:48] Well, good evening, Loudon. Good evening, staff, and good evening, supervisors. I'd like to call to order the November 15, 2023 Loudon County Board of Supervisors Public Hearing.

[00:12:05] This room has a hearing loop. If you need hearing assistance, please switch your hearing aid to the telecall mode. If you need any other assistance, we have headsets that are available if you want to see the clerk. Would everyone 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, with liberty and justice for all.

[00:12:36] For some reason, Mr. Buffington, I mean, Mr. Kershner or Mr. Sains has a Pledge of Allegiance competition whenever we say it. Like, who can say it louder and more robustly?

[00:12:54] I'm not quite sure what that's about, but we do appreciate the Americanism of both of them right now. Okay. As a reminder to all members of the public, if you're addressing the Board this evening, you may only sign up to speak on one matter that has been advertised for the public hearing.

[00:13:17] Due to the broadcast delay, any member of the public who is not in the boardroom wishing to address the Board on items 1, 2, 3, 4, 5, 6, 7, 8, 9, and 12, which are on the consolidated hearing agenda, please call the number scrolling across the screen at your time.

[00:13:35] If you signed up to speak, you will be allowed at two and a half minutes. If you're in the boardroom, we ask that when your name is called to please come to the podium closest to you, state your name for the record, and the timer on the podium will tell you how much remaining time you have. When your time has expired, please lay out the floor to the next speaker.

[00:13:52] If you are providing comments via phone, I ask that you use your own stopwatch because you can't see the board timer and I don't want to stop you when you get to like two minutes because it interrupts your flow so this I'll stop you when you're finished but just clock yourself when you're when you're doing it and when taking public items when taking public input put for items I will first ask if there's anyone in the boardroom to speak and then I will go to the moderator to ask if there are any speakers via online. Our moderator today is Lisa Kennes. Lisa

[00:14:26] can you hear me yes chairman yes chair randall i can hear you thank you um supervisors especially supervisors letourneau and turner i added number one to the consolidated agenda um no now i have separated the the motions in number one because for one of the non-profits mr turner is on the um the board. And so he's going to want to abstain on that motion. So that's why I've separated those

[00:15:00] out. Ms. Letourneau, I know that you are very consistent in abstaining on the motions altogether, but you'll be able to do that even on the consolidated agenda motion. So I didn't feel like we needed to spend more time on it when we didn't need to. So the consolidated agenda is as follows. Nonprofit organizations request for property tax exemption by designation. Number two resolution approving the public use and necessity of acquiring certain real property and authorization for the acquisition of by eminent domain that is for route 50 and trailhead drive

[00:15:36] roundabout project item three resolution approving the public use and necessity of acquiring certain real property and authorizing the acquisition by eminent domain that's for sterling boulevard extension specific boulevard and moran road item four resolution authorizing the public use and and necessity of acquiring certain real property and authorizing the acquisition by eminent domain.

[00:16:00] That is for Route 9 and Route 287 roundabout project. Item 5, resolution approving the public use and necessity of acquiring certain real property and authorizing the acquisition by eminent domain. That is for Portsmouth Boulevard and Winkle Drive Night Watch Street pedestrian improvement project.

[00:16:20] I don't know what district is that in. that is that sterling what district is that one that's aspirin okay that's aspirin okay um item six legy to 2023-20-20-0028 mount pleasant baptist church special exception 2022-0003 item seven legy 2023-0079 ashburn crossing parking modifications spmi 2023-0015 item

[00:16:52] 8 ledger 2023-0043 dulles logistics rezoning zmap 2022-0022 and zmod 2022-0069 item 9 ledger 2023-0037 pleasant view substation cpmt 2022-0002 special exception 2022-00332 and spmi 2022-0003 And the last one on the Consolidated Agenda is LEGIE 2023-0049, Loudoun Station, ZMOD 2022-0078.

[00:17:28] Are there any members of the public who would like to speak to the board on any members of the Consolidated Agenda? Lisa, are there any people who are online who would like to speak on the Consolidated Agenda? Lisa?

[00:17:49] Lisa, can you hear me? Yes, I can hear you. Are there any members online who'd like to speak on any of these issues, on any of these items, which is items 1, 2, 3, 4, 5, 6, 7, 8, 9, and 12? Yes, not on those items at this time. Thank you, ma'am.

[00:18:05] Okay, so seeing none, I will close the consolidated agenda. Board members, please refer to the document entitled Consolidated Hearing Motion Set that was distributed via email and placed at your desks. All right. Let me grab that myself so I can make sure I do the motions on this one right.

[00:18:23] Okay. I will do the tax exempt by designation, and so first I will say I move the Board of Supervisors to approve Motion 2B for the approval of a Farmless Ordinary and Loudoun Club 12 as provided in the November 15, 2023 public hearing item number one, staff report.

[00:18:46] Motion's been made, and seconded discussion on the motion. Is Mr. Turner here? So he's in the building? Okay. All in favor, please say aye.

[00:19:03] Opposed, and abstained.

[00:19:14] We're so used to it, we all just looked at him. I said it for you already. So that motion will pass 7-1-1 with Mr. Turner being off the desks, Mr. Turner abstaining. Number two is the, I move the Board of Supervisors approve motion 2-C for the approval of a place to be as provided in the November 15, 2023 public hearing items number one staff report.

[00:19:40] Okay, everybody wake up tonight. Everybody wake up tonight. That motion was seconded by Mr. Buffington. Discussion on that motion. All in favor, please say aye. Opposed, abstain. That motion will pass 7-1-1. Again, item 2 is in the current Blue Ridge District, which next year will be the Little River District, but Mr. Buffington would like to make a motion.

[00:20:02] Madam Chair, I move that the Board of Supervisors approve motion 2B for the approval of the proposed resolution as provided in the November 15, 2023 public hearing item 2 staff report. The motion is made and seconded by Mr. Kirshner. Discussion on that motion? Seeing none, all the people say aye.

[00:20:22] Aye. Any opposed? That motion will pass 801. Item 3 is in the Broad Run District now, Sterling, next time, but I will go to the Broad Run Supervisor for this motion. Thank you, Madam Chair. I move that the Board of Supervisors approve Motion 2B for the approval of the proposed resolution as provided in the November 15, 2023 public hearing, item number three staff report motions made second mr buzzer bricksman discussion on that motion no madam chair seeing none on paper say aye aye any opposed that motion will pass 9-0

[00:20:58] item four is in the blue ridge and catoctin district it would be catoctin next time but since we haven't seen mr buffington in a long time i'm going to have mr buffington make the motion and i just i like him i like him better right now i like me better too that being said this this roundabout is actually half in the blue ridge and half in the catoctrine but i'm happy to make the motion i move that the board of supervisors approve motion to be for the approval of the proposed resolution as provided in november 15 2023 public hearing item number

[00:21:34] four staff report very good that motion was made by supervisor kirschner discussion on that motion Seeing none, all in favor, please say aye. Any opposed? The motion will pass 9-0. And the next item is in the Ashburn District. Mr. Turner, would you like to make a motion?

[00:21:54] Thank you, Madam Chair. I move that the Board of Supervisors forward the resolution of proving the public use and necessity of acquiring certain real property and authorizing the acquisition by eminent domain Portsmouth Boulevard and Winkle Drive Nightwatch Street pedestrian improvement project to the December 13, 2023 Board of Supervisors of Public Hearing for Action.

[00:22:12] Motion was made and seconded by Ms. Bricksman. Discussion on that motion. None. Mr. Turner, where exactly is this in Ashburn? I know Ashburn really well, and these streets do not sound familiar to me. You know where the Belmont Green abandoned shopping center is? It's right across the street. Okay. It's that corner by Nightwatch Street heading to the school.

[00:22:29] Okay. I know exactly where that's at. All right. All in favor, please say aye. Any opposed? That motion will pass 9-0. Number seven is the Broad Run District. I'm sorry, number six is the Blue Ridge District, Mr. Buffington.

[00:22:47] Thank you, Madam Chair. I move that the Board of Supervisors approve motion 2B for approval of the special exception as provided in November 15, 2023, public hearing item number six, staff report. Motion is made second by Supervisor Kirshner. Discussion on the motion. Seeing none, all in favor please say aye.

[00:23:05] Aye. Any opposed? That motion will pass 9-0. Number seven is the Broad Run District. Thank you, Madam Chair. I move that the Board of Supervisors approve motion to be for approval of the minor special exception as provided in the November 15th, 2023 public hearing item number seven staff report.

[00:23:26] Motion was made in second by Ms. Kleskin, by Ms. Bricksman. Discussion on that motion? Yes, Madam Chair. I just want to thank St. John's property for building two more flex industrial buildings in the Broderon District. I can't wait to see work begin on their construction and to welcome the new businesses that will move in.

[00:23:43] These, as Buddy Reiser from Economic Development says frequently, that these types of buildings are needed in Loudoun. I think we are at 3%, oh, my gosh, vacancy.

[00:24:04] Thank you. You're good? Yes. Anybody else? All right. I'm happy to say aye. Aye. Any opposed? That motion will pass 9-0. The next discussion is in the next items in the Dulles District, Mr. Letourneau. I move the Board of Supervisors approve motion 2B for approval of the zoning map amendment and zoning modification as provided in the November 15, 2023 public hearing item 8 staff report.

[00:24:28] Motion is made single by Ms. Bricksman. Discussion on the motion. Yeah, so this is essentially a rezoning from my favorite zoning district, which is Mr. High, mineral resource, heavy industrial, and some light industrial to allow for warehouse use.

[00:24:45] The only thing I'll note in my comments is there is no end user for this. And so we don't know what type of warehouse it would be. If it is one with distribution, then I would just like to flag that I would like to engage with VDOT about a discussion of the Pleasant Valley Road and Route 50 signal and how that may handle any additional traffic that could come from this.

[00:25:06] However, that's premature at this point because we don't know what type of warehouse it would be. I will say that, you know, there are places where we don't want these type of facilities. and so sometimes I feel compelled to support them when they are in locations where it is okay for them to be. This is on the north side of 50, on the airport side of 50.

[00:25:24] There is no residential anywhere near here. It's all on the other side, so I will support it. Mr. Letourneau, so you want to talk to VDOT about the traffic? I'm just flagging that if it is the type of warehouse that ends up having distribution associated with it, there may need to be changes to the signal configuration.

[00:25:45] Yeah, gotcha, gotcha. Okay, wonderful. Anybody else? All in favor, please say aye. Any opposed? That motion will pass 9-0. The next item is in the Catoctin District right now, so I will go to the Catoctin Supervisor, Mr. Kirshner. Thank you, Madam Chair.

[00:26:01] I move that the Board of Supervisors approve Motion 1B for ratification of the commission permit and Motion 2B for approval of the special exception and minor special exception as provided in the November 15, 2023, Public Hearing Item No. 9, Staff Report. Motion is made second by Mr. Buffington. Discussion on the motion. Seeing none, please say aye. Any opposed? That motion will pass 9-0.

[00:26:27] And the last on the consolidated agenda, before we go to item number 10, is the Loudoun Station, which is in the Broad Run District. Ms. Glass. 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 November 15th, 2023 public hearing item number 12 staff report.

[00:26:49] Motion made. Seconded by Ms. Brixman. Discussion on that motion? No. All right. All the people who say aye. Aye. Opposed? That motion will pass 9-0. All right, Supervisor, we're going to go to item number 10, which is the Lansdowne Boulevard rezoning.

[00:27:06] I will remind Supervisors that items number 14, 15, and 16, the applicant has already given their presentation, and so we don't do presentations twice. And so when we get to those items, we will not have presentations from the applicant because it's already been done and it's only done at one meeting.

[00:27:30] But this is the Lansdowne rezoning, and this has not been seen yet, and so we're welcome to the table. We have a supplemental on this item as well, supervisors.

[00:27:49] Yeah, we do. Yes, we do. Thank you, Madam Chair, as we get set up. Take your time. My staff, is anyone else's staff presentations coming up just as a regular agenda in their iPad?

[00:28:18] Is that what yours is doing? Yeah. Okay, Madam Chair, we're ready to go. Give me one second. No problem. Okay.

[00:28:35] It comes up. It's just, there we go. There we go. It came up. All right, we're ready for when you are. Thank you, Madam Chair. My name is Marchant Schneider. I'm the Program Manager for Land Use Review and Department of Planning and Zoning. I'm standing in for Zach Pyle this evening. Apologize for my voice.

[00:28:51] I feel like I sound like Buddy Reiser, but we'll go from there. So because the number of items that you have on your agenda this evening, we will be— You're nowhere as cool as Buddy Reiser, Marsha. I'll just let you know that right now. Buddy Reiser, D.C. 101. I digress.

[00:29:11] We'll start with some levity because we have a long agenda. We are seeking brevity in our presentations, and we'll defer to the applicants for much of the detail for tonight's items. First is Lansdowne Boulevard rezoning. if i can get my mouse to work okay this is a nine acre property located northwest of riverside parkway and lansdowne boulevard in the plan lansdowne community as you can see north of route 7. applicant proposes to convert office park uses to residential use to develop up to 120

[00:29:47] dwelling units these would be broken down by 17 townhouse units or 72 townhouse units 48 multi-family units these units would include 12 affordable dwelling units and four affordable market rate program units. I apologize, technology is slow. A number of special exceptions and zoning ordinance

modifications that impact the development standards for the community. The first two relate to townhouse units reducing front and rear yards. The third bullet relates to multifamily units

[00:30:19] reducing side yards from 25 feet to 10 feet. Zoning modifications, which for single-family attached units increase lot coverage also rather than having two on-site parking spaces are asking that two of the three required spaces be allowed to be on street parking spaces rather than on site and lastly modifying encroachments of porches I'm sorry the technology is slow this evening okay this is the

[00:30:57] overall concept plan Riverside Parkway to the south you'll see Lansdowne Boulevard to the right of your screen areas in green are these single-family attached units or townhouse units blue is the multifamily stacked units and then you'll see areas identified as active recreation you'll see also this demonstrates the circulation throughout the site they have requested to develop her the infill development policies of the 2019 general plan to do that they need to demonstrate that they're bringing the larger area in conformance with the overall place type which is suburban mixed-use in this case that

[00:31:34] That place type envisions residential uses from 60% to 70%, and this proposal would increase the overall area from 28% to 42%. So staff does support the zoning map amendment that achieves this density. Transportation commitments at Woodbridge and Lansdowne, intersection of Woodbridge and Lansdowne Boulevard, a warrant study for a traffic signal and an in-lieu cash contribution of \$33,000 if that signal is warranted.

[00:32:02] Also, warrant studies for crosswalks and cash-in-lieu contributions for those crosswalks. Lastly, cash contributions for a bus stop if needed at a later date, and then easements to be maintained by the HOA. The ordinance prescribes criteria for approval of zoning ordinance modifications, which talk about not approving modifications for which the primary purpose is increasing maximum density on the site.

[00:32:32] That has been our assessment, that the totality of these ZMODs do impact or do result in a higher density than otherwise would be allowed. And these are some of the impacts of those requested modifications. Okay, what is going on?

[00:32:52] Financial contributions, this has been a common component of most of the applications, residential applications that you've seen. First, the capital facilities contributions are anticipated for all units exclusive of affordable dwelling units.

[00:33:08] It would not capture AMPUs. That is leading to a deficit of about, this is an incorrect number, I apologize, should be \$118,000, not \$504,000. Also, the ongoing discussion regarding regional road and transit contributions for affordable units, in this case, are being proffered just for market rate units, and that's a deficit of about \$112,000.

[00:33:28] The Planning Commission did recommend denial of the applications, citing the extent of the zoning ordinance modifications and a higher density than what was deemed appropriate for the area. As mentioned, we do support the overall ZMAP, but do have exception to the requested special exceptions and ZMODs that modify the development standards.

[00:33:51] And that is the end of my presentation. Thank you. Thank you, sir. This is in the Ashburn District. So I will go to the Ashburn District Supervisor first, Mr. Turner. Thank you, Madam Chair. The underlying zoning on this parcel, PDOP, correct? Yes, sir.

[00:34:06] But it's subject to the Lansdowne Conservancy, I believe, design guidelines? It would be subject to the covenants that apply to the site, yes, sir. So I think the Conservancy envisioned that this would be an office park, and they have very precise guidelines about what an office park would look like on that property.

[00:34:24] So any other facility that was put on this property would have to comply with those design standards, correct? Yes, sir. They would not be enforced by the county, but would be enforced by the Conservancy. Right. Do you happen to know, I believe, the parcel next door, and if you could put the map up just for one second there, parcel immediately next door there is an existing office park, correct?

[00:34:46] Yes, sir. Do you know the total parcel acreage between this site plus the site next door offhand? This is nine. I assume it's about an equivalent size. That's about 20 acres. Total. Okay. I think that's it.

[00:35:02] Thank you. Thank you. Ms. Bricksman. Thank you. Are the two parcels owned by the same person? I am not aware of that. No, ma'am. Okay. Is the applicant meeting the open space and green space requirements?

[00:35:20] Yes, ma'am. Oh, really? Okay. All right. I'm surprised. And then what is the density, actually, units per acre? 13 dwelling units per acre. 13 per acre. This area would anticipate between 8 and 24. It's 13 per acre? 13 dwelling units per acre on this proposal.

[00:35:38] Okay, great. So you made some comments about density increase. That kind of went by past me. Could you explain that again? So the criteria in the ordinance says the modifications of the development standards are not to be for the sole purpose of getting a higher density on the property.

[00:35:55] than would otherwise be allowed. So let's say you develop per standards, and let's say they've got 110 units, but with the modifications they'd be allowed additional units. I see. That was our assessment is that it was not demonstrated that they didn't need these zoning modifications to otherwise get the density they're proposing.

[00:36:19] Okay. Have there been any changes to the application since it was at Planning Commission and received the recommendation for denial? No, ma'am. Just some administrative edits to the proper state. Okay. I was a little bit confused about the decrease in setbacks for porches and overhangs from three feet to one foot from the property.

[00:36:41] The applicant's presentation will have a graphic that demonstrates that, but it talks about the front stoops and how they encroach onto the front sidewalks. Oh, okay. So it's not something overhead. It's something that the porch is doing. Correct. You can explain when it's your turn.

[00:37:00] Yeah, okay. I think that's all I have. Thank you. Mr. Luterno? So am I safe in assuming this is PDOP and therefore data center is by right on it? Correct. We assessed the existing development approvals and our assessment established that data center would be permitted, but there has not been a formal determination requested.

[00:37:22] And any idea what the size of the data center would be that could fit on a site like this? On a nine-acre site? No, sir. I would not be able to tell you. Is it also fair to say that the county planning envisioned this to be actual office, and given the proximity, probably medical office?

[00:37:42] Yes, sir. Was there any concern expressed from economic development about losing this site as potential medical office? In lieu of the new policies that apply to the place type, because there was

retention of the balance of it, we did not feel that that was an issue, if that makes sense.

[00:37:59] So the suburban mixed-use place type anticipates additional residential density. And as we mentioned, based on the infill policies, it was going to a higher percentage of that. But it was felt that it was not diminishing the remaining commercial below what was prescribed for the place type.

[00:38:16] Do you have any, and you probably wouldn't, but I'd be interested in what the vacancy rate on the medical office in this vicinity is. I do. I've spent a lot of time over there myself. And it's, yeah, it's a thriving medical office ecosystem, but at least in some of the buildings.

[00:38:38] But, you know, on the Deerfield side, maybe a little less so. So I'd just be curious what our vacancy rates are like over there in some of those buildings. And I'll ask the applicant if they evaluated this for that use as well when we get to that. Something I would ask Buddy about.

[00:38:54] Yeah, I know. That's why I'm just, I'm asking you the question because I assume this is coming back to us next month. Thank you. Okay, so I get to use my pointer. So I live over here in this area. This, from here to here, from my house, is like maybe a 10-minute walk.

[00:39:11] I walk it all the time. To answer your question, this is an office park. It's not medical offices, and it's pretty near empty right now. And it is not medical offices, and it's pretty near empty. These are also medical office spaces, and they're not very fully.

[00:39:26] You know how I always talk about the building I want to make of attainable housing because it's almost empty? That's what I'm talking about right here, because when ANOVA built their tower and all their medical office spaces, everyone moved over here. There were never medical offices over here. They were always over here. This is a medical office building that is pretty, actually, pretty full.

[00:39:46] And this is apartment houses. It's a very big apartment complex that I know for a fact, because I just put a family member in here, has about a one-month wait already just to get a home. There is a dire need for homes in this whole area, to be honest.

[00:40:02] And this office space is already not a full space, not full, not even, I would bet it might be at 50% capacity right now. That used to be a bank, you can't even see it, but the bank closed down because it wasn't getting enough business at the bank.

[00:40:17] So this site, this office site, has been sitting empty forever, forever. And it was never, medical offices were never there, and it's been sitting empty for, well, it's always been sitting empty, except for the one bank that was there, and that in itself closed down.

[00:40:34] And so just to give you a little bit of briefing on what's going on in this, and like I said, I know it 'cause I live in this area, and I walk here all the time. This right here, those are golf courses. That's the Lansdowne golf courses on both sides of that. That's what that is over there.

[00:40:49] So, huh? So it might be an office, but it's not filled, and this is not filled, and they're not medical office spaces. So, just at your presentation for you, probably. Appreciate it, Chair Randall.

[00:41:06] All right. Whenever you're ready, we're ready for you.

[00:41:20] Ready when you are. You can sit or you can stand at the podium. Either one is fine. You've got 10 minutes. Thank you so much. Thank you. So, good evening, Chair Randall and members of the board.

[00:41:36] My name is Erin Swisselm. I'm an attorney with Walsh Colucci. Sitting next to me is Jim Perry from Elm Street Development. He's the applicant for this application. We've got other members of our development team ready to answer questions if needed. And, again, thank you for the opportunity to present this evening. Next slide, please. Chair Randall, you just did a lovely presentation on what exactly is around this.

[00:41:56] We'll note that we're within the Lansdowne Conservancy and say, yes, Supervisor Turner, anything that we do here, we are subject to the Lansdowne Conservancy design guidelines. We've actually gotten their permission to file this application and have worked with them throughout the zoning process. We've kept them updated on what our submissions are, and we'll continue through their design process after zoning if approved.

[00:42:19] And then, again, suburban mixed-use place type, and we're coming in under the infill policies. Next slide, please. So we are seeking residential rezoning from POP to R16 ADU. So we're seeking a maximum of 120 units.

[00:42:36] That is a density of 13 dwelling units to the acre, as we discussed. 72 of those are single-family attached. 16 are architecturally front-loaded, and 56 are architecturally rear-loaded. That is important later when we're talking about CMODs. We have included commitments to affordable housing.

[00:42:52] So 15% of our SFA units are affordable or attainable. 10% of the multifamily stacked units are, and this is in compliance with the recommendations in the Unmet Housing Need Strategic Plan. We've also included commitments to small lots as envisioned by the place type and dwelling unit design.

[00:43:11] We're providing extensive buffering and exceeding our open space and active rec requirements. Next slide, please. Marchant did a good job of covering what we're doing for transportation here. One thing I do want to note is that in addition to funding the studies of this intersection and the cash for the traffic signal, we're also proffered to install any warranted pedestrian improvement.

[00:43:38] So it's not just a cash proffer. It's a cash in lieu in case somebody comes in before us to do those things. So anything that is warranted at that intersection for pedestrian improvements up to and including a flashing beacon which we think may be justified we will provide there and we're also providing easements to the county and some shared use path lighting and then we're providing a contribution to for a bus shelter regardless of whether it's needed in the future there is existing bus service just outside of the property so that's a cash contribution that's included in our proper

[00:44:14] statement next slide please i wanted to touch really quickly on parking because i know that's always an issue so we are exceeding the current ordinance parking requirement by about 15% and I want to talk a little bit about the Z mod here so the zoning modification that we're requesting for parking is only for 16 foot wide units on the property it affects 11 units everything else is going to have two on lot spaces and the Z mod requests for 16 foot wide units that have only a one car garage, we'd be able to count an additional off-lot spot, and that that off-lot spot will be

[00:44:52] designated specifically for that unit, so marked as for that unit and dedicated to it. And then we're also committing to a minimum of 100 on-service parking spots in addition to on-lot parking. Next slide, please. This is showing how the on-street parking works along that entrance road i also wanted to note supervisor briskman to your question the zoning modification that we're seeking for the porches is actually for decks that are on the second level facing alleyways

[00:45:30] and i'll show you a little bit later in the presentation next slide please this is our overall landscaping plan so in addition to what is required under the ordinance which is shown in bold. We're providing supplemental plantings shown in kind of grayscale back behind. This includes additional trees along Lansdowne Boulevard and Riverside Parkway, and additional buffering along the property's frontage with the golf course. We're including the standard

[00:46:04] proffer for commitments to native plantings, and we're also preserving existing trees near the existing Lansdowne sign which we are preserving on the property as well. Next slide please. And these cam views show the effect of that additional planting and screening. So we've shown you two views, one from Lansdowne Boulevard and one from the corner of Riverside and Lansdowne. So you can see here those additional trees really do a good job of creating a transition between the units and surrounding uses and are really also going to help create a sense of place when you're in the

[00:46:41] property so they're going to provide you know visual screening and sound screening as well next slide please here you see our proposed elevations for the property so all three of these elevations have been designed to be cohesive to help create a sense of place in the community we've proffered to all cementitious and masonry materials for the units on the property and design features to ensure that the facades are broken up and contain visual interest. I also want to note

[00:47:20] that the multifamily stacked units, which at the bottom of the slide here, are four stories, but we've encapsulated that four story within a mansard roof, which helps decrease the visual scale of those units and helps them read more similarly to the single-family attached units. Next slide, please. So, specs and Zmods. We have included some specs and Zmods as detailed by Marchant. I want to note that during staff review of this application, community planning supported these specs and ZMODs. So highlighted some things from our fourth

[00:47:59] community planning referral, which is the last one we got for this application. It says the applicant has addressed staff's comments related to the smaller SFA units by proffering commitments to smaller lot sizes, and they said the applicant has made commitments to a compact pedestrian-oriented design consistent with the place type, and the community planning staff found that the ZMOD and specs requests included in the application support that pedestrian-friendly and mixed-use environment that is outlined in the place type. Next slide, please. So the overall effect of these

[00:48:36] ZMODs, so we're not doing them to increase density. Again, we're at 13 dwelling units per the acre. What we wanted to do was to provide a good living experience for folks that are going to be living within this community.

[00:48:51] So these allow us to provide additional setbacks along particularly Lansdowne Boulevard and Riverside Parkway and allow for that additional buffering and landscaping. And they're allowing us to exceed our active recreation space. So we're required to have just over 24,500 square feet, and we're providing roughly 30,000, and then we are providing 30% open space.

[00:49:16] The plan's minimum recommendation is 10%. Next slide, please. So the special exception, as Marsha noted, is for yard modifications. This is to be consistent with the community planning assertion that these lots should be smaller than average.

[00:49:37] Again, same for the multifamily attached, or much of a family stacked. And then the porch projections are on the second floor of the units facing the alleyways.

[00:49:52] That's the legal front of those units because they face the alleyways. Next slide, please. And the Zmod 2021-93 seeks an increase for maximum lot coverage.

[00:50:10] That again goes hand in hand with the yard reduction just to allow for development of the home on the property. And finally, ZMOD 2023-0073 is the ZMOD to allow for additional off-lot spots to count for just the 16-foot-wide units on the property.

[00:50:31] Next slide, please. So, again, we want to thank you for the opportunity to present before you this evening. The application before you has been the result of really careful planning and collaboration with staff, the Landsat Conservancy, and other community stakeholders. We think the result is a cohesive and compact pedestrian-friendly community that provides commitments to affordable housing, high-quality design, transportation improvements, and pedestrian improvements, and community spaces that will benefit future residents.

[00:51:01] And again, we want to thank you very much for the opportunity to speak before you, and we are here to answer any questions that you might have. Thank you. And what's your name again? Ernst Wassam. Were you trained by Colleen Gillis also? No. Andy Minshew. You know, she has a whole army of people behind her now that does a really good job.

[00:51:21] Okay, Mr. Turner, questions? Thank you, Madam Chair. Can you describe the extent and the tenor of the contact with the Lansdowne Conservancy? I don't want to commit you to a language that might have legal implications, but would you say they approve, would you say they don't object, or would you say they object or just give me some sense of what the flavor is between in those conversations sure so i i would say that based on where we are in their review process they're supportive of what we're doing what we have shown them so far is consistent with exactly what we

[00:52:00] came in for and permission to file for when we came to them before we filed this application we've provided them with updates with every submission and then you know i have had conversations with their council very recently about proffer changes just to make sure that we were all on the same page about what was acceptable for everybody. Okay. Can you talk to me a bit more about the proffer around the traffic light? You've proffered to pay for the warrant study? Sure. Yes.

[00:52:30] So I want to be clear that our traffic study indicates that that intersection will operate at an acceptable level of service, even at full build-out. We've also asked our traffic engineer to do a preliminary warrant analysis on that intersection, which indicates that a signal will not be warranted.

[00:52:50] However, you know, we have proffered to fund a signal justification report for that intersection, and then regardless of the outcome of that report, to contribute a pro rata share of the cost of a future signal that can be used either for a future signal or for other improvements within the vicinity of the property.

[00:53:13] Our traffic is approximately 6% or just over 6% of the total traffic that goes through that intersection. Yeah, I live in Lansdowne Woods, so I use this intersection multiple times a day. The last thing I want that intersection is the traffic light. I've heard a few constituents say that, and I've heard a few constituents say we absolutely have to have a traffic light, so I get both arguments.

[00:53:34] Okay, I think that's all I have. Thank you, Madam Chair. Thank you. Ms. Bricksman. Thank you. So the little section that says civic space, is that civic space or open space?

[00:53:54] It looks like it's programmed. It is programmed. So from a plan perspective, it can count as both. But from how we're using it, it's civic. Okay. And there's only one entrance into the...

[00:54:11] There's not an entrance off of, I guess, Riverside, right? There's an emergency entrance off of Riverside. So if you're looking at this right here, the thank you so much, Marchand. So that's grasscrete that allows for turnaround or emergency ingress or egress for vehicles if for some reason that is needed.

[00:54:33] Okay, but for people who live there, there's only one entrance. Correct. Okay. And then at that one entrance, has there been any thought to putting a crosswalk there? Yes. So that's part of the pedestrian improvements that we are including.

[00:54:50] So I see Marchant flipping back. So this is an excerpt from a proffered page of our CDP. So what we're showing here, that dotted line is our entrance road. So we're proposing a crosswalk across Lansdowne Boulevard with a median refuge that connects to the existing shared-use path across and then would also cross the turn lane onto Woodridge Parkway and then, again, connect down to the existing shared-use path.

[00:55:22] Okay, okay, great. Is that 35 or 45 there, speed limit? Oh, I don't remember off the top of my head. I drive through there a lot, but I'm not positive. Okay. And then what percent is affordable, attainable? So 15% of the single-family attached and 10% of the multifamily stacked.

[00:55:43] Okay, and do you know what AMI those will serve? So the ADUs will be at the one set for the county, and then the AMPPUs are between 70 and 100. 70 and 100, okay, thank you. Mr. Letourneau. So did you look at this site at all for, evaluated for medical office viability or any other other kind of office uh the owner probably did um but um this applicant did not right okay how so trying to understand the parking a little

[00:56:15] bit so there's on-street parking and obviously on-site parking how much how much um on-site parking would have to be added to be able to eliminate the street parking if you get what i'm saying well so there's an on-lot and off-lot requirement um on the for the zoning ordinance so we're providing an additional i think it's like 50 um surface parking spaces um to help you know accommodate some of the discussion that we have heard from the board about um about parking

[00:56:54] concerns okay but what's the street parking now after that how much street parking how many spaces are there right now we've proffered to a minimum of 100 okay all right mr um muffington thank you madam chair did you say muffington i did not i said i thought i heard muffington either way is fine and i welcomed him back to the board and everything tonight so what is this area and this

[00:57:30] little connection yes green so that those are the emergency ingress and egress points that are grass crete. So those aren't for like everyday ingress and egress, but those are reinforced areas. A fire truck can drive on it? Correct, yes. Okay. Exactly. Can you go to the slide with the rendering of what the buildings will look like? Whoever did that is brilliant. I love the way these buildings look, and I think it's going to be a great looking community and one that I plan

[00:58:05] on supporting because this is not the right spot for data center. So thank you. Mr. Buffington, it's nail on the head, I am very big into design standards, very, very big, and this may be the first, oh, okay, I'm sorry, Mr. Stop my time, go back to, well, you didn't even start my time, Mr. Saints.

[00:58:24] Thank you, Madam Chair. Thank you for the presentation. So it's been mentioned that, yes, a data center could possibly go here as a by-right use. Is your client in talks with the data center? It is not the subject matter of this rezoning application so we really should not inquire into this as the land use matter before you is what is being proposed okay or rephrase the

[00:58:55] question then um if this application was not to be passed tonight and was to be forwarded to the January meeting as is indicated in our in our packet would that be an issue for your client Well, the applicant is Elm Street Development, which is a residential developer.

[00:59:19] Now, they're the contract purchaser of the property, so I have no ability to comment on what the owner would do with the property. Okay. All right. Is the owner here? We don't. No.

[00:59:36] All right. Very good. All right. Thank you. So, Mr. Buffington, I am really big in design standards, and I will stop application in its tracks if I don't like the design centers. I've done that many times. These design centers are just fantastic. You know, yeah, I'm so glad Mr. Bubbenton and Mr. Sainz commented on the elephant in the room, which is this would be a horrible place for a data center because it's smack in the middle of a residential community right by a golf course.

[01:00:04] And so I think that's everyone's kind of, you know, I think many people on this board still have concerns about the application before us, But we're also more concerned about a data center taking its place, which has happened in the past when these things have lingered.

[01:00:20] So my question to staff is this. Because this parcel is OP and because the way we wrote our new zoning ordinance discussion was that if those applications, because OP is no longer by right after December 13th.

[01:00:37] Would a data center even have time to get things in to be considered for a data center with less than one month until we pass the final version of the zoning ordinance? So if it would require legislative application, if there was not one already in process, the likelihood would be low, but anything's possible.

[01:01:02] As Marchant stated, our analysis, what was the terminology you used? Our analysis opined that data center was a possibility, so if it's by right, again, if it's not in process, it's a short time to turn around a site plan for something that would be by right, but it's still potentially possible.

[01:01:18] So the answer is no, but anything's possible. Yeah, I mean, it's a month. It's doable, but it's short. All right. The regional road contribution discussion, so we also know that is changing. So the regional road contribution discussion that you're holding this applicant to right now, is that using the metrics that are in place right now or the ones that would be in place very soon?

[01:01:40] Right now until the board adopts the new one. Right now. So when the regional road contributions are adopted, which is not further soon, would that, I think it was \$115,000, would that still be real? Or would that not be in play anymore once those are adopted?

[01:01:57] I would assume they would not be the same amount once it was adopted. Yeah, that's what I thought. My only real concern is the setback. That's a pretty big setback. Tell me why that's necessary.

[01:02:14] Off of Lansdowne Boulevard, Madam Chair? So what we were trying to do is create... Wait, the reduced yard setbacks from 25 feet to 10 feet I'm talking about. Oh, on the multifamily? On the multifamily side. So that helps us achieve the wider setback from Lansdowne Boulevard.

[01:02:33] So those multifamily units were not, because they're multifamily stacked, they wouldn't have had yards associated with them. That's just for the overall lot that they sit on. That makes sense. Okay. Thank you very much. We have one speaker on this item, and it is the incomparable Memory Porter who is here to speak on this item.

[01:02:54] It is so wonderful to see you, and welcome to the boardroom. Thank you. My name is Memory Porter. I used to work for Loudoun County many years ago. I live in Lansdowne Woods.

[01:03:10] I've lived there for 25 years. I've been tracking this rezoning since its inception. The 9.22 acres is currently zoned PDOP, and the applicant is seeking to rezone the property to develop 120 dwelling units.

[01:03:28] There will only be one exit entrance to the property at Woodbridge Parkway in the Lansdowne Woods, for me, which is troubling. I'm concerned about the traffic light that has yet to be warranted.

[01:03:46] The developer is going to pay for the warrant study, but only after the property has been rezoned. The developer does not think the traffic light is needed, and they are only paying for approximately one-third of the cost.

[01:04:03] The cost will be much more than that. Where is the other money coming from to install the traffic light? If the traffic light is not initially warranted after accidents, I fear it might be needed.

[01:04:19] If you drive west on Woodbridge Parkway and turn left on Lansdowne Boulevard towards Route 7, as I frequently do, there are cars coming from the north that tend to speed.

[01:04:35] The Planning Commission had recommended Nile. It just has nothing to do with the traffic light. I have no problem with the houses, but I think a traffic light will be needed, and where is the two-thirds of that cost to install the traffic light coming from?

[01:04:53] What I fear most is that the houses will be constructed long before the traffic light can be installed. Please do not let this happen. Thank you. Okay, thank you, Ms. Porter, and I don't see anybody else who wants to speak on this item on my list.

[01:05:11] All right, so I will go to Mr. Turner, who has a motion on the blue paper that came in front of you, which is not the motion in the package. Mr. Turner, did you send this motion out today to people? It just got distributed.

[01:05:29] We've been working on it all day. Mr. Turner. And I believe, I believe, I apologize. I don't know whether we let my colleagues know. Four o'clock. The problem, Mr. Turner, we have rules that do not allow for motions to come on the dais around land use issues this late.

[01:06:03] Point of Parliamentary Inquiry, Madam Chair, I believe it is always appropriate to make a motion to suspend on these applications. It is, but this hasn't been... I don't think I have to provide any prior notification to make a motion.

[01:06:18] But it's not the motion to suspend that's the problem. It's the motion to approve that no one has seen before. Have people seen this motion before? Madam Chair, it's the same motion that's in the packet. Okay, so it's the package motion to approve. Okay. Then why don't you, then why don't you, then what, wait, wait, wait. Then you didn't have to, you didn't have to distribute this then.

[01:06:37] Because the motion to package, yeah, but that's, it's the same motion. Motion in the, but it isn't. The motion in the packet has denial language and a basis for denial. This is a motion to approve and has

additional. So I'm actually trying to help you here. So in other words, it's the same language just for approval versus denial.

[01:06:53] So people have seen that language with just approval versus denial is what I'm trying to get at here. So it's actually appropriate to put it on the dais because the motion, the language is in the package already. What you said, Madam Chair. There we go. All right.

[01:07:09] Would you like to make a motion? Would you like to make a motion? Yes, Madam Chair. I move the Board of Supervisors to suspend the rules. Motion made second by Supervisor Bricksman. Okay. Supervisor Bricksman. I live there.

[01:07:26] Second, Mr. Briggsman. Discussion on the motion to suspend. Mr. Letourneau. Wait, Madam Chair. I'm sorry. Yeah, an opening. Thank you. This is unusual. It's completely outside the box. I would not usually make this motion.

[01:07:43] So let me give my justification here. First of all, we're working off of a denial from the Planning Commission. So motion to suspend is inappropriate, probably not inappropriate. It's unusual to do that. Second, all of us, I think, are reluctant to move to suspend the rules the night of the public hearing, generally because there are things that can happen to the motion that could be substantive between when the public hearing occurs and when we want to approve this.

[01:08:10] I understand that. And very quickly, as an aside, to answer Ms. Porter's question, we did some research today. There are other proffers that have pooled money in a pot that will pay for the traffic light, so we do have the money on hand if we need to use it. So back to my discussion. While I realize this is unorthodox, I have now lost two land applications for more than 2,000 homes in the last year, and those losses occurred within less than a month of the final vote to approve those housing complexes. We worked on both of those complexes for a year, and they were good housing projects. They were really good residential neighborhoods.

[01:08:49] And in the last month before the final vote, we lost them both to hyperscale data centers and the attached overhead power lines. I think it is probably unlikely that if this application was voted down, it would go to a data center, maybe a 60-40 against.

[01:09:10] But that percentage likelihood, given the past history over the last year with residential applications that stall in the process, I don't want to take that chance. You can see there, if a data center company came in and bought that neighboring office park, that entire corner could become a data center.

[01:09:28] I also have heard, though I don't know for sure, that the owner of the golf course recently passed away, and the golf course is zoned OP as well. It's an unlikely cascade, but it could very easily become a cascade of a very unpleasant outcome for Lansdowne.

[01:09:45] The fact that this applicant has the support of the Lansdowne Conservancy is huge. If this was inappropriate for this location, Lansdowne Conservancy would rightly stand up and say, no, no, no, and they have the legal authority to do that, but they haven't. And the last point that I will make is I don't foresee any substantive changes in this application between now and January.

[01:10:08] What I see is a two-month opening window for changes to happen, changes that could be very, very, I think, detrimental to the welfare of the community. So for those reasons, I'm taking the unusual step to ask in light of all the other circumstances around this application to suspend the rules.

[01:10:28] Thank you. Mr. Letourneau. So, question for Mr. Rogers. Don't we automatically advertise for more than one public hearing? And did we advertise for December public hearing on this? No, this would be a returning item that would come to the December public hearing.

[01:10:46] We could still make the December public hearing date, should the board need to do so. I think we are still getting that public hearing ad out this week. So, it doesn't have to be January. It could be December, number one. We would have to change the current process of the ads, but we could make that deadline.

[01:11:02] - You can make the deadline, okay. I hear what Mr. Turner is saying. I do think that the circumstances around this application are not anything close to what those other circumstances were for those applications that went data center. For me, I'm not opposed to this. I just simply am not ready to decide.

[01:11:21] The purpose of these public hearings is for us to hear these presentations, to ask staff questions, to ask the applicant questions, to hear from the public. And I really don't like being in a position of feeling like the public hearing to be the decision point the first public hearing now that we're into the multi-public hearing thing so i i just haven't made up my mind um is the bottom line and i i would need a little more time i i understand the fact that maybe nothing would change with the application but my vote is kind of in balance and so that to me is all i have up here and so i would like to protect that and not suspend the rules and follow the regular order here which i don't want the applicant to

[01:12:00] think means i'm opposed to this necessarily i just need more time on it um and i do think it's an i just i don't like the idea that we're going to really start modifying our practice and and we have had rule suspensions but our practice because we're so worried about the threat of data centers that now all of a sudden we're not doing the type of full diligence that the board has typically historically done because of that threat even though i respect that what what the threat is and why you know we feel that way so i'm not going to support rule suspension tonight thank you miss um

[01:12:34] um thank you madam chair i will not be supporting suspension of the rules uh for the reasons that mr letourneau said i also do not think there's a well i don't consider data centers to be a threat since they provide over a third of our revenue for the county and allow us to do everything else we want to do. But this is a nine acre site. And that would be extraordinarily challenging to even

[01:13:09] fit a data center into that site unless you were looking at one the size of a shipping container. So I don't think even for those on the board who might view this as a threat, I don't think it's a credible threat that you would see a massive data center on only nine acres. Traditionally, data centers go on 40-acre plots or 90-acre plots or 117-acre plots. When I look around the county,

[01:13:43] that's normally what you see. So I don't think there is a reason to move quickly on this at all. Thank you. Thank you. Ms. Bricksman. Thank you, Madam Chair. If I might ask counsel a question through the chair. Sure. Mr. Rogers, is there any sort of law or code that requires us to send this to a second public hearing? I imagine not. If we're allowed to suspend the rules, then we're allowed to suspend the rules. No, there's not a requirement by law to do so. The board rules would require the suspension of the rules. It does have to be approved at a public hearing currently, but that could be November's or December's or January.

[01:14:23] Okay, thank you. I'm going to be supporting the motion. Thank you, Madam Chair. Thank you. Mr. Kirshner. Thank you, Madam Chair. I really appreciate what Ms. Turner had to say. I'm not going to support the spending of the rules largely because of what Mr. Letourneau had to say. It was in my mind as well, and that is, I mean, I appreciate what you're trying to do, but I think in those applications that you mentioned before where you lost, there was a lot of public opposition, and there isn't here, and I think it is only fair to all the other supervisors, especially those who may have concerns, would like to support an application, but perhaps are seeing this only this week for the first time, perhaps just to make sure there's no tweaks or whatnot that may need to be made between now and then.

[01:15:01] To me, it's more what kind of precedent are we setting? I highly, I think the chance of this swapping out after you've put the hundreds of thousand dollars into a rezoning like this is pretty, would be pretty unusual. I think that would have been swept out, but I appreciate what you're having to say.

[01:15:16] I just don't want to set that precedent. And I think if it was truly an emergency, then maybe I would change my mind on that, but I don't see that as this. Thanks. Thank you. Ms. Glass. Thank you, Madam Chair. I will be supporting this motion. I was in a few meetings with Supervisor Turner when he was talking about an application that had come in.

[01:15:39] And as he said, he had done a lot of work to work on the application with housing and had spoken to the community. And it did turn into a data center. So that is a real possibility.

[01:15:55] Even if it is nine acres, we are running down with land here. So there is a possibility of a data center being, you know, built in properties that we have here in the eastern portion of Loudoun County.

[01:16:14] So, you know, it has happened before, and I would hate for something like that to continue to happen. So I will be supporting this motion. Thank you. Thank you, Mr. Sains. Thank you, Madam Chair. Can I ask staff a question?

[01:16:30] Sure. Yes, you can. Staff, did, Chair Randall's question earlier, you mentioned that an applicant would have to be in process for a possible data center. Is anybody in process for a data center that you know of on this site?

[01:16:48] No. My point was that someone could be working on an application that we wouldn't see until they've submitted it to us, essentially. It gets submitted and gets, as the board's current draft resolution is set up, if it's accepted before December 13th, assuming that's when the board acts.

[01:17:05] Before my time, has anybody submitted or formally? No. Okay, thank you. So say if we were to send this to December, in your opinion, that would not be enough time? Yes. Yes, it would be enough time? In my opinion, it would not be likely.

[01:17:21] Okay, thank you. All right. Yeah, I'm not going to be in favor of suspending the rules. That is not our normal practice. We did that recently for another application, but we did that because it was in regards to funding Issues so we did that recently for one housing application recently I know one application that mr. Turner's making reference to we had the public hearing and then that applicant Asked for delay delay delay delay delay delay delay delay delay It was not because of anything we were doing It was on the application on the applicant every time we came up for the next meeting delay delay delay I don't see that happening here.

[01:17:59] This is their first go with us. I can't speak for all my colleagues. I believe at least one or two probably did not see the presentation before this meeting. There might be more. I'm not 100% sure. So I cannot support suspending rules. I actually do like the application.

[01:18:15] Met with the applicant last week. Had a good conversation. Loves the design. Loves what they're doing. But I would like to stay with our process. And just hearing staff, I don't think we're in danger. I am going to support this just for a couple of reasons.

[01:18:30] One, yes, this is nine acres, but if somebody bought the adjoining site, let alone if they bought anything of the golf course, you could make a very large data center at that point. And so we should not assume that somebody couldn't buy the adjoining site and do something larger. Secondly, this can't be a precedent-setting moment because the comp plan disallows OP sites from doing data centers by right after we approve the zoning ordinance, I should say, on December 13th.

[01:19:02] So this is literally falls into this little kind of bubble space where we haven't approved the zoning ordinance, and so they could still make this, that you could still do a data center by right on OP land that will not be allowed after we get past December 13th.

[01:19:21] And so you can't set precedence because we're totally changing this possibility completely. We also forget that there is, when data centers come, there's something called adjoining power lines to come with the data centers, and I do feel the community has spoke on this issue because not two weeks ago we had a meeting that had over 250 people from Lansdowne because they did not want power lines to run down the north side of Route 7 in Lansdowne, and that was because of data centers that were come.

[01:19:57] So I believe the community fully, and living in the community, fully understands what the possibility of a data center could be and the possibility of adjoining power lines could be when a data center comes. Data centers don't come by themselves. They come with power lines.

[01:20:13] And you talk to anybody in Lansdowne right now, and even the possibility of power lines going down the north side of Route 7, something no one wants. And so I believe that the community has spoke on this issue very well and clear. I was in at that meeting, and truthfully, when these things come down to it, I say this all the time, I always take this tack, what if it were your neighborhood?

[01:20:40] What if it were your home? Well, this time, it actually is my neighborhood, but I take this tack every time. If it were your neighborhood, would you even want a 10% chance of a data center going smack in the middle of your neighborhood? And I think probably the chance is probably not 60-40, I disagree with that.

[01:20:56] I think it's more about probably maybe a 20 to 30 percent chance, but 20 percent, 30 percent chance if you live there is much too high. So just think about this for a second, everybody up here. If this was less than 10 minutes from your house, would you want this 20 to 30 percent or even 10 percent chance of a data center going there?

[01:21:15] I live here. I don't. I don't believe anybody else would. And I wouldn't I wouldn't vote. I would vote to suspend the rules for this moment if it was anybody's neighborhood. So I will absolutely be supporting the rule suspension in this moment. Mr. Turner, would you like a closing? No, ma'am.

[01:21:32] I'm good. All right. Motion to suspend made by Supervisor Turner. Second by Supervisor Brixman. All I'm able to say aye. Aye. Opposed? That motion will pass. 5-4 with Supervisors. I mean, no,

that motion.

[01:21:50] A motion. There was a motion to suspend. For Tony vote. 5-4 requires a 6. Oh, it requires a supermajority. That's right. Oh, yeah. That's right. So it fails. Motion fails. That's right. Forgot about that. Okay, so then, Mr. Turner, would you like to make another motion?

[01:22:08] And let me say, can he make not the packet motion to send it to January, but send it to another meeting, to send it to December? Yes, we can make the December public hearing through advertising. December public hearing, whatever they think.

[01:22:24] Recognizing that December 13th public hearing is a zoning ordinance. Do you want to, once again, let me try to help you. It's the same night, but if we don't do that, then now we go, it's another, make the motion. I move that the Board of Supervisors forward, LEGIE 2023-026, Lansdowne Boulevard, Rezoning, ZMAP 2021-024, SPECS 2021-0060, ZMOD 2021-0093, ZMOD 2022-0073, ZMOD 2022-0074, to the December 13th, 2023, Board of Supervisors public hearing for action.

[01:23:03] Second. Discussion on that motion? No discussion. Anybody else? Seeing none, all the people say aye. Any opposed? That motion will pass 9-0. All right, let's go to the next item up, supervisors. That's item number 11, which is the Cascades Marketplace.

[01:23:20] Wait a minute.

[01:23:46] Good evening.

[01:24:02] Good evening. All right, we are ready for Cascades Marketplace when you are. Thank you very much. My name is Marshall Brown with the Department of Planning and Zoning to present the applications for Cascades Marketplace. The subject property is located north of Route 7 and east of Cascades Parkway in the Algonquian Election District. It is located in the suburban mixed-use place type. It's currently the site of an operational commercial shopping center. The applicant is proposing a ZMAP zoning map amendment to rezone the 34.48 acres from PDH4, Plan Development Housing 4, which is administered

[01:24:36] as a commercial center use, to Plan Development Town Center, or PDTC, for the development of 755 dwelling units and 263,000 square feet of new commercial uses. They are also requesting zoning modifications to the PDTC district standards, including reducing the size of the town center core in town green, eliminating the 3% minimum civic use and public use requirement, increasing the maximum floor area for residential uses from 50% to 80%, reducing the minimum building height in the town center core, and increasing the maximum block perimeter.

[01:25:11] There is also a minor special exception to reduce the minimum building and parking setbacks from Cascades Parkway to 35 feet. To go through the development program a little bit more, the applicant is proposing to redevelop all blocks, all three blocks shown here, Block A, Block B, and Block C.

[01:25:29] Each block has a development program with it. So for Block A, the plan is to develop up to 350 multifamily attached uses and 140,000 square feet of commercial. With each block, there is some commercial that is present that will be retained.

[01:25:45] So I've noted that on the slide. Block B, 123,000 square feet of commercial is proposed. Most of this block will not be redeveloped. The giant grocery store, which is shown on the right-hand side of block B, has a long-term lease and will remain in place as well as its associated parking.

[01:26:03] Block C, the applicant proposes up to 435 dwelling units, and this can be a combination of multifamily attached, single-family attached, or multifamily stacked uses. I'll explain that in a moment. and 10,000 square feet of commercial. This is an annotated view of the concept development plan to walk you through what we're looking at.

[01:26:26] The areas that are highlighted green are the commercial spaces. Areas that have orange around them are the proposed new commercial buildings. And you can see the pink and the red in Block A and Block C. Those are the future proposed residential areas. And the town center core is demarcated by that blue dashed line that runs through Blocks B and A.

[01:26:52] To speak a little bit more about the development program in Block C, the proffers set up essentially four options the way the proffers are written right now. Option 1A is a maximum of 435 dwelling units. That's the most dense option.

[01:27:08] This is a combination of 335 multifamily attached and 100 single-family and or multifamily stacked. Option 1B is 335 multifamily only. Option 1C would be the 100 of any combination single-family attached or multifamily stacked. Option two is a maximum of 180 of any combination of single-family and or multifamily stacked.

[01:27:30] And I want to note that option two is what the Planning Commission endorsed in their recommendation of approval at the October 12th work session, and that's what's shown on the screen here. So the green area is part of the existing commercial and park that would be retained, and the layout that you see highlighted in red is the combination of multifamily and single-family attached.

[01:27:55] They are proffering affordable housing, 7.2% of all multifamily attached would be affordable dwelling units, ADUs. 0.8% would be rental UNUs, serving between 0 and 30% of the area median income. For multifamily stacked units, it's 9% ADU and 1% for sale UNU.

[01:28:12] And for single family attached, 12.5% ADU, which is the zoning ordinance standard. I want to note, since there is variability in the unit type that could be developed, the proffers do state percentages. I can't give you an exact number it depends on what is ultimately developed the applicant will go into more detail about this in their presentation but they do have design guidelines that are proffered for the commercial and residential uses streetscape improvements including a road diet outdoor amenities and public public and civic open space designs public art signage and two

[01:28:50] bus shelters on site staff does find some outstanding issues with the application in In terms of land use, the applicant is requesting to increase the gross floor area through a ZMOD in the PDTC district from 50% to 80%. PDTC district standards maximum is 50%, so staff cannot recommend approval of this ZMOD to the board.

[01:29:14] It is not consistent with the 2019 general plan. This is in the suburban mixed-use place type, and the general plan policy only supports a maximum in certain cases in the suburban mixed-use place type of 70%. In terms of civic space, the applicant is requesting to eliminate the civic space component of the PDTC district, that's 3%.

[01:29:34] Staff continues to recommend... What district? What district? PDTC, Planned Development Town Center. Staff continues to recommend inclusion of a civic component with the project. This represents an increase in density and an increased usage of civic uses in the area.

[01:29:51] So this is across from the Cascades Library and Cascades Senior Center. So with the increase in density, we would expect some increase in civic component. There is a shared use path that is proposed along Cascades Parkway. The design is not consistent with the 2019 Countywide Transportation Plan and its width, as well as its placement in existing right-of-way and public access easements.

[01:30:14] We are recommending consistency with the 2019 CTP. In terms of capital facilities, the applicant is not proffering capital facilities contributions for the unmet housing needs units, which is contrary to 2019 GP policy. and they are not proffering regional roads and regional transit for all units, which is contrary to the 319 CTP.

[01:30:35] The Planning Commission did recommend approval of this application 9-0 at the October 12th work session with specific preference for the option 2 redevelopment, option 2 for block C, and staff could support approval of the applications if outstanding issues, which were mentioned here tonight and further expounded upon in the staff report, are resolved.

[01:30:58] I'm happy to take any questions at this time. Well, this is a complicated application. Thank you. It is. Ms. Bricksman. It is. Well, let's start with the path width proposed on Cascades Parkway.

[01:31:15] That's correct. Isn't it true that they are asking for the 8-foot instead of 10-foot because I actually asked them to preserve the mature trees? Yes. So I do have Marie Pham on the line from DTCI who can go into that a little bit more. We do understand that this is partially due to the preservation of these existing trees and some conflicts with the utilities.

[01:31:37] Okay, but you still see that as an issue? It is not consistent with policy, so it's a policy question for the board to recommend. And what is the maximum residential percentage allowed under the zoning? You mentioned 50%, but my understanding was it was 70%.

[01:31:54] So there are two things at play here. The ZMOD is for the PDTC district. EDTC district, the land use arrangement in that district, supports between 25% and 50%. This is a modification to the district standards for up to 80%.

[01:32:10] The 70%, I think, comes from the 2019 GP for the suburban mixed use place type. The recommended land use mix, I believe, is 65% maximum. In certain cases, up to 70% for residential in the place type.

[01:32:27] So there's a place type percentage recommendation and what's in the district. And the ZMOD is for what's in the district. But again, we also have to consider what the policy says. Okay. And then on the civic space, respectfully, I have a little difficulty with staff having an issue with the civic space because we have the Cascades Library, we have the Senior Center.

[01:32:52] The applicant has agreed to build pickleball courts for the Senior Center, a dog park, and a lot of amenities. So while I take the opinion, I think that we can rely on those amenities for this application.

[01:33:10] Why was there the 35-foot setback reduction? I believe that is consistent with what is there now. So this would be maintaining that setback that's currently in place.

[01:33:27] Okay. Okay, great. I think that's all the questions I have for staff. Thank you. Thank you. Any other questions for staff? I don't have any questions for staff before we go to the applicant, but I do want to say that, Ms. Brixman, your work on this application and your work on the Cascades marketplace overall has been exemplary.

[01:33:50] This whole area was just going dead, like just store after store after store was closing. And I feel like you put this thing on your back and decided that you were going to make this live. and it's so important because it has the senior center over there and it has the library.

[01:34:09] And, you know, I knew when Boston Market closed, things were bad. But you have been working on this for, gosh, years. And to you and to Ray Banks and to all of your current staff, I just give you, I mean, no matter how this goes down and how the votes go, I give you so much kudos.

[01:34:33] I've never, this work has been magnificent. So I just wanted to let you know that. All right. Hi, how are you? You guys know the Boston Market Clothes. You know it. It's not my fault. Wow. We have something locally owned.

[01:34:49] Yes, yes. All right, we're ready when you are. Excellent. My name is Colleen Gillis. I'm an attorney with Cooley. I'm joined this evening by Michael Majestic of Willard Retail. And Willard Retail is really responsible for kicking off the effort working with Supervisor Brissman over the last almost four years on revitalizing this center. If you haven't been out there recently, highly encourage you to go get out there. There are changes afoot. There are changes ongoing. We're trying to refresh it, et cetera. It's really a project that we're proud of today. And I think that with your approval and support of this application, we can be proud of well into the future. Next slide. So when we talk about Supervisor Brissman, ask the question about

[01:35:25] residential, you know, and our modification for residential, we start with this slide. Cascades Marketplace is a 30-plus acre piece of property. It is all retail, all commercial right now, and it is surrounded. Everything in green there is non-residential. And so it's part of the reason why the center honestly has struggled. As mixed-use environments like Cascades Marketplace on the south side of Route 7, One Loudon, other environments have become much more popular, create that live-work-play environment. Cascades has struggled because it's surrounded on many, many sides by commercial. The side on the north side is single-family detached residential. So again, not that sort of neo-urban experience. Next slide. And in particular, as Supervisor

[01:36:04] Brissman pointed out, this site is absolutely appropriate for revitalization. It's surrounded. Everything in orange that you see here is a civic use. So on the left side, top left, you've got a post office. Top right, you've got a Lutheran church. And then below that, you've got Cascades Library. You've got the Senior Center, the Cascades Farmer's Market, which is fabulous, and then also a community college. When you talk about civic uses, there is no site I submit other than this one that is better suited for a really vibrant experience because of the surrounding civic uses than this one. Next slide. And this is the site right now. This is the development right now.

[01:36:43] Giant, it's a Giant Develop Center. Giant will remain there. One Life about a year ago invested about a million dollars in upgrading their facility. They have a lease that will take us out 10 years with extension options. We're working to retenant the Marshalls lease, but it really is an opportunity for us to refresh this site. Next slide. This is the site today. As you can see here, it's kind of tired. Next slide. Dated architecture. It was great when it was built around the turn of the century, but not necessarily 2023 standards. Next slide. Lots of pavement, not necessarily a

[01:37:19] pedestrian oriented environment and so chair Randall I heard you say look it's complicated and we get it we get that is complicated next slide we appreciate Marshall's presentation talking about this we think as the developer in terms of phasing so we're going to talk in phasing number one phase 1a this is

all commercial redevelopment it's happening now so if you go out there you'll see the buildings being painted next slide and one of the first things that we're going to work on doing after approval of this application is putting South Bank Street on a road diet. Create a more intimate experience. Widen those sidewalks. Absolutely what you guys want to see and call us to do in all of our mixed-use environments. Next slide.

[01:37:58] And this gives you an image of that South Bank Street from the sky. On the left, on the left, is you see that L-shaped grassed area. That is currently a parking lot. When I come to you and we come to you in the development community, we often come in and go, hey, I know there's a bunch of trees here, but trust us, what we're about to put vertical is going to be a lot better.

[01:38:18] This is a unique application because actually what you're going to see is we're taking out pavement and putting in green space. This is the first example of doing that. Next slide. We're also, in working with Supervisor Brissman and the community, they absolutely want to see those trees remain. Keeping those mature trees that have been there for a couple of decades, really important.

[01:38:36] We're preserving those trees. Next slide. And in preserving those trees and widening the sidewalk, you can see here, it creates an opportunity for people to do outdoor dining, gathering with friends. Next slide. And this is the Starbucks. Many people know of the Starbucks.

[01:38:53] The Starbucks is actually the seventh Starbucks in the DMV area. That's how kind of innovative that Starbucks was, but we're retenanting it and relocating the Starbucks elsewhere into the community. This gives you a sense. It's refreshed. Next slide. And another example of a parking lot we're transforming into a park.

[01:39:10] You might remember Noodles & Company. This is now the park next to what was Noodles & Company. And again, taking out parking and putting in a park. Next slide. finally this is a park 15 000 square feet it exists today but we're enlarging it making it more contemplative adding more landscaping we worked very closely with commissioner kirschner to make this happen next slide then we get to what we call phase 1b phase 1b is the residential that for the foreseeable future would be what you would see there this is what pays for all of those great improvements all of that park space all the widening all of that stuff is paid for by the

[01:39:46] the residential development in phase 1B. Next slide. And our residential, as Marshall identified, we've got a couple of different options here. That's in order for us to be market responsive and to ensure that, you know, with rising interest rates, that we can get people into houses irrespective of what the market's doing. So we do have the option for a modest amount of apartments here. 45% of the block could be apartments. Next slide. But the rest of it could be two over twos. But the whole block could also be two over twos and townhomes. Next slide.

[01:40:18] Next slide. Then we get to phase 1C. We'll fly through this. Next slide. This just adds additional commercial along what we call Main and Main. This is a building. You've got Starbucks, the old Starbucks on the left, new building on the right. Next slide. Another view of that new retail building as well.

[01:40:33] Next slide. Finally, and I point you to the inset chart on the bottom left. Finally, 10 plus years from now, when that one-life lease is expired, and perhaps if we get somebody to backfill Marshalls, it might be even further out than that, you would see the development of phase two next slide phase two would provide for 350 multifamily units and when we bring this online that 15 000 square foot park would

also be required to be brought online so doing all of the things that we have heard you say over the years when you bring on people bring on open space and so this gives you the sense that every time that we're bringing

[01:41:10] on people we're adding more open space we're taking out pavement putting in green space next Next slide. This is just an overall, ultimately, what this would look like. You can see that building in the top left corner, in the northwest corner, that would replace the Marshalls slash One Life building with a really attractive multifamily building here. One thing, we were asked by Commissioner Kirshner to reduce the height of that building because there are residential units on the north side, and we have dropped that building to 60 feet. The trees that surround it are between 55 and 70 feet tall next slide as we're talking about that area these are the trees

[01:41:48] that that supervisor brissman feels so passionately about you can see they're mature they're 55 to 70 feet tall really great gorgeous looking trees and she's asked us to widen that from a sidewalk to a multi-purpose trail uh you can see right in this image the green box that's in the foreground that's a utility box that's an impediment as well as the critical root zone for all of those trees next slide and so marshall's already said this this is just a distinction between the plan policy calling for 10 foot wide shared use paths and us saying we can only fit eight foot wide shared use path here next slide additionally there was a conversation around civic space to be clear

[01:42:25] staff is calling for us to commit to if we were committing to the ordinance requirement we'd be required to do one and a half acres of public and civic uses within the prop property at full build out, we will more than exceed that if we were able to count all of those great parks, those great open space areas as civic uses. And you might say, Colleen, but that's not how it is today. And you'd be right. Next slide. The current ordinance doesn't allow me to count those open spaces as civic uses. The definition under the current ordinance is at the bottom. I can't count those parks and those activated spaces as civic uses. The top is the definition within ZOR, which would allow us

[01:43:03] to count those spaces. Because as you can see, the language that's highlighted in green primarily serve as gathering or meeting areas for the immediate community or reserved as open space that provides a community amenity or promotes environmental ecological functions. Under the current ordinance, I'd have to take the post office, a government building, I have to put them all in the project. And at that point, the project doesn't work. Next slide. Next slide. And then finally, with regard to residential versus non-residential, we started with this slide. We're going to end with this slide there is so much non-residential that exists in this area that we hope that by

[01:43:39] introducing the residential here that we not only support the commercial that we're bringing to cascades marketplace but we help sustain and make more vibrant all of that commercial that you can see in green there next slide in conclusion i want to i want to again echo what chair randall said the work that that supervisor brissman has done her community has done we had a town hall um and this application in february which was well received we've also set up a website cascades hyphen marketplace.com that's been established for the duration of this rezoning people have contributed their comments have asked questions have made suggestions all of which the willard

[01:44:16] team and the development team have responded to and incorporated their suggestions i think it's part of the reason why we're here tonight with the project that we have that we can all be proud of and

and hopefully you'll be able to support it i'm here to answer any questions okay thank you Go to Supervisor Brisbane.

[01:44:33] Thank you, and thank you, Colleen. I might miss our monthly meetings. I think I will miss our monthly meetings when this is all over. So you mentioned Block C. The timing of Block C won't be until like 10 years, maybe 12.

[01:44:50] Block A. Block A. I'm sorry, Block A. That's okay. Yeah, I know. But to the point of the green space and the open space and getting rid of asphalt in this area, That project, that block will be like podium parked or parked inside.

[01:45:07] Yes. There will be a parking structure to support that building, the development in that building. A parking structure, right. So we're getting rid of asphalt parking. Yes, and we're replacing that. We would need a lot of parking to support that building. So we're putting into a parking garage and then also taking up asphalt and putting roughly a third of an acre park right in the front like you saw.

[01:45:30] And then to one of the issues that that Jane did have on the planning commission was the green space, I guess. But along with parking, we tried every which way to figure out how to get to that requirement.

[01:45:45] But it's true that Giant basically controls a lot of the parking there. Absolutely. And you guys don't really have a choice. As a giant grocery store-developed center, there are a number of covenants that give them ultimate discretion and control.

[01:46:02] I will hats off to the Willer team and working really closely with Giant and getting concessions in meaningful ways. At the end of the day, the block that contains Giant is going to stay the way that it is because Giant wants a whole field of parking in front of there. Because they control. Yeah.

[01:46:17] And actually, to dovetail off of that, Home Depot owns their own property. So there wasn't really an opportunity to do something different on the Home Depot plot. Exactly, exactly. So what were my other questions?

[01:46:34] Oh, the bus shelters. Can you talk about some of the bus shelters we're doing? Absolutely, absolutely. So you asked us to change some of what I would call the popsicle sticks that were bus stops into actual bus shelters, and two on Palisade and one over on Potomac View, and we agreed to do that.

[01:46:53] There are also bus shelters on site, and we are upgrading those as well. Thank you. I just so hate driving around there and seeing people standing by a stick in the ground calling that a bus stop. And one other really special thing we're doing in the park next to the former Hallmark building.

[01:47:10] Yeah, so that is in particular a very environmentally focused portion of the project, commitments to a more natural native plant experience there. And so the expectation is that it's not just an opportunity for people to go and enjoy a cup of coffee.

[01:47:28] I'm going to pause you right there because what I really wanted to talk about was the interpretive sign that we're doing for the black-owned farms. Yes, see, there's so many things. So with regard to that, Supervisor Brisbane put us in touch with the Heritage Commission who then put us in touch with Visit Loudon, and we are going to do interpretive signage on the property reflecting the African-American trail that came through this area.

[01:47:50] And so we've worked closely with them on that as well. There's so much to say. I'm out of time. I know. Meet them. Thank you. Mr. Letourneau. Thank you. This is pretty impressive, and I have a lot of memories over here with my kids when they were little. The parking, though, I was having trouble understanding exactly what the plan was as the residential added.

[01:48:10] So can you just kind of start from kind of a baseline of zero and walk me through that? Do you want the development plan or the parking plan? Well, I want to know sort of how parking is going to be handled when you start adding in residential components to it. Yes. So, the parking, we are required to fully self-park Block C.

[01:48:30] So, that's the development south of Cranston, east of South Bank, north of McClough. So, we are required, per the covenants, with Giant, we have to fully self-park that. And that's a garage? Yes. So, the units, depending on the mix of units, whether it's two over twos, all of the units will have garage parking for sure.

[01:48:49] There is no unit that will not have a garage spot. and so whether it's a an apartment building which is not shown on this plan that's a possibility a two over two or a townhome those are the three product types everything will have a garage and it could be any of those three product types yes and and in all likelihood it's probably going to be based on the latest conversations we've had it's probably going to be for sale two over two in towns but they will have on-street parking on all four sides cranston south bank mcclellan uh not whitfield and then they will also have obviously are they having driveways yes the two over twos okay but there so if it goes two over twos then there would still

[01:49:28] be structured parking no no no the two over twos would not have structured parking if it's an apartment building they would absolutely have structured parking okay would it be like below ground first floor or just a separate structure we haven't designed the building entirely it would be integrated with the building our entire we have required we're required by the proffers for the apartment building and any associated parking to support that to not exceed 45 percent of the block all right and then for the other sort of the reimagining of the commercial centers what's what's changing with parking if anything no nothing nothing okay no so they'll still be

[01:50:03] sort of the open lot behind yes okay absolutely okay i think i got it thank you mr turner thank you madam chair um i too favor option two which i think is 180 units yep 180 and option one is 433 units? That is if it's fully built out, 435 units. And so that's an apartment building.

[01:50:26] You haven't proffered to any of those options. You've just proffered to, it'll be one of these options. Yes. So my question is, if I'm a developer and I've got a choice to build 433 houses or 180 houses, I'm going to build 433 houses. Not necessarily. Why do we even have the options? So the cost for construction, obviously, for apartment building is significantly higher.

[01:50:45] And an apartment building is not going to be a condo building at that scale, which means that the, that the entity that's going to build that would be somebody who builds the building and they're in it for the long haul, right? Whereas a home builder would come in and buy the two over two entitlement and the, and the townhome entitlement. And interestingly, those two are not necessarily, you would think that it would just be if there's 435, that's absolutely going to be the moneymaker. It's not necessarily that way. And so all we're trying to do with the flexibility is really to ensure that we don't get six months on the other side of this entitlement and not have a market for whatever tonight or, you know, whenever we get a vote, think is the best option.

[01:51:22] Okay. Thank you. This may have been asked already, but knowing that the TJ Maxx Marshall stores are supposed to go out of business in 2024, what would you do with that site if they went out of business? So Marshall's has vacated that site and relocated elsewhere. So they're already gone.

[01:51:38] They're already gone, and we're working to re-tenant it, right? We have a building that exists today, and we have the at least 10 years still to go on the One Life. Okay. So I was I'm pleasantly surprised that you're going to do the commercial before retail, because that's normally just the opposite for obvious reasons.

[01:51:59] Can you one more time? Give me the timeline on that. Like how fast after the commercial or the retail come with commercial still being so be being developed when the retail gets there. Tell me that timeline. So we're doing we're an active solicitation of tenants right now and actively working to revitalize the center right now.

[01:52:16] If you go out there, if you were out there a month ago, the buildings looked like I showed you in the photo. If you go out there today, they're in the process of being painted, being refreshed, et cetera. We do have to do some plans to, you know, some approval plans to make that road diet happen, widen the sidewalk, et cetera.

[01:52:34] But we are actively doing it right now because it's part and parcel required to land the sort of tenants that we're looking to land. But after that, how fast, what's the timeline for the second, I guess? residential residential after yes yeah so after we're approved we're going to take it to take it to market and see who we can come to terms with and what makes sense we'll sell block c to a to a home builder or some sort of residential developer then they will have to go and get a plan approved then they will have to start construction is it possible that these two things we could be happening simultaneously yes is it possible that the residential could come

[01:53:08] first okay but it could happen simultaneously okay all right thank you you got it i know that we do have but thank you we have one speaker on this item jennifer roberts if you are here is miss jennifer is jennifer roberts in the room is miss jennifer roberts with us virtually would anyone else like to speak on this item ms briggs would like to make a motion

[01:53:40] can i take a straw poll for suspending rules no you may not okay no you may not but you may make a motion. I think I know how that's going to go. So, all right, I move to suspend the rule.

[01:54:05] Don't go for it. Why would you listen to Mike to just go for it? He just lost his drop. I move. I move. We suspend the rule. Okay, motion made to suspend the rules. Is there a second on the motion? Mike, you better say second. You tell her to go for it. Second. Jeez. Motion to suspend has been made. Discussion on the motion to suspend. Thank you. Thank you. Thank you. I mean, clearly we're really proud of the work that has occurred um we have had a lot of community engagement on this i think that that is apparent because there's no one coming out tonight to speak

[01:54:39] against this application um we have been engaged with the applicant for a number of years they put up a website um cascades hyphen mark and place.com there's been fifteen hundred and eighteen comments and the rules right well i'm the reason i'm arguing to suspend the rules is because we've had so much community engagement and so i was giving evidence of the amount of community engagement we've already had um which is which is to say that i feel like the community is very very aware of this application and i don't think people would be super angry if we passed it tonight

[01:55:18] we held a virtual town hall on october 19th 2020 we had an in-person planning and zoning town hall in january of 2023 where we spoke about this application at length among other applications that was in person we had an in-person town hall in february of 2023 where we answered a plethora of questions the um plethora thank you and uh there has been um a lot of activity there already we've been getting all kinds of compliments on what's going on there we have actually a restaurant there now that received rave reviews from the washington post buildings are

[01:55:53] are being painted. Shake Shack is already coming. We already have another restaurant coming called Chico, which will be the first one in the county of an Asian fusion restaurant called Chico that's going to be in there. It's going to completely change. Anyway, I'll stop there. I want to suspend the rules. Thank you. Mr. Sainz. So the funny thing is, I triple-dogged there, Julie, to make the vote motion. I didn't think she was going to do it, but kudos to you, Ms. Bricksman.

[01:56:27] I will just say, you know, yes, you've done a great job on this application. We've already seen the fruits of your labor with the local restaurant, local provisions. It's a great restaurant, but no, I will not be voting in support of your motion to suspend. But it is a good application. This is how you know at the very end of the term when the supervisor says, I triple-dogged dear her to suspend the rules.

[01:56:48] Mr. Turner's reasons for suspending the rules made perfect sense to me because I thought that it was a unique set of circumstances. For the most part, especially on land use applications, I would not support suspenders unless I thought it was a really good reason.

[01:57:07] I do not think this is a really good reason. I will be supporting this application eventually, but I don't think we need to suspend the rules tonight. Is that to close, Ms. Bricksman? No, ma'am. Okay. All in favor of the suspender rules, please say aye. Aye.

[01:57:23] Sorry. Opposed? That motion will fail. This is Evan. would you like to make another motion yes ma'am i was looking for that other motion that's okay um i moved that the board i actually okay i'll just say in the motion i moved to the board of supervisors forward leji dash 2023 dash 0040 cascades marketplace zmap 2022 dash 0015 zmod

[01:57:51] 2022-0053, ZMOD 2022-0054, ZMOD 2022-0055, and SPMI 2022-0017 to the December 13th Board of Supervisors public hearing for action.

[01:58:09] Motion's made and seconded. Mr. Rogers, would that be enough time? Yes, Madam Chair, we can make that. All right. Just a point of clarification, Supervisors, we're doing the zoning ordinance on that night also. So we, at this point, are going to have a very full agenda on that day.

[01:58:27] It's fine, but I'm just letting everyone know it's going to be a pretty heavy agenda if we keep putting things on that day. Ms. Brickson, would you like to do an opening? Thank you, Madam Chair. Well, I think we've talked a lot about the application already. I think the community is really excited about it.

[01:58:44] I really, really am anxious to get this application to pass. As Chair Randall said earlier, this area is really on the edge of blight at this point with so many places leaving and so many empty storefronts.

[01:59:01] Come drive it with me, Mr. Letourneau. You'll see what I mean. And so now that it's being refreshed, we've got that first great restaurant there. So as I said, the community is excited about it. And the applicant has agreed to do a number of things that we're really excited about.

[01:59:18] a dog park on the county property, pickleball courts for the senior center, which they've been asking for for a really, really long time, all the bus stops, and also the interpretive signage about the Noakes, the Eads, and the Ewing's black-owned farms there that will contribute to the trail that the Heritage Commission has been working on, and Visit Loudoun.

[01:59:42] I know Visit Loudoun's excited about it as well. So I look forward to December 13th in a very short conversation about this application and a quick vote. Thank you. Mr. Letourneau. I think it's more like the Loudoun County version of Blight. It's not quite the same thing.

[02:00:02] Anyway, I only turned my light on when Madam Chair reminded us of the limited time we may have to discuss this in the next meeting. So I may say nothing then. I will only say now that I actually really do think this is a good application And it's a smart way to come back and try to revitalize a shopping center that is in need of revitalization, just how I would put it, as opposed to blight.

[02:00:24] But, you know, I can live with kind of the mix here and the concept. So I'm going to, you know, I'll make sure I'm good, but I probably will be supporting this when it comes forward. Thank you. Thank you. I was associating myself with Mr. Letourneau's comments.

[02:00:42] Ms. Brickman, do you have a closing? No, Madam Chair, thank you. All right. All in favor, motion made by Ms. Brickson, seconded by Mr. Sainz. All in favor, please say aye. Aye. Any opposed? The motion will pass 9-0. Thank you. Thank you. All right. Our next item is item number 13. Will staff please come to the table?

[02:01:12] After this, we'll take a break because the last three items do not, we do not have presentations on those. Good evening.

[02:01:28] Good evening. Good evening, supervisors. I'm ready when you are. and we're ready when you are. Okay, sweet. Good evening, Supervisors. For the record, my name is Bryce Johnson. I'm the County Project Manager for the Broadlands Section 104 application.

[02:01:45] The property subject to this application is an approximately 10-acre site located in the Ashburn Election District, shown on the screen. It's on the south side of the Dulles Greenway, west of Claiborne Parkway, and on the east side of Broadlands Boulevard. The property is located in the suburban mixed-use place type, along with the adjacent Ashburn Recreation Center, legal grocery store, and Royal Farms gas station. The applicant proposes a zoning concept plan amendment, or ZCPA, application to convert the property from industrial and office uses to residential use. This would permit the applicant to develop up to 136 dwellings by administering

[02:02:22] the property under the R16 ADU zoning district. The proposal includes a mixture of single-family attached and multifamily unit types summarized on the screen. The applicant also requests special exception or specs applications to reduce the side and front yard setbacks for the single family attached units only. These yard reductions allow the small lot single family use envisioned for the suburban mixed use place type in which the property is located. Here's an excerpt of the concept development plan or CDP with Broadlands Boulevard oriented to the bottom of the plan.

[02:02:56] The CDP illustrates the transition of unit types from the less dense single family units adjacent to Broadlands Boulevard to the multifamily stacked units behind that and then to the higher density multifamily attached units located to the rear of the property along the Dulles Greenway. Although the property is located in the suburban mixed-use place type, the 100% residential use is appropriate given the

surrounding non-residential uses and because the proposal complies with the infill policies of the 2019 general plan. Staff has identified a single outstanding issue for the board's consideration and that pertains to the anticipated capital facilities and transportation

[02:03:33] contributions for affordable units. In this case, the affordable dwelling units and unmet housing needs units, or sorry, affordable housing units. As the board is aware, adopted plan policy does not exempt attainable housing units from the expectation that applicants provide contributions to address capital and transportation impacts. Until the board formally reviews and adopts a new policy, staff will continue to recommend these contributions be provided. The planning commission recommended approval of the applications at their September planning Commission work session staff generally supports the application because the proposed residential uses are appropriate and fill development for the

[02:04:11] suburban mixed-use place type for the 2019 general plan I'll note that Marie Pham and Lindsay Murford with DTC are available online as support staff I'll note that Bev Tate with public schools is also available I'm sorry what was that last part Bev Tate with public schools is also present as well all of us are happy to answer any questions. Can she just go and answer the question right now about school capacity, Ms. Tate? I'll defer to Bev Tate

[02:04:38] then. Oh, she's in the room. Good evening. Good evening. And so you're asking if we have capacity? Yes, ma'am. Yes. I just think that should just be a natural part of the application for obvious reasons, to be honest. You just turned your light off? And I said, yes, ma'am, we do have capacity. In all three schools? In all levels of schools? We are, yes. Okay. All right. Thank you.

[02:05:11] Mr. You are done, correct? Yes? Yes. Mr. Turner. I've got to find it. Sorry. Stop his time, please.

[02:05:36] I move the Board of Supervisor Ford. What is happening right now? I'm sorry, no, no. Because it's in your district. Okay. What is happening up here tonight?

[02:05:57] We're normally better than this. I swear to God we are. This is not our norm. Really, it's not. Madam Chair, if you'd like me to ask some questions, I can take up my phone. No, I go to the district chair first off a time. That's all. Ms. Glass.

[02:06:13] Thank you, Madam Chair. Does the exit at Van Meter Drive onto Broadlands Boulevard have delays at the signal with the single lane? Or should there be an additional lane at that signal, especially with the opening of the Ashburn Rec Center?

[02:06:29] I'll defer to Lindsay Marie for that question. Lindsay, are you there? Hi, can you hear me? We absolutely can. I'm Lindsay with DTCL.

[02:06:49] One moment, and there will be the delay on that movement. At Broadlands and Van Meter Drive, the southbound approach has a delay of about 29 seconds with the proposed configuration.

[02:07:10] I'm sorry, can you repeat that again? 29 seconds. Okay. The projected delay with the proposed development is about 29 seconds on that southbound approach exiting the site at Van Meter Drive.

[02:07:26] Okay, thank you. Oh, I do have one more other question. Do we have an estimate of how much it would cost to add a lane on the Van Meter Drive approach to the signal and to move the signal box? No, we do not have an estimate.

[02:07:46] Okay, thank you. Thank you. Ms. Brooksmen. I can ask the applicant my questions. Thank you. Wonderful. okay good evening you have 10 minutes you can stay there or stand at the podium either one is fine with us good evening thank you chair good to see everyone again thank you Bryce you did a fantastic job so I'm really going to just focus on one slide if we can go to slide four please as Bryce pointed out this is a total of 136 units of the 45 single family attached

[02:08:25] the 27 triplex and the 64 multifamily, we are providing a total of 1080 use and 23 workforce housing units. So out of 136 units, we have a total of 33 units that will be of affordable nature. The combination would be within the multifamily building as shown at the top, at the end of the van meter drive cul-de-sac.

[02:08:58] To address Mrs. Glass's question regarding van meter, I did bring the traffic report. There is a delay in the a.m. and p.m. on the southbound approach on van meter drive of about 27.3 seconds in the a.m.

[02:09:14] and 25 seconds in the p.m. This was not enough to actually trigger a need for a dedicated right turn. I think if anyone has ever been out there and driven this area, you automatically know if you go to Van Meter Drive, there's a light at Broadlands Boulevard.

[02:09:36] If you see someone sitting at that light, you go down Cooper's Hawk to get to Carolina Wren and make the right where there is no light, where it is free-flowing. So I think in the traffic report, the reason that this does not trigger a need for an additional lane is because it is assumed a lot of your local traffic will go the path of least resistance and go down to Carolina Wren to make the right, unimpeded, because a signal is not warranted, nor will be warranted, at Carolina Wren and Broadlands Boulevard.

[02:10:13] And all of these assumptions are based on the Ashburn Recreation Center being fully operational. So this takes into consideration the traffic they're assuming will be coming with that rec center. And with that delay, the signal is operating at a level of service that isn't acceptable.

[02:10:34] It's at a level of service C. Anything D and above is considered acceptable. So I just wanted to clarify that for you. Van Meter is very excited about this project. Roy has worked on the Broadlands project for the last 40 years.

[02:10:53] So with that, I'm sure he has a few words he'd like to say. We'll just be glad to answer any of your questions. Thank you. Okay. Thank you very much. Thank you very much. Other questions for the applicant? Mr. Turner.

[02:11:09] Thank you, Madam Chair. The motion right now has you go into the January 10th public hearing. Are you okay with that date? We would very much appreciate if we could be on the December agenda just because I'm trying to look forward to some future planning on the affordable units in affordable building. Okay. I really have no other questions. This is a, I really like this project. I think it's very good. It's exactly right for the situation and the location. The end meter makes a good product and I was very pleased to see it develop.

[02:11:43] Thank you. Ms. Bricksman. Thank you. So this, is this working? Where the cul-de-sac is right now it's not working can is your thing always it's like a boy scout um so will this go through eventually that is a connection that goes into the ashburn rec center that road continues down along the parallels dullest toll road going down through the parking lot there okay and then connects to the the vertical line right in front of the ashburn rec center right so this will go

[02:12:23] through eventually so well it will it's a public street stops at the ashburn rec center entrance and then everything within the ashburn rec center is private street right well my point is cars are going to go up the street and go to the rec center from that's correct right so and then this is supposed to be green space for the development right there's green space and there's some programming there we have some of the areas program so the one thing that caught my eye is I'm worried that folks are going to cross here where there's not a crosswalk.

[02:12:57] And I think what is envisioned is they cross here and then cross there and maybe go back. But I was just wondering if there's a way to put a crosswalk there. It would be highly unusual to have a crosswalk right at the throat, if you will, the entrance to a cul-de-sac.

[02:13:14] Typically, that is a cul-de-sac street with a sidewalk going all the way around the perimeter of the sidewalk. Could we do it down here then? Well, we actually are putting a crosswalk. We have a warranted study for a crosswalk at Cooper's Hawk. All the way down here?

[02:13:30] Cooper's Hawk. We have that because it's envisioned our trail system, our exit to our multifamily building would be on the left side, on your left, and go up along that parking lot and around the cul-de-sac. We would not want to see people trying to traverse across that entrance right before the cul-de-sac.

[02:13:47] I think that would be a very difficult situation, and it would be subject to VDOT approval. Okay. That just worries me. I have a feeling people are going to because this is going to be a programmed area they're not going to want to walk all the way you know and they're going to want to go directly well keep in mind that's my biggest concern that's a passive area supervisor brissman the the active area is a pool and clubhouse area that's down further oh I thought you said it was activated it's activated but not it's a passive use it's more like picnic tables and yeah yeah or kids can play soccer or

[02:14:26] no soccer it's not big enough for soccer could they play catch could they no it's not big enough it's all wooded in there that's a buffer going right along the dullest greenway so that is a very limited area there that we have to have okay so you think it's not going to be attractive I don't I don't see where it's going to be something that we see more that the tot lot is going to be at the pool and clubhouse area if bryce you could go back to or yeah yes you can see the green area there in the middle right above the triplex units and the

[02:15:02] multifamily building just to the down from that and to your left is a green area and that is where the clubhouse pool and tot lot areas are okay I'm on thank you thank you mr. sayings thank you madam chair um correct me for wrong I don't did we meet ahead of this meeting put your light back on sir put your light put your light on I'm sorry we did not know okay I'm good I just want make sure I yes yeah getting a little old in my age these days okay yeah because I'm hearing the

[02:15:39] presentation like I don't remember seeing this so can you please reach out to my office for us to get a meeting yes um you know and I think yeah chair randall mentioned earlier our december agenda is getting fully packed up so I think this needs to go to january to be quite honest with you um I know there's maybe some others do you meet with all the supervisors besides myself or no we in this particular case because we didn't have any opposition planning commission we worked with all the planning commissioners we really spoke with uh supervisor glass's office and supervisor turner's office so three offices you probably met with and two I think two two only

[02:16:15] two you talked to somebody in my office yeah okay so three yes okay yeah uh if we can please set up a time to meet thank you no issue um before uh um i do there are no speakers on this before What I would just say is I say this all the time, and I don't say this lightly, Van Meter has been such a partner to work with when you all bring an application.

[02:16:41] The number of attainable homes you're willing to do right now is far and away above what is required. Van Meter, we've talked so many times about doing things that are innovative and new, having different housing types because we really were doing townhomes and single-family homes.

[02:16:59] And Van Meter just talked about triplexes before anybody else talked about it. The work you all do is just excellent. And, you know, sometimes we have applicants come in that don't do very good work. And I wouldn't say that from the days, but there are. But I really do think when we have applicants come in and they have, you know, gone far and away above what we ask for and require, I think that should be said publicly.

[02:17:24] And that is true for Van Meter. So I appreciate it very much. We appreciate that, too. on this application we have 22 percent attainable hydrogen. 22 that's that yeah I know that's that's far and away that's well more than is required. Okay we have no we have no public speakers on this application that that we've signed up in advance. Is anyone here who'd like to speak on this application? Is there anybody virtually on the on the phone to speak on this application?

[02:17:56] I'm going to take that as a no. Lisa you there? Yes Madam Chair I'm here and no we do not have any speakers from this item. All right, and I will go back to Mr. Turner for a motion. Thank you, Madam Chair. I move the Board of Supervisors forward, Leji 2023-0024, Broadland Section 104, ZCPA 2021-001, Specs 2021-0055, and Specs 2023-0001 to the December 13th, 2023 Board of Supervisors public hearing for action.

[02:18:31] motions mancing with Supervisor glass discussion the motion mr. Turner yeah I it's a it's a crunch on December 13th no question about it but I think Cascades will probably go on a consolidate I think this will probably go on a consolidation we have several coming back that can probably go and consolidate it out of respect for the applicant I think this is a very good application it's a 702 out of the Planning Commission I don't see any issues with it and so I'll try it if this motion fails and I'll just come back with a January motion thank you thank you miss miss glass thank you madam chair

[02:19:06] I'd like to thank staff and thank the applicant for coming on and explain this your application I but I have heard from constituents from the Broadlands who are concerned about their concern about this application but I've also heard from folks who are glad to see that we have some additional affordable housing in the area.

[02:19:38] And I look to continue to work with you regarding this application. You had given a good explanation on the reasons why there would not be an additional lane.

[02:19:59] I think that explanation needs to go out to the community to explain to them why it's probably not needed because that's one of the reasons why I'm hearing their concern that with the additional housing that there would be a backup regarding that area.

[02:20:23] So I would like to continue to have a conversation with you about that. So thank you. Thank you, Mr. Sands. Thank you, Madam Chair. Just another question for that. Did you do any community meetings?

[02:20:40] Yes, I engaged approximately June of 2022. I had my first meeting with the Broadlands HOA. I had a follow-up meeting with the Broadlands HOA in November or December of last year, and then I did another presentation to the Broadlands HOA in June of this year.

[02:21:04] So, yes, three meetings with the Broadland Homeowners Association. So, two in 2022, and then the last one was in June of 2023. Correct. And I did actually have a conversation with a gentleman who lives across the street who got in touch with me after he received notification of the public hearing for the Planning Commission.

[02:21:23] Okay. All right. Thank you. Yeah, I – listen, as long as you guys know that it's going to be a crunch on that day, then as long as you know it. I think that this application is, in my opinion, not that hard. I do appreciate people who want to see it.

[02:21:39] So if you can get in contact with people who might want to see it before now on December 13th, that would be really helpful. But it's, I think, a very good application, so I have no trouble putting it in December. Mr. Turner, would you like a closing? No closing. All right. All in favor, please say aye.

[02:21:55] Aye. Opposed? Motion will pass 8 to 1. Thank you. When we come off break, we will go straight and do the Dogwood Farm application, which does have, right now, just three speakers, unless there's more people signed up that I don't know about yet.

[02:22:11] So right after our break, we'll do the Dogwood Farm application. Let's take about a 15-minute break, supervisors.

[02:22:17] Thank you very much.

[02:53:46] There we go. Okay, everybody, we're back in session. We're going to do the Dogwood Farms application. Good evening. Good evening. Supervisors, we have a presentation.

[02:54:01] 11 slides. Staff, we are ready when you are. Thank you very much. Again, my name is Marshall Brown with the Department of Planning and Zoning, here to present the Dogwood Farm Station applications. Since this has been before the board, just give you a brief overview of the updates that have occurred since the last time this was in front of the board. You know what? I'm going to ask you to go in a little more detail. We have a lot of speakers on this item, and I think that there's a lot of interest and so i'm gonna i'm gonna you can you can you can go a little deeper if you'd

[02:54:33] like yes ma'am thank you okay so um this is the site the subject property it is 20.8 acres in size located north of route 7 south of riverside parkway in the algonkian election district it is located in the suburban mixed-use place type it is currently the site of the bluemont nursery the applicant is proposing to rezone the site from ar uh agricultural residential uses to townhouse multifamily R24 to develop 425 multifamily units. These consist of 225 multifamily attached and 200

[02:55:07] multifamily stacked units. They are requesting a special exception to permit a child care center in the R24 zoning district between 4,000 and 5,000 square feet in size and zoning ordinance modifications to allow the private street access for a child care center to allow access from a local road and to increase the maximum height without additional setbacks and to allow buildings to front an open space. This is a view of the CDP. You can see it has changed a bit since the last time this was before you. Multifamily stacked units are in the yellow. Multifamily attached units are fronting Route 7, and that's in the orange color. The child care facility, the specs

[02:55:47] use that is planned, is to be located in the multifamily attached building on the ground floor that you see in the bottom left-hand corner where that red star is. That's off of Garden Center Court. And the pool and clubhouse area, I apologize that should be shaded blue, but there appears to be an error, is right there around the corner of Riverside Parkway and Bonnie Court. This is in this area right here. You can see the mouse moving. Okay. The proposal does contain affordable housing. There are two options in the proffers. The first is for 72 of the multifamily attached

[02:56:23] dwelling units to be age-restricted affordable housing units. That's AHU LIHTC funding. That is 17% of the total units considered affordable overall. Option two, if LIHTC funding is not secured, is to provide 10% of the units as affordable dwelling units, ADUs.

[02:56:41] That would be 43 ADUs total, and that would consist of both multifamily-attached and multifamily-stacked units that are proportionally dispersed throughout the site, and at least six of those ADUs would be for sale units. So to continue with the updates to it, the site design has been revised.

[02:56:58] You can see the primary change is that there's a central open space that's located on site. So you can see that centrally located open space. And there are zoning modifications for setbacks, encroachments into Riverside Parkway, and Route 7 have been withdrawn.

[02:57:17] So the applicant is now proposing to follow the established setbacks of the district. In terms of density, the density has been reduced from 485 units to 425 dwelling units total. So the application is now proposed, it used to propose 25 dwelling units per acre.

[02:57:36] It is now 22 dwelling units per acre. Along with that reduction in density, the affordable housing program has changed. So it used to, the proposal used to be 90 to 100 AHUs. It's now 72 AHUs. And again, 10% of those units is ADUs if LIHTC funding is not secured.

[02:57:56] Along with that reduction in density and, you know, site redesign, the child care center was reduced from 10,000 square feet in size to 5,000 square feet maximum, as well as some of the technical issues that we had raised before in terms of the bus shelter proffers and the crosswalk proffers have been cleared up from the last submission to this one.

[02:58:15] In terms of off-site improvements, there are additional proffers for facilities in the vicinity of the subject property, including contribution for Stuart Weller Elementary, Potomac Drive repaving, and sidewalk installation contribution for Broad Vista Terrace and Highland Vista Drive.

[02:58:35] Hold it. Mr. Rogers, can we consider those as part of our decision? Can we consider, would you say those again, Marshall, please? The off-site improvements?

[02:58:52] Yes. Yes, the capital facilities contributions for Stewart-Weller Elementary, Potomac Drive repaving and sidewalk installation at Broad Vista Terrace. We can consider those, yes? Yes. Okay, thank you. So as for the outstanding issues, this still remains.

[02:59:09] Regional roads and regional transit contributions are not provided for the affordable units. This is in the event that actually for regional roads and regional transit, it is for any unit. We expect contributions for any dwelling unit.

[02:59:24] For fire and rescue services, contributions are also not being provided for the affordable units. And again, the amount of the dollar amount may change, which is dependent on the final unit mix. So

with that, the Planning Commission did recommend denial of the applications and have provided the Commission's findings for denial in the packet.

[02:59:44] Staff could support board approval if the outstanding issues regarding financial contributions are resolved. Happy to take any questions. School capacity. I do have a slide on that, and I believe we do have Bev Tate here if there are questions.

[03:00:00] but this is the latest school capacity numbers that we do have. There has not been an identified capacity issue. So if you see through the planning period, the highlighted lines are the schools that serve the area, and the percentage of capacity is also listed on that slide.

[03:00:24] So we have not identified a capacity issue at this time.

[03:00:34] Based on the superintendent's recommended FY25 CIP presented last night, we do not foresee a capacity issue for the next six years. Okay.

[03:00:52] How long will it take this to be built? If there were a capacity issue at any given grade level, the board could certainly consider attendance zone adjustments, particularly at Stuart Weller, where we know we have available capacity at Seldon's Landing Elementary School.

[03:01:13] Okay. Okay. You're good? You're finished? Okay, we're going to Ms. Bricksman. Can you stay there for me, please? Thank you. I'm sorry. Yeah. So you mentioned one of the issues staff had was the setbacks, the ZMOD for setbacks, and that's all been resolved and removed.

[03:01:36] Yes, those zoning modifications have been withdrawn. Okay. And so really the only issue staff has is that continual issue of the contributions for the attainable housing. That's correct. Okay. How much green space has been added since the last public hearing, and do you know how big that space is?

[03:01:58] I would have to look up the exact number, but I believe it's about the same. It's been redesigned, so there's more of a central open space, but it is about the same amount. Okay, and the applicant has stated that that's almost the size of a football field. Would you?

[03:02:14] I would have to check the size of a football field. Okay. On the traffic and some concerns about traffic that some of the community has brought up, I just wanted to ask the Bonny Court exit, will it be possible at all for someone to go straight across the street from Bonny Court onto, say, Smith Circle, either side of Smith Circle?

[03:02:45] And could they take a left even out of the Bonny Court? I would defer to DTCL. I'm not terribly certain Bonny Court lines up directly with Smith Circle, so I don't think that would be possible.

[03:03:01] Right. Well, I'll answer the question. There's actually no way to do anything but turn right out of Bonny Court because there's a divide there. So it would be really inconvenient for somebody from this community to park on Smith Circle and walk across four lanes of divided traffic basically to get to the community.

[03:03:26] The proffers we discussed that you mentioned, the Stuart Weller Elementary School, and by the way, Stuart Weller Elementary School is not overcapacity right now. They lost a teacher right before school started, and that's why some students had to be redistributed to other schools, but they are not anywhere near overcapacity, and I did call the school, and they were actually, the PTA was trying to raise money for a playground right now, So I appreciate the applicant contributing the \$125,000 for that playground.

[03:04:02] Lastly, I believe another change, and you can confirm this, please, is that there will be an additional crosswalk that will enable folks to get across the street and access Bless Park from the proposed path. Is that correct? I believe there is a provision in the proffers for an additional crosswalk.

[03:04:21] Right, so they can just cross the street and go straight down the path and get to like 140 acres of parkland, mostly passive, with some improvements. Oh, I'm out of time. Thank you, Madam Chair. I'm out of time. Thank you. So I have three questions.

[03:04:39] On page 11 of the presentation, it said that the Federal Commission recommended denial of this. Am I to assume that they recommended denial before the changes that we see now, the improvements to the application was made?

[03:04:55] That's my first question. My second question, and this is really a decision, could be a decision point for me, the outstanding issues, regional road contributions, we've had the discussion about that, that those will be changing, so I'm not too hard over it about that. Regional transit, and again, that's not my biggest issue.

[03:05:16] But fire and rescue services are not resolved. That's a humongous issue. Can you talk to me a little bit about fire and rescue services issues that might still exist? Because that could be a game changer for me. And then the last thing I have is for LCPS.

[03:05:32] I'm actually worried about the elementary school enrollment. I'm worried about, not worried about, I'd like more information on high school enrollment, because I think that's going to be at Riverside High School, which looks like it's fairly close to capacity right now. So I'm not talking about the elementary school, the middle school.

[03:05:48] I'm talking about the high school capacity. So those are my three questions. So to answer your first question, the Planning Commission did not see this layout. This happened between the last time this was at the board and now.

[03:06:04] So the Planning Commission did not look at this layout and the reduction in density and all of the other concomitant changes. As for fire and rescue services, it is standard to provide a per unit, per dwelling unit contribution. I believe right now it is \$152.64 per unit.

[03:06:25] So under the different options, they're not providing it for either 72 AHUs or 43 ADUs, and that's the difference between these \$6,563 and \$10,990. Lansdowne Station 22.

[03:06:41] Yeah, so they're not providing these for any of the attainable units. That's correct, yes. Lansdowne Station 22 is provided service to the area. It is owned by the county, and staffing is provided by county and fire rescue and career staff from 6 a.m. to 6 p.m.

[03:06:58] and volunteer from 6 p.m. to 6 a.m. Okay, and then the last question is the LCPS question for Riverside High School. So we are showing Riverside in that 90% utilization for the next six years.

[03:07:15] We are watching as new developments are coming online. A lot of them are multifamily. We are showing, and this is last year's CIP, Chair Randall, and so we do not have the new numbers we did. Right now you're at 90. Last year you have 94.

[03:07:31] And so we have seen our enrollments have been relatively flat. We are watching new approved development as they come through, and so we would monitor and adjust boundaries again as the board has that ability.

[03:07:49] Okay. That's where I can. Okay. I understand. I understand. Thank you. Mr. Romeo, you've already given a presentation on this, and so you won't do it again. Would you like any very brief comments on some of the new things that have happened before? Not a presentation, but any brief comments on some of the things that have happened already?

[03:08:08] It has happened since we've last seen you. Yes, absolutely, Madam Chair. Thank you for having us again. Marshall did a really good job of summarizing all the changes that have been made. The main focus is the central open space, getting units out of the setbacks, which we've done, and reducing density.

[03:08:26] We've done all of those things. This project is now less dense, has more open space and more affordability than some of the nearby projects that were approved recently. I will just want to clarify a couple items that were asked just recently about the fire and rescue. It's only for the affordable units.

[03:08:43] This is the same issue that the previous applications had this evening. Just to put it in perspective, what we are providing, we're providing \$58,000, over \$58,000 for the fire and rescue contribution. In total, we're providing \$10.6 million for CAF facilities, regional road, transit, and fire and rescue for this site.

[03:09:01] There is just a fundamental issue with the policy, which this board has reviewed on many occasions before it happens with those three contribution levels. But we are providing contributions on all of those items for all the market rate units. So, in summary, that's just a response to the comments that were asked right then.

[03:09:20] Okay. Do we have any questions for Mr. Romeo? All right, because I'm going to go, so I'm not going to call. You have to write. Are you sure? Ms. Briskman. Just one I wanted to clarify. You're asking for a building height, ZMOD.

[03:09:37] That's not necessarily because you want to put more stories onto the building. It's a design. Can you explain that a little bit? That's exactly right, Supervisor Briskman. And it only applies to the buildings along Route 7. We actually have restricted the building height along Riverside Parkway to no more than 50 feet.

[03:09:54] There are buildings along Route 7 that have first-floor garage and four stories above it, which is the five stories within the place-type allowance. So that increases the building height. Also, there are gabled roofs on those buildings because it matches with the rest of the development.

[03:10:10] And if those were taken out, we wouldn't even need the height modification, but it's a better design feature, so we've kept it in there. Okay, thank you. I don't know that I clearly understood, Mr. Romeo, what you just said to me about fire and rescues.

[03:10:26] What I heard you say, you know, if I boil it down, is that you're providing the contribution for all market price homes and not for the attainable homes, either in the LIHTC building or otherwise. Is that what you said to me? That is correct.

[03:10:42] The primary issue is that it costs money. In fact, you don't make any money on those units. Other people provide it for a civic purpose to provide more affordability in the county. Providing a contribution on top of that is just, it's a fundamental issue that I think a lot of applicants have pushed back on.

[03:10:58] And it's an issue this board has supported in the past. So that's the same issue that we're running into on this application. It is, and I've never been completely comfortable with it because I absolutely understand it. And, of course, I don't think anyone talks about they need for attainable housing more than I do.

[03:11:15] And so I really support that. But I also know that, you know, you're not going to, like, not respond if one of the units are on fire or the attainable housing unit. So it's not like you don't, you know, those numbers are there for a reason and you do need them. And this is a kind of a larger number than we normally see.

[03:11:34] So I'm a little uncomfortable with that. But we can have that conversation, though. All right. We have quite a few speakers on this item. And I do thank you for coming out. And I'm sorry that you had to wait. And we're going to just go through it. When I call your name, come to either podium that's closest to you.

[03:11:50] And I'll try to call your names in advance so you know who's coming up next. The first speaker is Rihon Wahid, followed by Lauren Bermudez, followed by Lola Coyer. Good evening, sir.

[03:12:06] Good evening. Hello, my name is Dr. Rihon Wahid. I'm a physician. I live on a Smith Circle. And the reason why there's so much interest in this respected board is because there's a lot of people that live on Smith Circle and in that neighborhood that are going to be affected by this. And we've been to every single meeting, trust me. I come up from the hospital, run home, take care of my kids, run home, and I come to these meetings because it's so important for my children to know that we should be involved in what's going to happen to us. The planning commission, when they made the vote, they said one really important thing. They looked at everybody

[03:12:44] and said, this is the wrong project in the wrong space at the wrong time. And it's only 60 units less than it was then. It's still 425 units. Commissioner's saying, that's the first thing you said at our last meeting. He said, wow, that's a lot in a small space. That hasn't changed.

[03:13:07] It's still a monstrosity. And I understand. And I understand we need housing. I understand we need childcare. By the way, that's now 5,000 square feet. But I understand we need all those things. And we're not insensitive to that as a community, but we are pushing back on way too much population in a small area.

[03:13:28] And those people, those people that are probably going to rent, they will cross the street. Maybe it's through that new property, you know, a crosswalk. And they will walk in front of our homes, and they will walk to Bless Park. And part of that's okay, but we don't know 425 families.

[03:13:45] This is a very small, non-HOA community. We have no sidewalks. We all, our children play on the street. My kids, they ride their bikes on the street. This isn't a 2020 neighborhood. It's a 1980s neighborhood. So I just hope that you come now, take a walk on my street, see what it's really like out there.

[03:14:05] See what it's really like when there's 425 homes across it. We don't need a community pool. We all got an acre each. We don't need more green space there. We're turning down a nursery to make green space. So I just think if we take a step back, and I have plenty of neighbors, community members here that are going to give you even more facts than I can I'm Mr Country Doctor but I just ask you all please to

reconsider let's have smart development thank you all very much thank you sir um lauren bermudas followed by lola collier followed by ken griffin hi how are you there

[03:14:43] hi i'm lauren bermudas um as a resident of loudon county for nearly 10 years i'm here tonight to voice my support of dogwood farm station i feel this mixed-use community will benefit current and future residents of Loudoun County. It thoughtfully addresses the need for diversity and price points, offering attainable housing and beautiful setting that is walkable to transportation options, places of employment, and restaurants. I also support the plans to combine ADU age-restricted housing with the child care center. As a teacher who has taken my classes on field trips to senior centers and knows the benefits of this important relationship building firsthand, this is a great

[03:15:20] advantage to both our youngest and eldest county residents. Comparing favorably to recently approved housing projects in the area, Dogwood Farm Station will only serve to enhance the county landscape, offering only positive impacts on nearby communities. Dogwood Farm Station thoughtfully and beautifully addresses our community needs. Thank you for your time. Thank you. Thank you.

[03:15:42] Lola Collier, followed by Ken Griffin, followed by Shiva Etesam, I think that is. Good evening. Good evening. I'm Lola Collier. Excuse me. I'm just going to read this, but I just want to preface that with being very much aware that people have every right to take their investments and profit from them.

[03:16:14] That's what we can do, and everybody has rights to do that, but not at the detriment of those around them. So that being said, I would like to voice my opposition to the Dogwood Farm application in its present form for several reasons.

[03:16:32] First, the amount of parking in the developer's plan is per requirement but not sufficient and would most certainly result in Smith's Circle absorbing the overflow. I live very close. I can see my house right there. And we already have issues with activities in the neighborhood, large activities in a particular place that cause an absolute nightmare for the residents getting in and out because the people that are at these activities park along our road.

[03:17:11] And you can't park along our road. You park in our road. And I have seen from my home accidents occur because people at night are trying to get in and out, people almost getting hit trying to get in and out, and this development would adversely affect that as well.

[03:17:32] Secondly, the number of units is still so high. A 60-unit concession is not nearly enough of a decrease in density. There's not sufficient room for Route 7 and then the Riverside Parkway there to fit 425 more units.

[03:17:50] We have the hotel that has car shows where they have races up and down right in there, right in front of our house all the time. We have a facility that's going in right now that was approved by you that potentially will have staff, police, county people coming in and out.

[03:18:11] It's the, I don't know if they call it a halfway house or mental rehab facility or something that's going in a couple doors down from my house. We have the nice restaurants and everything there already, and I know I'm losing my time, but that roadway was put in there to help traffic, and now you're undoing the progress.

[03:18:39] Ms. Collier, if you want to, if you didn't finish, you can actually always send your comments in to the board via email. I sent this to the board. Okay, wonderful. Thank you. Thank you. Ken Griffin,

followed by, I think it's Shiva, as to some, followed by Miss, I believe it's Miss Gupta.

[03:19:00] Good evening. Good evening, Madam Chair and members of the board. A couple things before I read my thing. I look at Riverside Parkway, and I look at that as a dividing line kind of between the old neighborhood and the new neighborhood. So I don't see the big concern about those new folks going up into the old neighborhood.

[03:19:19] This is my opinion. I've been a Loudoun County resident for many years, 30 years. And I followed many projects through the system. This one here I follow from its inception. The redesign of this project incorporated the input from the board, also by the residents, and now adheres to all building and parking setbacks.

[03:19:41] It includes new open space, that big park area we were talking about. It also has nearby, it's nearly a solid football field, as they said, but it reduces the density by 60 homes, as everyone has said. Maintains over 18% affordability, which is good.

[03:19:59] These new features complement the features already included in the project, which are a 25-meter pool, which is a big pool for a neighborhood, and a clubhouse. It also has 14 EV charging spaces, pollinator gardens, butterfly garden, gazebo area up in there, if you look at the plan.

[03:20:17] Additionally, the project includes over 100 extra parking spaces. I don't know if anyone knew that. And it will not negatively impact the transportation or school capacity, as I've heard. The new features enhance an already special project that incorporates a diverse array of housing that addresses the goals of the unmet housing needs strategic plan.

[03:20:40] The project includes a 72-unit age-restricted affordable housing unit building with the first floor child care center. Three types of for sale homes, including multifamily condos, two over two units, back-to-back units, and that's like four types of housing.

[03:20:57] I'm not aware of any other project in Loudoun County that offers this level of housing diversity on a project that's 20 acres. In fact, this project offers more affordability, more open space, and less density than the recently approved project in University Center and Commonwealth Center. The project will be a special addition to Loudoun County in its location.

[03:21:16] It's walkable to retail, employment, entertainment, and the project, I think it's a shining example of how the planned policies can be implemented in a sensible manner to achieve more housing opportunities in Loudoun. I fully support this project, and I hope you do as well.

[03:21:32] Thank you. Thank you. Thank you, sir. I think it's, if I mispronounce your name, I apologize. So that's just S-H-I-V-A. So I think that's Shiva Estesam. And then you're followed by Ms. Gupta, followed by Brian Rouse.

[03:21:50] Good evening, ma'am. Good evening, Madam Chair. On point on the pronunciation. My name is Shiva Estesam, and I'm business owner of Abbey Design Center in Sterling and Leesburg. I have owned my business for more than 30 years.

[03:22:06] In fact, we are celebrating our 35th year in business in Loudoun County. I would like to profoundly offer my support for the Dogwood Farm Station for two reasons. First, from a business standpoint, our company and many other local businesses rely heavily on quality residential

developments like Dogwood Farm Station for new and continuous opportunity to provide services and projects.

[03:22:33] Abbey Design Center provides design and installation services for remodeling of kitchen, bathroom, new floors, and other home improvement that are a main focus of our business model. Without new developments like Dogwood Farm Station and other similar quality developments, our business, as well as many other businesses, cannot flourish and continue to grow and pay county taxes.

[03:23:00] Secondly, in reviewing the many features Dogwood Farm Station has, I see many different housing types and prices point that could be available and affordable to many of our company employees. The development offers housing in a community with multiple recreational amenities, including a pool, clubhouse, large open spaces, and walking trails throughout the site.

[03:23:26] This I see as a quality development that will attract many families. For these reasons, and many others, not stated for the limited time I have, I again would like to say that I strongly support this application, and I hope that the Board of Supervisors will approve this.

[03:23:46] Thank you for your time. Thank you, ma'am. Thank you. Okay, that's Mr. Gupta, followed by Brian Rouse, and you will be followed by Ross Rockenborough.

[03:24:02] Good evening, sir. Good evening. Good evening, everyone. So I'll just go back. We have been coming here for multiple times and each time it has been denied because of the density and people have already showed concern. Yes, we need a community there. There's no opposition to a community, it's the density.

[03:24:19] One of the reasons it was denied was 25 units per acre is eightfold increase as compared to the nearing neighborhoods. And so that is eightfold, it's not a small number. We had three beautiful applications this afternoon.

[03:24:37] they were much less than in the same area. Imagine, we are not against the community. It is the density, the problem of traffic, problem of the park. Park will be there, yes. Imagine 100 students or kids crossing the road to go to the park on that railroad where there is no traffic light, nothing.

[03:24:55] Like, is it a risk for the community? And talking about, yes, children are very close to my heart. I love them. We need their childcare. They reduced 60 units, but 50% of the childcare. it's gone. 60 units are removed, but 18 of those are ADH, affordable ones. Why? Like, it is a business game or is it a residential game? Talking about the traffic, in the traffic,

[03:25:28] its application says there are around 400 units. In the AM, there are 294 trips of vehicles, and the evening is 318. If we have 400, it's not age-restricted. I live in age-restricted area.

[03:25:44] Still, we have a lot of traffic. If 50% of the people or the families are husband and wife working, we are saying just 50%, both parents are working. They will have two vehicles. Two into four, two is 400 vehicles only for those working people.

[03:26:02] I'm not even talking about the remaining 200 people. So it is much more traffic than what I see in the application. So I would request the supervisors, as you said, Chair and Madam, that before you consider it, think that you are in the neighborhood.

[03:26:17] and it is in your neighborhood, and then make it easier. Thank you very much. Thank you for your time. Thank you. Thank you, sir. Brian Rouse, followed by Ross Rockenborough. You will be followed

by James Eaton. Mr. Rouse, R-O-U-S-E, are you here?

[03:26:35] Oh, you're remote. He's remote. Yes, hi. My name is Brian Rouse, and I live on Smith-Serve, which is the community of single-family homes directly across Riverside Parkway from the proposed development. I'm not opposed to residential development. Loudoun does need more housing, but this property crams 425 units, just 20 acres.

[03:26:56] Across the road are our single-family homes of Potomac Farms. Dogwood Farms is proposed to include four huge multifamily buildings that can be 70 feet tall. That kind of density near single-family homes isn't a reasonable exception. The tallest nearby structure is four stories, but that's a married hotel, and it's down the road.

[03:27:16] Now, across Route 7 is one Loudoun. Now, this is the kind of development that can support six-story apartments like that Vine residential building and the new five-story Hilton hotel next to it. Now, the project discussed earlier tonight at Riverside Parkway and Lansdowne Boulevard was only proposing 13 acres, I'm sorry, 13-acre and three- to four-story attached units.

[03:27:38] The Caskey's Marketplace proposal said they were reducing the multifamily building height to 60 feet, and that's in town center-like development, not necessarily across the road from home. Now, those proposals make the density and size of Dogwood Farms seem obscene in comparison. I am concerned because I used to live in Ashburn Village and scores of commercial vehicles were not allowed to park in the residential spots that end up clogging up all the neighborhood public roads.

[03:28:03] Extra cars owned by families with more than two drivers also spilled out onto the surrounding roadways. Our roads in the circle is the obvious choice. We'll park in our front yards because the road shoulder is the front yards. There's no curb. There's no sidewalk. This will be especially the case if the crosswalk across Riverside Park, which I mentioned by Supervisor Briskman, is included because that would give direct access for residents to just walk while they're parking their vehicles on Smith Circle.

[03:28:29] The Planning Commission couldn't recommend this oversized dense project, and I urge the board to deny this application as it stands. I'm not sure if the spokes speaking from Scripps in support of this project actually live within walking because they sounded like an advertisement. They certainly weren't at the community meeting that, like me and my other fellow residents were.

[03:28:49] Frankly, if I had to choose between a data center generating revenue for county schools across the road and a 70-foot-high apartment building next to Route 7, I'd take the data center myself. Thank you for your time. Oh, yeah, no. All right.

[03:29:08] Ross of Rockenborough, you'll be followed by James Eaton, and you will be followed by Heidi Pluth. And all three of these speakers are remote. Madam Chair, it seems that Mr. Rockenbaugh is no longer on the line.

[03:29:26] Okay. How about Mr. Eaton? He's on the line. I'll put him through. Thank you. Good evening, Supervisors. I am James Eaton, a resident of Leesburg, and I'm speaking to you in favor of Dogwood Farm Station.

[03:29:42] As a resident of Loudoun County for over 22 years, I've seen a number of neighborhoods and communities form in our area. I've had the opportunity to live in several of them myself. Dogwood Farm

Station is among the nicer and better thought-out communities I've seen, and I believe it will benefit our larger.

[03:30:00] The creative blend of residential uses includes a child care center, as we heard earlier. As the father of an 8-year-old third-grade student in the county, I've lived through the need for early childhood. The inclusion of the proposed center is really a wonderful thing.

[03:30:15] The proposal also incorporates universal design and environmentally friendly building features. This will enhance daily life for the folks who live here. I'm happy to see them included and note their compliance with the 2019 General Plan's land use policies.

[03:30:31] Maybe most importantly, Dogwood Farm Station strikes me as a nice place to live. This neighborhood brings features to bear, including open spaces and active rec areas, a pollinator, a playground, a playing field and gazebo, landing along Riverside Parkway, and one I had to read up on myself, a multi-generational player.

[03:30:52] These are all good things that drive a sense of community, not just another collection of houses. I also really like the electrical vehicle charging stations. This is the kind of community that I want to see more of in our county, and I urge to approve the proposal for Dogwood Farm Station. I thank you for your time, your service, and the opportunity to address you tonight.

[03:31:11] Thank you, sir. Heidi Plouffe will be followed by Cynthia Wallace, followed by Sid Harvey. And Ms. Plouffe is also remote. Good evening. This is Heidi Plutz. I live in the Lexington 7 community across from the proposed development, and I'm opposed to this development as it is right now. The 405 units likely translates to 850 people or so living on this small site. It's really not enough space to have quality living. The developer is assuming 1.6 parking spots per unit, which will really not be space as well. I'm concerned about overflow parking creeping into the residential areas on the

[03:31:48] other side of Riverside Parkway. This will also require pedestrians, both adults and children, to cross a busy street that will have increasing traffic with newly approved area. The last meeting at Claude Moore Park indicated crosswalks would be a VDOT decision and the builder only pays if they approve. It sounded earlier like they were saying that they're planning to put in a crosswalk, so I'm not sure of that status. That should be clear. Another concern is that ADUs are segregated into one building instead of being sprinkled throughout the community and incorporates a space for the daycare. I have two concerns about this. The isolation of the ADUs will make it difficult for these residents into the community, and the daycare within the building has the

[03:32:25] potential to create security issues for the children. I believe this setup, along with the large number of community residents, will deter families from even using the facility. I propose incorporate ADUs throughout the development instead of current segregation, and if this is still a two-phase project with due to the road abandonment issue to resolve with the ADU daycare amenities in phase two this would ensure adus are in the development my other question is the proposed new development near lansdowne recently discussed included in the school attendance prediction attendance predictions for this uh community as well in closing then i ask the same

[03:33:02] question as chair randall for item 10 would you want this development near your house thank you for your consideration thank you thank you miss very much miss pluth yes mr rockinball is back on

the line. He is? Okay, we're going to go to Cynthia Wallace, and then we'll go back to him, and then we'll go to Sid Harvey, because I think Ms. Wallace is ready to go. Good evening, ma'am.

[03:33:30] Good evening. Hello again. My name again is Cynthia Wallace. I'm here representing the Homeowners Association for Lexington 7. The Lexington 7 HOA has been vocal in our lack of support for the proposed Dogwood Farm Station project. We are here once again to voice our opposition to the proposed updated plans presented by the applicant. We acknowledge that the applicant has made some changes to the site plan and proffers.

[03:33:54] We feel it still falls short in addressing the major concerns of the surrounding communities. While the developer did concede to remove the height and right-of-way variance requests, we were disappointed their latest plan shows only a token decrease in the overall units proposed, from 485 to 425.

[03:34:12] They have not adequately addressed the concerns regarding overflow parking from their project into the surrounding communities. Their increase in the green space amounts to shifting green space from the outer edges of the development to an open area in the middle of the development that includes only a tot lot and no other active amenities.

[03:34:31] The configuration of the buildings is even less visually appealing since they are now being all squeezed together. We were also distressed to learn that the rental rate on individual units would be permitted up to 50 percent. Again, we are concerned that a number of the available units will be purchased as investment properties and turned into rentals.

[03:34:49] which is diametrically opposed to the Board of Supervisors' stated goal to provide entry-level homes to residents in Loudoun County. We suggest this development consists of considerably less units and be more compatible transition between the existing neighborhoods of Lexington 7 and Potomac Farms and the planned denser communities approved at University Center and proposed for One Loudoun and the Commonwealth Center.

[03:35:13] We also strongly recommend that the Dogwood Farms Project not be looked at individually, but is a broader piece of the overall development in this part of northern Loudoun County. The cumulative effect of these large developments will inevitably and adversely impact traffic, parking, public safety, and county services.

[03:35:30] To reiterate, the developer is pursuing his goals at the expense of the surrounding neighborhoods. While this plan conforms with the county master plan and standards, as we've stated before, just because you can doesn't mean you should. I thank you. Thank you.

[03:35:46] And we're going to go to, thank you very much, ma'am. Ma'am, ma'am, ma'am, Ms. Wallace, you are actually representing the HOA, correct? You're speaking on their behalf. Yes. Okay, thank you. And now we're going to go to the remote, and then we will go back to Mr. Sid Harvey. Hi, my name is Ross Rockenball, and I have lived in the Potomac Farms neighborhood for over 10 years.

[03:36:10] I've been very impressed sitting through this meeting into the Cascade Marketplace presentation and the proposal, and I feel very gypped when I compare it to the Dogwood proposal, to be honest with you. There's so many things that aren't the same between the two proposals.

[03:36:27] Some of the concerns that I've voiced before, we already have a problem with traffic on Route 7 and Northern County Parkway. We have three additional investments with high-density housing that still

have not been built that are going to affect both traffic and housing.

[03:36:44] We have power, high-voltage transmission lines that are supposed to go alongside Route 7, which would impact this proposal. If you notice, if you're in a hotel and an already approved brewery, which is Route 7 Beer, I'm not sure how that's going to work out.

[03:37:02] I'm really concerned about the spaces. There's no local bus stop. The closest bus stop is 1.5 miles west. I did this through Google Maps, and it's 0.8 miles east, so there's no need for public transportation from this location.

[03:37:20] Grocery stores are drivable but not walkable. Trader Joe is 0.4 miles, according to Google, and Harris Teeter is 1.5 miles. There's also the proximity to Route 7. The airport impact overlay district, this property relies in that area.

[03:37:38] So there's going to be noise from the 60 to 65 aircraft decibels. There's not enough parking spaces. There's so many problems with making this high-density housing, and I feel like they have not been addressed.

[03:37:54] And I urge the board to vote no at this time until things are changed. over 20 units per acre is just too much none of the other proposals i've seen are anything close to that thank you thank you and then our last speaker that i have i think it's it's clark although i cannot tell by the handwriting what the last name is and like no it's it's claire i'm not sure what it is actually gaisley is it claire yes ma'am miss gaisley could you come up

[03:38:25] please madam chair madam chair i believe mr harvey was before i thought we just did him no that was uh rock rock and ball okay then i miss okay then i missed mr har i'm sorry then i missed mr harvey mr harvey are you in the room i apologize sir and then miss glasley you will be last i apologize to both of you take your time sir i'm hoping for the sympathy vote

[03:39:00] that was me one year ago it was i'll tell you if you hit if you hit a good heel you can really get some speed on that thing we'll talk after this ready when you are you know i've been here four times now, and it's nice to see faces that I've learned to love. If you could put up the schematic of the site itself, please. We don't mind that. That's okay. I don't mind that. Perfect.

[03:39:38] I can answer your question, what did the Planning Commission not like about this? And Planning Commissioner Kirshner shared a drawing with our friends in which she identified ways that it could be significantly improved the project. And I would say that pretty much none of those suggestions were taken. If you'd like, I can forward her notes to the board afterwards, and you can get a feeling

[03:40:15] for what the planning commission thought would be a good plan. And the high-level view is not nearly as much stuff as there is now. Now, I made a comment the last time I was here about the power of CAD CAM software, and this is represented by it. There's no open space there. I mean, I am impressed that you could stick that many buildings in such a small area. Well done. Now you have an accordion effect. You used to have space around the edges. Now they've consolidated it all and

[03:40:49] made a little place in the middle with practically no amenities. So the fundamental problem still remains the same. We have never been opposed to the development. We've been opposed to a development like this. And really what we're interested in seeing is a lot less density.

[03:41:12] You know, I'm glad that the developer is investing \$125,000 in Stuart Weller. My grandson plays football there during football season. Well done. But that \$125,000 might be better spent taking a couple of buildings out and putting \$125,000 worth of amenities into that area, which would induce kids to do what? Stay home. And a lot of the issues that we've identified would be ameliorated if we did that. Thank you for your time. Thank you, sir. Thank you. And now our last

[03:41:50] speaker. And good evening.

[03:42:10] How are you? My name is Claire Gaisley, and I'm a resident of Lexington 7. And I echo the sentiments of all the other residents of Lexington 7 and Smith Circle. But I would like to talk about the child care. We're not opposed to child care. We need child care. This site has been reduced from 10,000 feet to 5,000 feet and also I think they've been a little bit disingenuous a bit on the plans. They've got these two multi-generational players. You can't have that. It's against the law to have multi-generation. The children in the daycare have to have their own place. Why do they put fences around child care

[03:42:49] centers? Because the children, you have to be fingerprinted. Grandpa, he could be a saint, but he can't walk in and say, gee, I'd like to play with little Johnny so-and-so. You just can't do that. There are laws about these things. So I think they have been a little bit disingenuous about that. But Chairwoman Brandel, I loved hearing you talk about where you live tonight because you were very vocal about your neighborhood. This is our

[03:43:22] neighborhood. And it's just the density and the aesthetics, the height of the buildings is just not acceptable to us. We would like to see something a little bit more compatible with our neighborhoods. So thank you very much. Thank you. Thank you very much.

[03:43:43] Okay. Ms. Bricksman, would you like to make a motion? Thank you, Madam Chair. I would.

[03:43:58] Hang on. May I ask Mr. Rogers a question? Only if it's about the motion. it is about the motion yes ma'am I have to do 1a and 1b yes 1a authorizes execution of the proffers on behalf of the county and 1b would be the approval okay thank you sorry madam chair looked a little unusual to me okay I move that the board of supervisors authorize and direct the county administrator to execute the proffers for legy 2023-0018 dogwood farm station and I

[03:44:32] further move that the Board of Supervisors approve LEGIE 2023-18 Dogwood Farm Station, ZMAP 2021-0010, ZMOD 2021-0039, ZMOD 2022-003, ZMOD 2022-0072, ZMOD 2023-0004, and specs 2022-0025, subject to the proffer statement dated November 2nd, 2023, conditions of approval dated November 2nd, 2023, and based on the findings for approval

[03:45:08] as provided in attachment four to the November 15th, 2023 Board of Supervisors Public Hearing Staff Report. Motion's made and seconded by Mr. Kirshner. Discussion on the motion, Ms. Brixman. Thank you, Madam Chair.

[03:45:25] So a lot of work has gone into this application. I appreciate staff's time and Mr. Romeo's time and the applicant's time to really, really work hard on this application. Off the top, I just wanted to say we did receive 14 letters in support of approval that I think went into everyone's mailboxes between the last two weeks.

[03:45:46] And we have had a number of emails that everyone has received opposing this. But I think that the balance, in my opinion, is to approve this because this is the right thing to do per the general plan, per

our zoning that's going to go in this area, and per the intentions of this board to provide attainable housing for our community and amenities for our community.

[03:46:18] This application does have a number of amenities. we have a pool house and um a workout room for anybody that's on the property lives on the property the pool is big enough to host a swim team which the applicant was kind enough to do that for me um because i i really like kids to have that activity right next to them where they live we are facing an attainable housing crisis and to address this crisis at least one of the tools in the toolbox is to build more housing and we definitely need rental units. Something like

[03:46:53] 84% of our homes in Loudoun County are owner occupied. We don't have a lot of rentals. We actually met recently with the leadership at GW University over there and they expressed, as does NOVA, continually about students facing challenges to find housing and recent graduates facing challenges to find housing. This is a different area in the general plan than the area of north of Riverside Parkway. North of Riverside Parkway is intended to be more of a suburban single-family

[03:47:28] home type of development. South of Riverside Parkway is an entirely different type of development that's called for in the general plan. It calls for denser development in that area of the county. It just so happens that this is where the dividing line is. I think the applicant's done a really good job of making sure that it's walkable, making sure that we have connectivity. We can, the folks have a lot more play area on here now, as you can see in the schematic, but also we've made sure that they have easy access to Bless Park. And Bless Park is where

[03:48:06] we have, you know, soccer games and flag football games and pickleball and playgrounds, and we're going to have a kayak put in. So I really, I kind of reject the idea that there's not enough for folks to do around here and even to walk to. There's also amenities over in the university center area, restaurants, and those sorts of things that folks can access. I'll leave it there.

[03:48:27] Thank you, Madam Chair. Thank you. Mr. Letourneau. Yeah, it's a question for staff. Mr. Galindo, I think might be best. So on this unmet, on the affordable contributions, I definitely recall running into this a lot on the road issue, but I don't remember it as much being flagged by staff on fire and rescue contributions. So what has been the practice of the applications that have come, and is this something that we're addressing in the zoning ordinance specific to fire and rescue applications on affordable unit contributions? I'd obviously have to do some research to give you

[03:49:02] more exact numbers. I think it's been most common that it has been regional roads and transit that have come up most frequently uh some applications have also tried to or have been approved to um not include the fire and rescue contribution as well like we had several on the agenda tonight that had the regional roads issues but i don't recall staff flagging those as having a fire rescue contribution issue correct most people they didn't no no many many applicants are still paying that that that is not as common as the other issue yeah that's so this is my only real issue at this point that's a precedent i don't think i would like to follow so i get the regional

[03:49:40] roads thing a little bit but the fire rescue thing i mean we still have to provide fire rescue service regardless of whether it's an adu or not i understand it eats out on the specific unit for this type but that's why usually these are part of much larger developments that have units that are profitable so you know i hate to vote against the whole application because of this one issue it's really the only issue so i'm

not sure what i'm going to do on the vote but i just wanted to flag that because i don't think no offense at all mike but i don't think it's it's very common

[03:50:14] for us to see this and i just wanted to make sure that my recollection isn't wrong on that because i don't recall staff bringing that up to us on even the ones tonight or the ones that we've seen recently. Yeah. Thank you, Madam Chair. The impact of this project on school operational costs is not as great as some of the projects that have been discussed tonight. If you look

[03:50:49] at all of them together, you're looking at \$10 million additionally every year for school operational costs and 44 million dollars of the equivalent of capital costs this is right about in the middle of those in its impact on the school budget on the board's budget and on the taxpayers so this would this rezoning

[03:51:20] would create at least a \$1.8 million additional burden on the taxpayers every year and then at least a \$7.3 million additional burden in capital costs.

[03:51:37] It's just we approve these piece by piece, but eventually they do add up. And the one thing we've had paying for all of this growth has been data centers, but we have taken the majority of the board has become very skeptical of those.

[03:52:02] But I don't know how we can continue to pay for the school costs if we keep approving housing and keep trying to diminish the ability of the data center industry to build in the county.

[03:52:19] For that reason, I cannot support this. It's just another burden on the taxpayers. Thank you. Mr. Turner. Thank you, Madam Chair. Just to be clear, did I hear correctly that the contribution for fire and rescue is \$152 a unit?

[03:52:42] \$152.75. Okay. So that may be one reason we haven't seen it before. The transportation is \$6,000 a unit and transit is \$1,000 a unit. This is \$150 a unit. I will say I'm surprised the applicant would open yourselves to this discussion for \$4,500 net.

[03:52:59] But, okay, I will point out that with the new CIF that we approved last night at the finance meeting to go to the board, the significant contributions for the developers are going to go up net-net.

[03:53:15] I mean, the transportation proffers will go down, but the CIF proffers are going to go way up. And I kind of write this off to this as part of the county's skin in the game for affordable units. This is part of how we can contribute the affordable unit slice.

[03:53:31] Can I ask the applicant about the parking? What's the total number of parking spaces? And it's 435 units. Is that correct? That's correct. We have 425 total units. 72 of those are age-restricted, 62 and older. There's a far less parking requirement for that.

[03:53:48] In total, we have 114 spaces in excess of the requirements currently. Provided, we have 291 for the multifamily attached. We have 411 for the multifamily stacked, 81 for the AHU units, 14 for the child care, and 30 for the community center clubhouse pool area.

[03:54:06] So it sounded like about 800-ish parking spots? It's around there, yeah. Okay. I have ridden my bike about three times a week down Riverside Parkway, all the way up Smith Circle, out the other end of Smith Circle, and then down here to Loudoun County Parkway.

[03:54:26] There's a 10-foot shared-use path all the way up on the north side. I think you're proffering a shared-use path right here on the south side. Is that correct? There's a sidewalk on the south side. There's a shared-use path on the north side. And then you're proffering potentially a crosswalk right here?

[03:54:43] Yes, two crosswalks, one right there and one at the intersection of Garden Center Court as well. So theoretically, people could walk out of here if they wanted to go to Bless Park, cross over at the crosswalk, down the 10-foot shared use path, and up the new access point to Bless Park, correct? Correct. Okay.

[03:54:58] I have ridden, like I said, Smith's Circle probably three times a week for the last eight years. I have never seen a traffic jam on Smith's Circle. I've never seen cars parked on Smith's Circle more than one or two. I don't live there, so maybe there's some periods of time where they do that.

[03:55:16] But I've just never seen that, and I can't accept the argument that people in here will cross over and somehow flood into Smith's Circle for whatever reason. I don't know, because I think that access to West Park is elsewhere. So this was a firm no for me at the first showing, and I had the briefing today, and I have to admit that I think this was a good application.

[03:55:38] Thank you. Mr. Kirshner. Thank you, Madam Chair, and thank you for the presentations, for staff, and all the work that's been put into this. I wanted just a couple of things, just a couple of hours. I'm going to support the application. One, I think the Planning Commission would probably come out with a different vote on this application, the first application we had in front of us.

[03:55:57] I think a lot of folks spoke, didn't like the density. The density, I mean, 60 units is a fair amount to come down. Maybe it's not as much as some of the neighboring communities want, but I think that's a significant move in the right direction in this particular case. I also made note in the packet that it has a much lower impact on the schools, as Supervisor Umstead said, in operational costs than some of the other developments that were put in.

[03:56:24] I think that is something, as a board, we need to continue to take into consideration the impact on our schools. And this development, obviously, I think, does compare to maybe some of the others we didn't. I also would appreciate what Supervisor Derner was saying concerning the fire and rescue, why maybe we haven't seen this contribution withheld before.

[03:56:46] I think really as a board, I think I'll let it pass on this particular application. I agree with Supervisor Letourneau that it's not probably worth blowing up an application over that. I just think as a board, we need to kind of consider because when we're asking a developer to put in affordable units at cost or below cost, quite frankly, the question is how much does the county pick up in terms of these other contributions?

[03:57:09] So if we're asking them to do that and we want them to produce these affordable units, then where is it? And I think as a board, we've kind of let that slide on those affordable units simply because on a number of applications in the last six months, simply because of that.

[03:57:25] But that's really something we kind of have to come to grips to with, and we seem to be trending that way as well. So I'm going to support this application. I appreciate the applicant, Mr. Romeo, your work on it as well. We do need more housing in the county that's very very obvious and this certainly is one of those applications that provides that so I'll say it again Ms. Bricksman you've done a lot of work in

your community this application and the Cascades application are proof of that I don't have any issue with kids in our schools we are a community that's growing and people have children and we

[03:58:02] educate our children and I'm always surprised when somebody has an issue with that who's already sent a child through the school system and educated their children so educating children is not an issue for me at all. I mean, what do you do if we don't educate them? None of those things are my issue. I don't live very far from this area. In fact, I live very close to this area that I live in Lansdowne. I cannot get myself here. I just think that this is too dense. And I will say what I said before that, you know, when I get to this moment where I go, what do I think? What do I think? I often say, if this was my house, what would I want? And for this one, if this was my

[03:58:40] house i think that this would be too dense and this is me saying that i i there you know besides miss miss glass there's probably not any two people that talk about the need for homes and the need for attainable homes more than miss glass and i but and and oftentimes attainable homes come at the price at higher density because that's just how it works sometimes but there is a limit there's a limit to what that density should be and i know this this area very well i drive when i'm driving Out of my house, I go down Riverside.

[03:59:13] And so, again, I'm only in Lansdowne, so I go down Riverside. So I know this plot of land and how big it is. And I do not believe that this piece of land is large enough to encompass this many homes. I'm also a little concerned that in changing the application, they take half of the space out of the child care.

[03:59:33] Like, take some homes away. But you slash the child care in half? I don't get that. And, you know, listen, I know we're making money and all that, but it's hard for me to go, yeah, yeah, we really care about the community and we're going to take half the child care square footage away.

[03:59:52] So I have been back and forth on back and forth on this for such a long time. And one reason I've been back and forth on this is because, again, Ms. Bricksman has done such good work on her applications and she's worked so hard to do things in her community. And so a lot of what I was doing was just trying to give her, because it's her community, the benefit of the doubt.

[04:00:11] But you know what, as county chair, it's my community also. I represent everybody in Loudoun County. That's what the chair does. And I just think this one is, I don't know what the right number is, but I know that this is not it. This is just too high. So I have to be a no on this.

[04:00:30] Ms. Brooks-Bent, you'd like a closing? Thank you, Madam Chair. And I do appreciate my colleagues being deliberative on this. I just think that we are entering kind of a new realm with our new general plan.

[04:00:46] This does conform with the general plan. I think sometimes it seems difficult when we've spent years and years just building single-family homes that when something comes through across the transom, that is actually what's called for in the general plan.

[04:01:02] It might feel really different. It might feel a little bit uncomfortable. But I really think that this is going to be a great community. We've got the amenities the community needs. We have the bus stops. We have the transit. It's walkable.

[04:01:19] There's retail and restaurants that people can walk to as well. I just want to clarify a couple things. LCPS does look at what we have in the pipeline when they give a referral. If you looked at the chart, the high school will be at 88% enrollment in like 28, 29 school years.

[04:01:37] So the high school is actually predicted to go down. And we do have the Selden School, which I believe is underutilized right now. So we do have a place that can take kids if the elementary school gets into trouble. I sort of am, I just don't understand this argument that houses and real estate don't generate any tax revenue at all, and that only data centers can generate revenue.

[04:02:07] The real estate taxes are 50% of our revenue pie, and every home and unit we build pays taxes. So in some ways, I believe that these will pay for themselves when it comes to the schools. I want to address the child care facility.

[04:02:27] It did get cut in half. I was slightly disappointed, but it still can house about 100 kids in there. And to think that a child care center would not take precautions when it is in a building with age-restricted units is just baffling to me.

[04:02:46] Actually, it's probably against the law not to have security in your child care center. I actually worked at a day school, and I understand the security that they have. This idea, this concept, is that these communities can be together. Nobody's going to let somebody walk into a child care center unchecked.

[04:03:05] And I think it would be lovely if the age-restricted folks had the opportunity to volunteer or be in an outside setting with the children. The children also will have their very own dedicated outside play area. So their play area will be their play area, but then there will also be other areas where they could interact and maybe be invited into the school.

[04:03:28] I appreciate the community involvement. I appreciate the applicant taking the feedback and I really hope that my colleagues can support this application. Thank you, Madam Chair. Thank you. Thank you very much. All right. The motion was made by Supervisor Bricksman, seconded by Supervisor Kirshner. All in favor say aye. Opposed? Nay.

[04:03:47] Okay, could the nays raise their hand? Okay, so that's three with one abstention. So that motion will pass. That motion will pass with Mr. Umstead, Mr. Sains, Chair Randall voting against the motion, and Mr. Letourneau abstaining on the motion.

[04:04:09] And I changed my mind. Oh, actually, I don't think, oh, okay.

[04:04:30] We're going to go to the next item, which is the, well, wait just a second until the room clears out just a bit.

[04:05:07] 60 slides. Okay, how's it going?

[04:05:37] Ready when you are. All right. Good evening, Supervisor. I think this one could be a little bit more abbreviated than the last one. All right. But, okay. So, for the record, my name is Bryce Johnson. I'm the County Project Manager for the Defender West Applications. If you want, I can skip straight to the updates. Okay. Thank you.

[04:05:53] Is that okay with you, Mr. Letourneau? Okay. Okay. So, here are the applicant's updates since the September board public hearing summarized on the screen. In summary, the applicant removed 1.45 acres. That included the removal of 30 units from the request, as well as the removal of the zoning modification or ZMOD to reduce the active recreation requirements.

[04:06:18] The applicant is now proposing to provide a 54,000-square-foot active recreation area on the land that is to be conveyed to the south riding proprietary. The proffers do stipulate that the development would continue to have access to that active recreation. The applicant also made site adjustments to accommodate the removed 1.45 acres.

[04:06:41] At the September board public hearing, the board requested the applicant retain site access to and from Ellick Road. The revised CDP does retain that access point, although it is moved north. The board also requested additional information regarding the rents for different types of attainable housing. That was in relation to discussion about the regional road, transit, capital facilities contributions, as well as the fire rescue contributions.

[04:07:04] So this information is shown on the screen and provided in the packet. Specifically, the board was interested in learning more about staff's statement that rents for unmet housing needs units should typically be provided to under 60% AMI.

[04:07:19] And above 60% AMI, it begins to mirror the rents for market rate units. So on the screen, I do have market rate rents. Those are averages for the county at this time. I will note, again, they're averages. the rents could be higher. They could be lower. However, the point is that they are comparable to the rents that we would anticipate from a proffered unmet housing needs unit that is available above 60% AMI. So again, the reason staff brings this up and the board requested additional information was because the applicant is not proffering to capital facilities, regional

[04:07:57] road, transit, or fire and rescue contributions for these rental units. Moving on to the outstanding issues identified by staff they're summarized on the screen here i will note that these remain largely unchanged since the board public hearing with the exception the applicant removed a zoning modification to reduce the required active recreation area that has been considered resolved additionally because the development scope has decreased the applicant has also decreased the encroachment into the river and stream corridor resources buffer by about 3 000 square feet so before talking about the transportation issues i do want to again highlight two road intersections

[04:08:36] approximate to the site, the first being that of Route 50 and South Riding Boulevard, the second being that of South Riding Boulevard and Defender Drive. Both of these have a failing level of service, which is projected to worsen with approval of this application. The 2019 county-wide transportation plan anticipates that projects account for their impacts to the road network.

[04:08:57] Regarding the intersection of Route 50 and South Riding Boulevard, the 2019 CTP plans for this intersection to eventually be an interchange. This improvement is not currently included in the Capital Improvement Program. The existing South Riding proffers for the property require a cash-in-lieu be paid toward the construction of this interchange. This commitment applies to three separate non-residential land bays for the South Riding development and across several parcels. The existing proffers allowed some of this development to occur prior to the cash-in-lieu being triggered. That includes retail across the street from the subject property. Approval of tonight's proposal would have removed allowed non-residential uses

[04:09:34] from south riding make it extremely unlikely that this proffer is ever actually fulfilled as noted the cash in lieu commitment applies to several different properties in the past when development was removed from the triggers associated with this commitment the board approved a fair share contribution for the newly allowed residential units given that precedent and that the commitment applies to multiple

parcels staff supports utilizing a fair share approach for the proposal in this case staff recommends or staff notes that the property recommends about nine percent of the allowed non-residential development within the applicable land base therefore staff recommends approximately nine percent fair share

[04:10:12] equal to nine hundred and seventy five thousand and this is when considering inflation roughly equal to the contributions provided as fair share in the past towards this commitment when applied on a per unit basis the Planning Commission consider this fair share calculation and recommended that the number be adjusted to remove consideration of the land that is proposed as open space. So based on that guidance, the applicant is proposing an approximately \$479,000 fair share contribution. Next, staff notes that there is a failing level of service at the intersection of South Riding Boulevard and Defender Drive. Consistent with policy, the applicant

[04:10:49] proposes a traffic signal warrant study and to install a signal if approved by VDOT. However, inconsistent with policy, the applicant proposes a credit for the signal against the regional road contributions. The actual cost to the county would depend on the cost of the signal. Staff notes the standard cash-in-lieu for a traffic signal is \$500,000, but the actual cost to construct the signal could exceed that amount. Staff recommends the applicant not receive a credit against the regional road contributions for construction of the signal. Additionally, the proffers allow the applicant the option to install no improvements if VDOT instead recommends an innovative intersection in place of the signal, such as a roundabout. In this scenario, the applicant would pay the cash-in-lieu

[04:11:28] subject to the credit and then be permitted to develop the property without installing necessary safety improvements to address traffic impacts staff continues to recommend the applicants commit to install an innovative intersection improvement if recommended by vdot i will note that this proffer was revised following the planning commission public hearing that these revisions were done again to essentially speed up the timing of the traffic signal installation next staff continues to identify an outstanding environmental issue the 2019 general plan recommends a 50-foot river and stream corridor resources management buffer. The proposal continues

[04:12:07] to include an encroachment, which is now about 14,000 square feet. That includes driveway and parking. The applicant is proposing that this parking be pervious pavement to mitigate that encroachment. Here is an excerpt of the CDP showing the location of the encroachment into the buffer.

[04:12:27] Next, staff cannot support the remaining zoning modifications specifically to increase building height along Defender Drive as well as increase the maximum percentage of shrubs within a portion of the buffer along Defender Drive. And again as noted before staff continues to recommend that applicants pay the capital facilities contributions for any unit that is not defined as affordable by the zoning ordinance as well as providing regional road transit and fire rescue contributions for all affordable units. So the planning commission at their July work session afforded the applications to the board with a recommendation of approval. Staff for the reasons

[04:13:04] noted tonight cannot support approval of the application i'm happy to answer any questions marie fam and lindsey marford are also online to help with any questions that they can help with as well thank you thank you very much i appreciate that i will go mr latour do you have questions i don't have questions no you do not have questions okay does anybody else have questions all right there were no up there were no real updates tonight do you well there were some do you want to make any brief comments

about brief because it won't be the 10 minutes about updates yes very brief i'll just say i mean really the update was and we had i had discussed this at

[04:13:44] the september public hearing the reduction in units from 262 to 230 units and then we actually removed um the act the modification to reduce the active rec and we've proffered that the open space parcel that we're conveying to the proprietary will be um dedicated for active rec for our residents. So that's really the only updates. We worked closely with Supervisor Letourneau's office to address all the outstanding issues that staff noted in their report. I would also just like to know that we are providing the fire and rescue for all units. Very smart. Very, very smart. I guess people

[04:14:21] will know to do that from here on out. All right. I do not have any speakers. Oh, you want to ask question two? Yes, I'm sorry. Could you explain the zoning modifications that that staff seems to have an objection to with the increase of building height or increase of maximum percentage of shrubs within portion of the type two road corridor buffer so regarding the yeah so there's two modifications one is for a building height

[04:14:58] increase just for our main building from 60 feet to 70 feet and really the intent there is from a design perspective we wanted the sloped roof rather than a flat roof because we thought that that was more compatible with the surrounding architecture for the buffer modification we are reducing we're increasing the amount of shrubs and slightly decreasing the amount of trees along defender drive to create like a hedgerow which will shield the part the head car headlights from the street so we thought that the both of those justifications made sense for these requests okay

[04:15:30] thanks okay all right we do not have any speakers for this evening signed up are there any speakers who are here or online who want to speak? No? Okay.

[04:15:46] Mr. Latourne, would you like to make a motion? I would. I move the Board of Supervisors to approve LEGIE 2023-0039-Defender-West-ZMAP-2022-0014-ZMOD-2022-0051-ZMOD-2022-0052-ZMOD-2023-0019 subject to the proper statement dated October 31, 2023 and the conditions of approval dated October 12, 2023 and based on the findings for approval, provided its attachments 2, 3, and 4 to the November 15, 2023 Board of Supervisors public hearing staff report.

[04:16:17] Motion is made taken by Mr. Buffington. Mr. Letourneau, discussion on the motion. Yeah, so I think this has been a good process on this application. Quite frankly, some of the things staff phrase sound bad, but when you actually hear the whole explanation, they really make sense. Particularly on the contribution for Route 50, just in case it wasn't clear, this part this application includes 10 acres of dedicated open space that is going to the south riding proprietary so all they did on the calculation was deduct that 10 acres which i think is very logical on the south riding boulevard and defender drive intersection i think the applicant

[04:16:55] knows i have been fighting as hard as possible to get that done as fast as possible and the bottom line is this application will get it done much faster this is a level five county intersection but we don't even have the report back that officially discusses what the options are it will be years before we get it built what the applicant agreed to do in this case is to actually do the design of the signal prior to the warrant study in order to expedite it so that will take several months out of the process to expedite this further and bring the signal construction in line

[04:17:30] pretty close to when the development will actually occur and that i don't i don't know that that's happened in other situations like this i'm not familiar with it so i think they've really gone gone kind of the extra effort to get this done faster otherwise you know it's 230 units the big issue i had at the public hearing was losing the left side access point on elklick road but they were able to work with vdot as i requested and they've actually been able to restore that So as far as I'm concerned, they've addressed the outstanding issues on this.

[04:18:06] It's 230 units. It's down actually from where it started due to some covenant issues with South Riding. It preserves forever, or at least as long as South Riding Proprietary wants, 10 acres of open space. It gets a critical signal done faster, and it does provide a contribution that we can use in this region for other road network issues.

[04:18:26] So I will support the application. Okay. Ms. Umstead. Thank you, Madam Chair. I hate to vote against Supervisor Letourneau and this applicant and his team who has done a very good job.

[04:18:45] But it is an additional \$1.7 million a year in school operational costs and the equivalent of \$6.9 million additional dollars in capital costs for school.

[04:19:04] the schools. So again, it's just, it's not as substantial as some of the others that we've discussed tonight, but I just can't support it. However, very good job on this application.

[04:19:20] Thank you. I asked this once before. I don't know, can we actually find some more recent updated and reliable numbers as far as what a student cost, because I know that those numbers have changed drastically over like the past eight years, and I hear all types of different numbers, and so when numbers are thrown out there, I need to know that they're actually valid, so is it possible to figure out what the cost of a student is?

[04:20:00] I'll say, hi, how are you doing? And by the way, we're going to have discussions about the J-LARC study this year, too. Hello again, Bev Tate, Loudon Schools. We are actually in the process of updating our annual project assessment form.

[04:20:19] Those figures quoted by Supervisor Umstead are based on our most current school construction capital cost, and we divide that by the anticipated capacity of those and the operating funds we obtain from our budget office based on what it costs to educate an in-state student, and we're working on updating that as well.

[04:20:43] An in-state student? Do we educate out-of-state students? No. Well, we do have students who do not live in the county that do pay tuition, and so we don't include that. So you're going to be updating that when? We are striving to do that as soon as possible because we know we have three or four referrals due to the planning staff for upcoming applications.

[04:21:05] Yeah, I do look forward to getting those updated numbers. Thank you very much. I appreciate that. Okay, anybody else on this item? Would you like a closing, Ms. Luterno? Just for a second. Thank you, Sasha, for pointing out the fire rescue contribution thing so I didn't look wildly inconsistent.

[04:21:22] And second, well, I was saying it in the last one because I was trying to make a point on that. So hopefully the point has been heard. Second, just on the school issue here, I actually think these numbers in this case are higher than what they actually are because this applicant has a higher percentage of one-

bedroom units compared to what our mix typically is, which was actually at our request both to meet what a need is in this area and also to keep the cost down.

[04:21:50] So just pointing that out. Okay. All right. A motion was made by Supervisor Letourneau and seconded by Supervisor Buffington. All in favor, please say aye. Oppose? That motion will pass 8 to 1.

[04:22:06] Thank you very much. And we have the last item, which is the Commonwealth Center application.

[04:22:22] And this is in the Broad Run District presentation. Do we have lots of updates on this one, too? Yeah, there's a few updates.

[04:22:38] Do you want me to just skip straight to the updates? Do you need anything besides the updates? Just the updates. Okay. Just the updates, please. Okay. Good evening, supervisors. For the record, my name is Bryce Johnson.

[04:22:53] I'm the county project manager for the Commonwealth Center Residential Applications. Since last month's board public hearing, the applicant has submitted revised materials. The changes are summarized on the screen. The applicant is now committing to provide a tot lot on the Commonwealth Center South.

[04:23:09] What page is that? Seven. Seven, okay. So they are committing to provide a tot lot on the Commonwealth Center South property. They are now also committing that if there are affordable housing units on the south property, that they will utilize a weighted average of 60% or lower AMI.

[04:23:27] They have removed the proffer that would have allowed the potential relocation of occupied ADUs on the north property. So if the applicant develops any ADUs on the north property prior to LIHTC funding and developing the AHUs on the south property, those ADUs will remain.

[04:23:43] The applicant has also revised the parking modification to provide 1.5 parking spaces per ADU or AHU rather than 1.2 spaces. And the applicant has also committed to provide a crosswalk with an off-site trail if it is required for VDOT to approve that trail further to the south along Loudoun County Parkway.

[04:24:04] Those are the updates. I can go through the rest of the presentation or I can leave it there if that's what the board wishes. I'm good with those updates. Ms. Glass, you're good with those updates or you want more? Okay, I will go to you first for questions, if you have questions.

[04:24:20] I have no questions. Does anyone else have questions? Ms. Bricksman. Thank you, Madam Chair. Did we resolve the issue of moving people from? Yes. Yes, we removed that option. So if an ADU goes in the north, it will stay an ADU and run out of its term.

[04:24:39] We're not relocating. Phenomenal. I really appreciate that. That was my only issue with it. Anybody else? Okay, so if you all want to have a quick statement about the updates. We're really proud of the updates. We hope that this resolves all the outstanding issues from the board members and hope you all can support it.

[04:24:57] It's a really meaningful step towards bringing affordable housing to this part of the county. Okay. Ms. Glass, would you, oh, I'm sorry. I don't believe, no, there's no speakers that we have listed. Is there anybody in the virtual platform who would like to speak on this item?

[04:25:16] I have no one online. Oh, wonderful. Well, not wonderful, but thank you. Thank you. Ms. Glass, would you like to make a motion? Yes, Madam Chair, this is kind of a long one. I move that the Board of Supervisors approve LEGIE-2023-0041 Commonwealth Center Residential ZMAP-2022-0016

[04:25:52] special exception 2023-0018, ZMOD-2022-0058, ZMOD-2022-0059, ZMOD-2022-0061, ZMOD-2022-0062, ZMOD-2023-0033, ZMOD-2023-0034, and ZMOD-2023-0035 subject to the proffer statement stated.

[04:26:17] November 1st, 2023, provided as Attachment 2 to the November 15th, 2023, Board of Supervisors Public Hearing Staff Report. And conditions of approval dated November 15th, 2023, provided as Attachment 1 to the November 15th, 2023, Board of Supervisors Public Hearing Supplemental Staff Report.

[04:26:36] I further move that the Board's approval be based on the following findings for approval. A, the additional 118 multifamily dwelling units to be developed on the Commonwealth Center Residential South properties shifts the existing uses within a half mile of the subject property.

[04:26:53] Closer to the preferred 60% residential uses envisioned for the suburban mixed-use place type under the Loudoun County 2019 General Plan, 2019 GP. B, the proposal provides for a net increase of at least 34 affordable housing units and is therefore consistent with 2019 GP Housing Policy 2, Strategy 2.2, Action C, which anticipates a minimum one-for-one replacement of any removed existing affordable units.

[04:27:24] I'm going to take that second. Take Chair's prerogative and take that second. All right, discussion on the motion. Ms. Glass. Thank you, Madam Chair. At first, to be honest, I did have concerns regarding this application, but I ended up landing on my motion to support approval.

[04:27:47] And one of the reasons is that I recently went to a ribbon cutting, and the owner had expanded to this third business, third property, and I asked how are things going, and I said, I know we had talked about affordable housing, and he said, yes, that's still a problem for my employees, and, you know, I'm still looking to, you know, help them, and if you can, if I can do anything for you, just let me know.

[04:28:23] And that was a business owner telling me that if there was anything that he could do to let me know. And I just want people to know that, yes, we, you know, we do have, you know, we have applications coming in, but we do have people that are looking for housing.

[04:28:43] We have business owners who are asking us to help them with housing for their employees. And that could be in different industries, our food industries, our restaurant industries, our retail.

[04:29:05] And I'm really appreciative that this application, that this applicant has done all the things that I had asked them to do. I really appreciate it. I want to thank the applicant for addressing the concerns that were brought up during the previous public hearing, especially the concerns I had about the relocation of residence that has been now removed, the off-site crosswalk to allow safe passage to the nearby Kennedy Park and Elementary School, and the commitment to a playground on-site.

[04:29:35] I look forward to welcoming these future residents to the Broad Run District. Thank you, Ms. Umstead. Well, the usual. It's very predictable. I'm so sorry to be very predictable. But despite the fact you've done a great job, and if I weren't worried about the school costs, this would be a very good project.

[04:30:01] But it's almost \$600,000 in additional costs to the county every year and another \$3 million in the equivalent of capital costs. And as I said earlier, these add up, and I wish we were dedicating the same kind of support to growing the commercial base that we are to growing the residential.

[04:30:27] But you both, you're a good team, and I appreciate everything you've done for the county. Thank you. Ms. Brooksmen. Thank you. Thank you for working with Supervisor Glass's office on making the changes that we were concerned about.

[04:30:44] and just reserve me one of those apartments next to Silver Diner, okay? You're going to have to make an application like everybody else and qualify for the unit. Those are affordable. Thank you for saying it, because I was going to actually just say that for you. Yeah. I'm teasing.

[04:31:00] Because I can just see the article in the paper tomorrow, can't you? It just writes itself. So it just writes itself. Mr. Hemstreet, and I didn't know that I was going to be asking you this, But of our tax base, what is our personal, what part of our tax base is our real property tax base, is real property?

[04:31:22] So real property is about just under 53% of our portfolio. So of our tax base, the majority is real property of our portfolio, rather. Yes. Okay. Thank you. Thank you. So I have liked this application from the moment we received it and happy to support it.

[04:31:45] You know, this year in our legislative package, one of the things we're putting in there, and we've already added it, is around the LIHTC discussion and to ask if we can have the tax credits applied to a development and not a building.

[04:32:03] And so if we have attainable housing in a development, can the same tax credits be applied as if it's in the building? Because, you know, the thing that caused people angst, and for understandable reasons, it's because, you know, all the attainable houses were in one building and on one side.

[04:32:21] And the one side was mostly just for configuration purposes, how we configured. And the building was because of how the LIHTC works. I you know I believe that that is is damaging and unwise to not put attainable housing interspersed throughout the community but it's not that it's never an applicant's fault and I do not know if any board has ever said to the General Assembly can we change this and so we're going to try this this time and you know what we might actually need some of the you all's help to to try to change it to come to the General Assembly to try to change it because it makes no sense for a lot of reasons to be honest but that wasn't you

[04:32:56] You know, you're following literally what the, I won't say the law, but what works best for the, to get the tax credits. And so I understand that. There is so much to like about this application otherwise.

[04:33:13] And everything that, you know, you all have said you were going to do, you've done. And again, this developer has been very, very upfront, has been very honest, has been very helpful. I mean, it was the developer I called the night before when I had an issue with a design standard and somebody came in the next morning and fixed it. When I say you all have been willing to bend over back what you really have. So I do thank the Peterson Group for all that. The attainable homes are needed. I appreciate the assistance you gave.

[04:33:51] It is a very good application overall, and I am really, really very pleased to endorse it. But we will be calling on you all when we get down to the General Assembly. And we're happy to help. Okay, that would be great. All right, Ms. Glass, would you like a closing?

[04:34:07] No, Madam Chair. All right, motion was made by Senator Glass. I seconded that motion. All the people that say aye. Aye. Opposed? That motion will pass 7-1-1 with Mr. Turner, who has left the dais. Ms. Umstead has voted against the motion.

[04:34:24] I think we are finished for this evening, and I appreciate it. Thank you. We're adjourned. Everybody have a great Thanksgiving, which is Caleb's, Mr. Kirshner's favorite holiday. It is his favorite holiday, and mine's is?



Coraggio Consulting · aguyonx.com