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Loudoun County Board of Supervisors, Public Hearing, Wednesday, February 14, 2024

Date Wednesday, February 14, 2024
Place Board Room, First Floor, Government Center, 1 Harrison Street SE, Leesburg, Virginia
Length 3h 16m (video)

- Official meeting video (county, Granicus): <https://loudoun.granicus.com/player/clip/7598>
 - Agenda (Granicus): https://loudoun.granicus.com/AgendaViewer.php?view_id=73&clip_id=7598
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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.

[00:13:36] Okay, we are back, and I'm going to formally call to order the February 14th Loudoun County Board Supervisors public hearing. All the stuff I said before about the hearing loop is still in effect. We have a hearing loop. If you need hearing assistance, please switch your hearing aid to telecom mode. If you need a headset, we have those available as well.

[00:13:53] Please see the clerk to request one. We have set the Pledge of Allegiance for the evening already, just to note that. I also want to say that item 7, which is the review and renewal modification or termination of the new Catoctin South Agricultural and Forestry District, was previously on the consolidated hearing.

[00:14:14] It has been deferred to March 13, 2024. Wow, to March 14. My gosh, that meeting is going to be crazy. It was due because of an additional by-right withdrawal was received on February 2nd, and staff will not be providing the presentation.

[00:14:39] However, if there is anyone here who would like to speak on Item 7, please let me know that right now, and when we get there, I'll make sure that happens. Otherwise, I'm going to consider Item 7 to be withdrawn. I'll also check to see if there's anybody on the WebEx who'd like to speak on item 7.

[00:15:00] No? Okay. If you are here to speak on any item before this board, you may sign up to speak on matters that have been advertised for the public hearing. Due to the broadcast delay, any member of the public who are not in the boardroom wishing to speak to the board to address items 2, 3, 4, 5, and 6, which are on the consolidated hearing agenda, please call the number that is scrolling across the bottom of your screen at this time. If you've signed up to speak, you'll be allotted two and a half minutes.

[00:15:31] If you're in the boardroom, I'll give you a call. When your name is called, please come to the podium closest to you. State your name for the record. And after two and a half minutes, please yield the floor to the next speaker. The timer on the podium will indicate your time. If you're providing comments via phone, I'm going to ask you to use your own stopwatch to time yourself because I don't like stopping people in the middle of their comments because it throws you off.

[00:15:56] And so I'll stop you when the two and a half minutes is up, but I won't stop you before. When I take public input for items, I'll ask if there's anybody in the room. And when I ask for anybody on WebEx, I will go to Lisa, is it Kenneth, because she's the moderator this evening.

[00:16:13] Lisa, can you hear me? Yes, I can. How are you? Very well, thank you. Very good. Okay. The board will hear the following items as a consolidated hearing. As a reminder, these items are being consolidated because there are no outstanding issues. Staff has recommended approval.

[00:16:31] The applicant has waived their presentation, and no public speakers have registered in advance to speak. Item two, the second substantial amendment to the five-year 2021 to 2025 consolidated plan and FY24 annual action plan.

[00:16:48] That's a countywide motion. I will be making that motion. ITEM THREE, THE GENERAL GROUND LEASE OPTION AND GROUND LEASE BETWEEN THE LOUDON COUNTY AND OLD ARCOLE ELEMENTARY SCHOOL, THAT IS IN THE DULES DISTRICT. ITEM FOUR, THE REVIEW AND RENEWAL MODIFICATION AND TERMINATION OF THE NEW BELMONT AG AND FORESTRAL DISTRICT, THAT IS IN THE CATOCTIN AND LITTLE RIVER DISTRICT.

[00:17:09] ITEM FIVE, RENEWAL MODIFICATION AND TERMINATION OF THE NEW EBENEZER AGRICULTURAL AND FORESTRAL DISTRICT, ALSO IN THE CATOCTIN AND LITTLE RIVER DISTRICT. On item six, review and modification termination of the new Catoctin North Agriculture and Forest District that is in the Catoctin District.

[00:17:25] Where's the Catoctin District Supervisor? Okay, I guess we'll be back. Okay, all right. Are there any members of the public wishing to speak to the board on any items on the consolidated agenda? Do we have anybody, moderator Lisa, who'd like to speak on this item that we have right now?

[00:17:49] Madam Chair, we have no one on the line right now. And do we have anybody for item 7 on the line right now? No one for item 7, neither. Okay, wonderful. All right, board members, I'm going to close the consolidated hearing. Please refer to your motion sheet that was distributed via email at your dais for motions.

[00:18:12] Okay, having said that, let me refer to my motion sheet. Just give me a second for motion number 2. Just a second. All right. I move the Board of Supervisors approve Motion 2B for approval of the substantial amendment that's provided in the February 14th, 2024 public hearing item, number two, staff report.

[00:18:39] This is the second substantial amendment to the five-year 2021 through 2025 consolidated plan and the FY 2024 annual action plan. Thank you. Motion was made by Chair Randall, seconded by Supervisor Sains.

[00:18:58] Discussion on the motion. Seeing none, all in favor say aye. Any opposed? That motion will pass 9-0. Number three is the motion from the ground lease option, and it is in the Dulles District. Mr. Letourneau.

[00:19:14] I move the Board of Supervisors approve motion to be for approval of the ground lease option as provided on the February 14, 2024 Public Hearing Item 3 staff report. Motion is made by Vice Chair Bricksman. Discussion on that motion? Mr. Letourneau? No discussion. No? Anybody? All right. All in favor, please say aye.

[00:19:31] Any opposed? That motion will pass 9-0. Number four, this is the termination of the Bluemont Ag and Forageville District. It is the Catoctin and Little River District. Mr. Crony, would you like to make a motion? Here you go.

[00:19:52] You want to turn your light on? Yeah. Okay. Okay, I move that the Board of Supervisors approve motion 2B for renewal of the AFD as provided in the February 14, 2024 public hearing item number four, staff report. Motion is made by Supervisor Kirchner. Discussion on that motion. Seeing none, all in favor say aye. Aye. Any opposed? That motion will pass 9-0. Number 5, same thing for the Ebenezer and Forestry Agriculture District. Mr. Kirchner, would you like to make a motion?

[00:20:29] Certainly, I move that the Board of Supervisors approve Motion 2B for renewal of the ADF as provided in the February 14, 2024 public hearing item number 5, staff report. Second by the Little River District Supervisor, since it's in their district, seconded by Mr. Crony.

[00:20:46] Discussion on that motion? Seeing none, all of the people say aye. Any opposed? That motion will pass 9-0. Number six is in the Catoctin District, and it's the same thing for the Catoctin North Agricultural and Forestal District.

[00:21:04] Mr. Kirschner. Thank you, Madam Chair. I move that the Board of Supervisors approve Motion 2B for renewal of the ADF or AFD, excuse me as provided in the february 14th 2024 public hearing item number six staff report i'm happy to second that motion um discussion on that motion seeing none all the people say aye any opposed that motion passed nine zero and then the last one is the catocton south ag district i'm oh it wasn't i'm sorry uh that was removed until the next time so that is that is our consolidated

[00:21:37] agenda. Thank you, Ms. Brixman. Okay. Number seven was deferred. Yeah, so you're good. You're fine. Okay. So we're going to go to item number one. Well, wait a minute. Just give me a second.

[00:22:01] You guys are here for the CAP, right? Okay. I mean, for the CIF. So we're going to do that. All right. We're going to go to item number one, which is the capital intensity factor. It's a county-wide item. I do believe there's a presentation. Would you like to do that, please?

[00:22:21] Good evening, board. I'm Megan Burke with the Office of Management and Budget to present the 2023 capital intensity factors. With me at the table are Nikki Spate, the assistant director, and Beth Hilkemeyer, who's an analyst in the Office of Management and Budget, and she will be giving the presentation this evening. Before we begin the presentation, I just want to remind the board that

recommendations on the capital intensity factor have been through the Fiscal Impact Committee, as well as the Finance, Government, Operations, and Economic Development Committee.

[00:22:57] And finally, we're referred to public hearing by the board on December 5th, 2023. And I will turn it over to Beth to do the presentation. Board members, capital intensity factors capture the per housing unit cost of developing capital facilities. Today, we are bringing forward recommendations in four areas. Updating the existing standard and the existing age-restricted and continuing care retirement community CIF,

[00:23:32] adding an urban multifamily attached CIF for the area right around the Ashburn metro station, providing developers the options to reduce the CIF if they proffered housing units that are smaller than average. This option is called the buy-write differential CIF. And lastly, replacing the current \$6,000 per unit regional road contribution with a new approach, the road CIF.

[00:23:59] Important things to know about capital intensity factors include that they vary by unit type and by geographic location. They calculate the cost of the incremental increase in capital facilities needed by a new development. For those developments proposed as part of a rezoning, this cost can be used as a guideline during proffer negotiations. Finally, they incorporate assumptions from other capital planning products reviewed by the Fiscal Impact Committee and adopted by the board, the capital facility standards, the capital needs assessment, and the Fiscal Impact Committee

[00:24:35] guidelines. Some principles guide how the CIF is calculated. Per board policy, the CIF represents 100% of costs. The CIF focuses on the cost of new housing units. It does not include the cost for facilities needed because of prior development. It does not include the cost for facilities if no more are needed. Finally, it does not include the costs for facilities that are currently under construction or in the CIP. This slide shows you the different components that go into calculating

[00:25:12] the CIF. The top row shows you the county portion, where the number of people in an occupied housing unit, called the household size, is multiplied by each facility's cost per capita. The bottom row shows you the schools portion of the CIF, students in a household are multiplied by the school cost per student. The schools portion makes up the lion's share of the CIF. It can be about 70% of the total. Before I leave this slide, I would like to point out that because of the household size and the student per household vary by unit type, the CIF varies by unit type. In addition to varying

[00:25:51] by unit type, the CIF varies by the five CIF regions. These regions allow for varying land costs and any geographical differences in the capital facility standards to be reflected in the CIF. The 10 planning sub-areas are the basis for these regions, with the Dulles, Leesburg, and Route 7 West CIF regions being the same as the planning sub-areas, and with the other planning sub-areas combined into eastern and western groups. Now to turn to the recommendations. The background section of the staff report is divided into five sections, each addressing different aspects of the 2023 CIF.

[00:26:32] To start, Sections 1 and 2 address updates to the 2017 CIF, which includes the standard and the age-restricted CIF. Routine adjustments include updates to construction and land costs, updates to household sizes and student generation rates, and adjustments for changes in the capital facility standards.

[00:26:53] The increases to construction costs were a contributor to the increases from the 2017 to the 2023 CIF. The largest contributor, however, was an increase in school costs. The past two CIFs, in 2014 and

in 2017, made the assumption that no additional middle or high schools would be needed, which of course lowered the CIF.

[00:27:16] That choice reflected LCPS's outlook as of 2014, based on expected future development under the revised general plan. At this time, LCPS does expect to continue building middle and high schools, so they are back in the calculation of the CIF.

[00:27:34] There are some other changes that help reduce the CIF. We know that public safety and general government facilities provide services to both the residential and the non-residential sector. Starting with 2023, only the share of the costs that can be attributed to the residential sector is included in the CIF.

[00:27:54] That share is 73% of costs, with 27% of the costs attributable to the non-residential sector. Also, if the capital needs assessment does not show a need for a facility through 2040, the cost of that facility was excluded.

[00:28:13] And then the proposed urban multifamily attached CIF is calculated the same way as the standard in the age-restricted CIF, but uses assumptions that reflect the unique characteristics expected for multifamily units adjacent to the Ashburn Metro Rail Station.

[00:28:29] Ever since we first did detailed planning for this area in the early 2000s, consultants have advised that multifamily units near the station would likely have fewer residents. In practice, proffer negotiations have included adjustments to reflect this.

[00:28:46] Adding the urban MFA CIF ensures the CIF for these units will be regularly updated and published. The next thing I will address is the option to proffer to smaller unit sizes, allowing the CIF to be reduced on a sliding scale.

[00:29:03] There's been a concern that, since the CIF is a flat number for each housing unit type, it could be a disincentive to building smaller and more affordable units. Several policies in the 2019 General Plan call for considering options to promote development of needed unit types and sizes.

[00:29:22] Staff proposes the by-size differential approach to help meet this need. This slide shows how this option could work using the example from the staff report. On the left, the Eastern Region CIF for a single multifamily stacked unit, 51,000, is shown.

[00:29:40] On the right, the reduction to the CIF is shown based on the developer proffering 1,500 square feet per unit, which is 600 square feet smaller than the size of the average stacked unit. The per square foot reduction is \$33 for a stacked unit, in this case a reduction of almost \$20,000.

[00:30:01] The resulting reduced CIF per unit in this example is \$31,200, a 39% reduction. The regional roads contribution currently is a flat \$6,000 per unit, regardless of unit type.

[00:30:19] Staff recommends using a new methodology to calculate a road CIF. The road CIF varies by unit type, but not by location. Its methodology is replicable and objective using inputs such as the cost per lane mile and the trips generated by different unit types.

[00:30:37] using this methodology the road cif for each unit type is less than the six thousand dollar regional roads contribution board members in a moment i will turn to examples shown in attachment nine first i'd like to point out that there are attachments to the item which show and it'll take just a moment to switch files here okay here we go um the proposed 2023 standard and age restricted cif these are the tables that have the blue headers and this is attachment two then attachment

[00:31:16] three the 2017 cif these tables have green headers there they go and then the difference between the two attachment four these tables have purple headers this is in the package not the presentation that's right okay these are okay um those three and then we're going to go to attachment nine in the packet, which is at the very end.

[00:31:56] There we go. So attachment nine provides examples using a hypothetical development that brings several elements together. These examples include both the standard CIF and roads. They compare the current values at the top of each example, those are the tables with the green header, to the recommended 2023 values in the table with the blue header.

[00:32:23] Looking at the 2017 values in the table with the green header, the total current CIF, so adding together the county and the school's columns, would be about \$14 million, with another \$4 million from the regional road contribution, for a total developer contribution of about \$18 million.

[00:32:42] Supervisor, she's reading from the very last page of the package, so page 40 of 40 of the package, not the presentation. Okay? All right. And actually, with attachment nine, there are two pages to it, so I think we're on the second to the last page right now.

[00:33:01] Second to the last page, okay, to the presentation. We know it's a lot of numbers, so hopefully that's simple that way. We'll just jump from one screen to the other. Okay. So looking at the table with the blue header, the one in the middle here, the 2023 values in this case, including some units receiving a reduced CIF using the by size differential would have a total county plus school cif of 21.7 million so we had been talking about the first table with the green header and it has a total of 18 million

[00:33:39] including the roads then when you shift down to the blue header so the 2023 proposal this example has county plus schools of 21.7 million with the road cif at 1.3 million again lower than the 2017 amount since the road CIF is lower than the flat \$6,000 per unit. With that 2023 example, the total developer contribution would be \$23 million. And then the bottom table summarizes that if the board chooses to adopt the proposed changes, the total developer contribution would

[00:34:19] increase by about \$5 million. That's your very last row on that page. Since the 2023 road CIF for all units is lower than the current six thousand dollar contribution the amount the county would collect for roads falls so that's the number you have in red there and then while collections for county and school facilities cost using the standard cif those would increase so this example includes by size differential reductions for some of the units the first three rows and the blue table blue header table the reduction in the size of these units is

[00:34:57] multiplied by the per square foot reduction amounts to determine how much to lower the full standard CIF for each unit type. While this example on the first page of attachment nine includes by size differential reductions for some units, the example on the second page does not.

[00:35:17] With the by size differential reductions, the standard CIF total is about seven and a half million, whereas if you didn't have those reductions, the total would be about 17.6 million. In either case, the county would collect more from the development using the 2023 recommendations than it would when using the current values.

[00:35:36] And then the final slide of the presentation provides staff's recommendation, which is approval of the 2023 CIF, including the by-size differential, as shown in attachments 2, 5, and 7.

[00:36:01] That concludes our presentation, and we're happy to take any questions. Supervisors, you know, the CIF is a huge thing, and so I'm going to do a round of questions before we go to the motion.

[00:36:22] And what I will do is I will make the motion in the package. I do realize that there is a lot of other motions on the DAIS on the CIF. I get that. But I think probably the easiest thing to do is start with the package motion and then, you know, expand or change or do whatever we do from there.

[00:36:42] And so I'll start with the package motion. But first, let's do a round of questions before we make a motion at all. Mr. Letourneau, I see your light. So essentially, one of the big differences is from 2014 to now, back then, we were assuming no middle or high schools.

[00:36:57] Now we're assuming that we are building middle and high schools. That's correct. And we did, in fact, have to build middle schools and high schools since 2014. I've been to some of those openings, as have my colleagues. So in reality, this number was probably artificially low for that period of time because it wasn't included, right?

[00:37:16] Right. And when I say that the schools didn't anticipate building middle or high schools, that doesn't mean they didn't anticipate the initial ones that would be in the CIP or which were under construction, but beyond that period. I see. On the road number, we had a lot of debate about the road number. I think we deferred it for a while. We sent it to finance committee.

[00:37:37] As I recall, it was set to level of service D because that's what's in the comprehensive a county-wide transportation plan, right? I remember not liking that, but I was told we would have to amend the CTP essentially if we wanted to peg that to a different standard, which wasn't something we could do at the time, right?

[00:38:00] It is based on level surface D. That's the standard we plan the road network to with the by-right versus the additional impacts for rezoned developments. but the bulk of the roadways are planned at that level of service D.

[00:38:17] So if we wanted to change that at a macro level? If you wanted to change the level of service policies in the CTP, yes, that would require you to do a CPAM. Yes. Otherwise, and then we had some debate at the time about which roads were actually included in the comparator list.

[00:38:34] I had pushed for North Star Boulevard to be included, and then there were reasons why staff came back and said they couldn't be, right? Yes. What were those? Do you remember? It was just basically the right-of-way costs of that were not typical of a road project.

[00:38:51] I mean, they were far out of line from all of the other ones. So that was the primary reason it did not get included. That may not be the case in the future, but I think we came to the conclusion that for the next round of this update, we should have a conversation around this, but we'd have to essentially blow up the whole formula now to adopt something different.

[00:39:11] I think going forward, this is probably proposed to be looked at periodically. We would bring different new roads in once those roads and those costs are finalized. We could factor those in. That was the other issue. Those roads were not.

[00:39:26] We didn't close those projects out, so we can't factor them in. That's correct. Okay. Thank you. Yeah. Yeah. Mr. Turner. Thank you, Madam Chair. Just to clarify, Mr. Roserick, the level of service D is not just in our CTP.

[00:39:42] that's derived, I think there is a national or an international standard document that says this is how you plan for roads, and that uses a level of service D, correct? That's correct. It's basically where your free flow travel starts to break down and people begin to notice noticeable congestion and delay or density of vehicles.

[00:40:04] So it's the industry standard. It's an accepted standard, yes. I'm going to ask kind of a ringer question because I know the answer. Ms. Burke, how long did we debate the formula for regional transportation?

[00:40:24] It was a lengthy discussion with the Fiscal Impact Committee as well as with the Finance Committee. And there are four developers on the Fiscal Impact Committee, correct? I believe that's accurate. I think it's four. Okay, that will come up later in the discussion, and I won't belabor it here, but I do want to indicate a whole lot of really smart people have been working on this for a really, really long time.

[00:40:49] So thank you, Madam Chair. Thank you. Mr. Crony? Okay, I'm going to stick to the roads. I have a question about why we didn't use, I know we're level of service D, I understand that. Why didn't we use the 1,200 vehicles per hour rather than the ultimate capacity of 1,900 vehicles per hour?

[00:41:11] Because it says in this table, and I handed it out to everybody, that a level of service D is at 1,200 vehicles per hour. The 1,900 is at a level when it's not a free flow of traffic.

[00:41:29] That's when that's at maximum capacity, and most roads are not expected to operate at full capacity. So why was the 1,900 number used instead of the 1,200 number in the formula? The 1,900 is the theoretical capacity of the road, And the one thing I would say at the Fiscal Impact Committee that was debated for quite some time is how do you differentiate between the buy right and the additional capacity that is used up by additional density from rezoning.

[00:42:02] So you're looking at that space between the 1,200 and the 1,900 as your incremental increase that the CIF is proposing to. But you could use the 1,200 figure and still be at a level of service D. The 1,200 is the, that's D and, you know, A, B, C, and D.

[00:42:21] That's what the networks plan to, that's. That's the level of service D. Yes. Okay, so that's the 1,200. Okay, that's question number one. Question number two is why we didn't use interchanges that were completed in our segment of eight that you guys used as a comparator.

[00:42:41] For instance, the George Washington Boulevard extension and Route 7, which was completed in the fall of 23. I agree with Supervisor Letourneau looking at North Star Boulevard, potentially replacing that Claiborne Parkway with Route 7 and Battlefield Parkway interchange to calculate the cost for lane mile.

[00:43:02] So we were trying to come up with a high-level lane mile, a typical lane mile of roadway and what it would cost, And we looked at a variety of different roadway projects and just trying to compare apples to apples. Well, my recommendation would be to use ones in the 2020 onward, not use 2018 and 2019.

[00:43:24] Sure. Because, you know, the costs have gone up. Absolutely. And I just say, to Ms. Burke's point, the amount of time, it's been quite some time since we've begun working on this. And so I think, again, if these are going to be revisited in the future, we have that opportunity to look at different newer

projects and potentially different types of projects. Okay, thank you. Ms. Burke, do you want to add something? I would also just add that understanding the observation that some of the projects are older, we adjusted all of the costs to \$20, \$22, so we are looking at all of it in today's costs, if you will. That's good to know.

[00:44:00] That's good to know. Mr. Kirshner? Thank you, Madam Chair. I just have a couple, one real quick question about the slideshow, make sure I understood it, and then kind of an outside-the-box question um on slide number 11 where you use the differential for size and under the new methodology i'm assuming that left hand column which says one multi-stack is the current methodology that's been used or is it just that that would be how this would come out under the current methodology is that correct with the updated calculated cif yes of course okay so um so here here's i guess i just more of a statement than anything and a little bit of a question what strikes me in this

[00:44:38] incredible increase it's going to obviously create you know we talk about the developers paying that and that's fine but we know ultimately a large portion of that is going to be handed off to the the purchaser and we just had a conversation and madam chair brought it up about you know the the need for for housing and whatnot options has there i mean because i think i don't know what that breaks down to but we you talked about a five million dollar difference in the one chart at the end. Was there any discussion in FIC, and I know this is not really their calling, that's why I call this outside the box, or has there been any discussion in the committees as to

[00:45:16] the real true impact this is going to have on costs and the purchase of houses? So we did discuss that. That's definitely been a topic of discussion with the staff, and I believe it was a topic of discussion with the Fiscal Impact Committee. That is why we are recommending new approaches to the capital intensity factor, including the urban MFA, CIF, which would reduce the CIF expected due to smaller units around the metro, as well as the by-size differential. What we worked with the Fiscal Impact Committee on was the concept of

[00:45:53] assisting or at least not disincentivizing affordability, but we are hopeful that as this is operationalized, this will have an impact on affordability and size of units.

[00:46:09] I understand there's some stakeholder groups that aren't fully convinced of that, but I think this is an important step to achieve guidance that we got as part of the 2019 general plan, and I would imagine this would be continued discussion at the Fiscal Impact Committee.

[00:46:26] Are there plans with FIC to go back and maybe not necessarily review all of this, but to help clean up and improve the formula and come back to the board with additional improvements? The intention of FIC is to revisit the capital facility standards and capital intensity factor every two to four years to support a re-update of the capital needs assessment every four years.

[00:46:50] So, yes, we'll be starting this process all up again in April. Thank you. Ms. Bricksman. Thank you, Madam Chair. That line of questioning answered my question about when we will do this again.

[00:47:07] I really appreciate the incentivizing smaller units. I do have a concern that maybe we're not going small enough because we're seeing 2,400 square foot single family townhouses near the Herndon Metro going for 900,000.

[00:47:27] So there's just a thought that maybe we could incentivize more to go smaller. But my other thought is, I understand the incentivizing approach, but karaoke over here. So I'm just wondering if we

couldn't use the alternative.

[00:47:47] For example, why wouldn't we say if you're over the average size, then you're going to pay more in CIF? That was a consideration as well. But the CIF traditionally has been the average cost of impact on housing units.

[00:48:05] And so we set our recommendations on buy size to consider the average square foot as the basis for the decreased CIF. I think what also just from an operational standpoint we considered is that the buy size differential depends upon a developer proffering a smaller than average square foot.

[00:48:30] If that square foot is not proffered to be less than the average, then they would be expected to fully mitigate their impacts. And so I'm not sure there would be an incentive to proffer a greater square footage because it's based on an average. Oh, so, okay, I see.

[00:48:46] So they have to proffer to get the benefit, but they, correct. But we don't necessarily know how big they're going to be if they're not proffering to the smaller size. That makes, that makes sense. Okay, thank you. I don't love it, but it makes sense. And then in the road CIF, we didn't consider in all of this, we didn't consider transit, correct?

[00:49:08] And that's kind of stuck at 1,000 per unit, correct? Yes. Okay. I'll be having a motion after we finish all of this to send that conversation to FIC, but after we do all of this. My other question, and this is kind of a for-the-record question, given some of the bills that we've seen down in the General Assembly.

[00:49:27] Just for the record, do the CIF numbers apply to buy-write development? No, they would just apply to residential rezonings. Okay. Thank you. That's all I have, Madam Chair. Thank you. You know, kind of diving down more on Ms. Brixman's thoughts, and this is, I think, a deeper, longer discussion.

[00:49:52] The assumption is that we're doing smaller units so we can have more affordable units, affordable by design, so they're smaller units. And one, Ms. Brixman is correct that even in this market, smaller units are going for a fairly large amount of money. It's also correct that we can't, I don't believe we're going to get to our housing, attainable housing goals just with affordable by design.

[00:50:18] It's just impossible. And I'm going to assume that a family of four, a family of six, may want to own a home one day also, and they're not going to buy a small home, a very small home that won't be able to accommodate their families.

[00:50:38] And so, you know, I think that at some point if we're serious about attainable homes, we have to like bite the bullet and do that and not just try to do it by the attainable by design or affordable by design or attainable by design goal.

[00:50:57] So, you know, it's just it's it will it will add a some small inventory to the to our housing, to our housing stock right now. And, you know, listen, I'd love for my son who finished college and moved to Atlanta and broke my heart to come back and live in Loudoun County.

[00:51:16] But when he one day gives me grandchildren, a long time from now, he's not going to be living in that house anymore, right? And so we have to figure out some other things to do if we're really serious about housing. When's the last time we've done this whole exercise? Because, you know, I will not support you all going back and having to do something again after having finished this.

[00:51:37] When's the last time we've done this whole exercise? The last time the board adopted the CIF was, I believe, March 2018. 2018. And then we paused a lot of this work while we finished the

comprehensive plan. Yeah, right. So it's been a while. And you plan on starting some of this again very soon.

[00:51:54] Correct. So this is going to be an ongoing process. So to go back and do something different, even if it's roads, you know, I think it just slows down the process. And truthfully, we can go back again, you know, because the roads was what we used 2022 numbers, right?

[00:52:13] Okay. So that took about a year. So a year from now, we're still going to be a year from now, right? So we're always going to be a year behind anyway. And so it just doesn't, I don't know why we would send anything back again. I think at this point we go forward. That's just my opinion.

[00:52:29] All right. So the way the motion, and the motion, I'll have to suspend the rules, but the way the motion is written, supervisors, is that it will take effect on the date that the board approves, right? That this will take effect. That's how the motion is. So then we'll make the motion, and then we'll decide the date that the board approves.

[00:52:47] There is a supplemental motion. Oh, I'm sorry. I'm sorry. That's right. I'm reading the main motion. Darn it. Yeah, there is. Yeah, yeah, yeah, yeah. Which actually has a date on it of July. Chair Randall.

[00:53:03] Yes. Public Aaron. Oh, darn. Okay, I'll get there. Why did you guys choose that date, the July 1st date? We had some feedback from stakeholders that that would be a helpful implementation date rather than immediate.

[00:53:19] I'm sorry? Rather than immediately effective, the industry had requested a later implementation date. So, Buzz, if you give me 15 more seconds, who is the industry? Developers.

[00:53:35] Okay. Okay. All right. Yeah. All right. Point of clarification. Yes. The main motion in the supplemental does not mention a date. If we suspend the rules and decide to act tonight, then the date rolls into the motion if we suspend the rules.

[00:53:52] That's where my amendment comes in. So after the public hearing part, the main motion in the supplemental, as I'm reading, it does have a date. I'm in the supplemental, and I'm reading the revised draft motion, and it just refers to March 13th for action.

[00:54:09] Or you can suspend the rules. Are you in the supplemental, sir? Yeah, because it's only a rule suspension. I know, but if you read it, okay, let me just, I'll get there in just a second, okay, because maybe I'm looking, because I'm looking at the supplemental.

[00:54:28] What's he talking about? Yeah, but we're going to. Oh, no, we're not going to. Oh, I see what he's saying. I see what he's saying, okay. Yeah, okay, it's time for now to suspend the rules, okay. Does anyone have any questions? Does anybody in the audience like to speak on the CIF?

[00:54:44] I know, because we have fascinated everybody so much up here, haven't we? Anybody want to speak on this? Okay. Seeing none, then I will go to the revised draft motion in the supplemental, which is motion number one, correct?

[00:55:02] Okay. I move the Board of Supervisors forward the 2023 capital intensity factors, including the by-size differential, as shown in attachment two, five, and seven, to the March 13th, 2024 Board of Supervisors public hearing for action.

[00:55:19] Second. Okay, motions made in second. Before I go to you for a friendly and then you for a amendment and all that kind of stuff. March 13th, public hearing. The March public hearing is going to be a complete nightmare. We're going to be ordering breakfast.

[00:55:36] I'm absolutely not kidding. Does this have to be the March public hearing? No, we just thought that if you didn't suspend the rules and vote this evening, that it had to go to March 13th. Is that correct, Mr.?

[00:55:53] Or that would be the next opportunity for it to go to public hearing. But it doesn't have to be. Mr. Tim Street, Mr. Yeah, so you could suspend the rules and then send it to a board meeting. Yeah, can we suspend the rules and send it to the April public hearing?

[00:56:12] You can send it to any public hearing you want. You don't need a suspension of rules for that. Yeah, but we can do that. Oh, absolutely. You can send it to a board meeting. If you send it to a board meeting, you would need to suspend the rules. Okay. I'm only saying because the March 14th public hearing is going to be so long, and this is such an important topic.

[00:56:33] So, let me do this. Let me withdraw my motion. Will you withdraw the second, Mr. Turner? Withdraw. Okay. I'm going to make a motion, the motions we draw, to suspend the rules. Motion made to suspend the rules. The second discussion on that, I think I'll send this to a board meeting.

[00:56:56] because the public hearing we I don't want it's just we can only do so much at one time and it's okay all right all through with the suspension please say aye any opposed that motion will pass nine zero okay I move that the board supervisors approve the no I'm with the board supervisors for the 2023 capital intensity factors including by such and for intro and so on attachment to five

[00:57:23] and 7 to the second, I don't know what, the March, is it April, to the, wait, no, no, to the, no, because this would be after the, what's the second meeting in March?

[00:57:43] I'm sorry, the March 19th public hearing. I'm sorry, the March 19th business meeting. All right, motion made and seconded, discussion on the motion. I want people to say aye. Aye. Any opposed? That motion will pass 9-0. Okay, I made the motion.

[00:58:01] Mr. Turner, second the motion. It will go to the March 19th business meeting. Is there a friendly amendment or an amendment at all on the motion? Madam Chair, I'd like to propose a friendly. No, no, but... Oh, crap.

[00:58:18] I did. We did. We did. Madam Chair. I know, but go on. Friendly still applies. Tell me what your friendly is.

[00:58:36] I move that the Board of Supervisors set the 2023 capital intensity factors to take effect on August 1st, 2024, for any legislative applications. Yeah, no, so this just sent it to the meeting. It didn't, that's fine, because this just sent it to the meeting. This didn't do anything else.

[00:58:52] That's your friendly. I'm sorry, will you read it one more time, please? I move that the Board of Supervisors set the 2023 capital intensity factors to take effect on August 1st, 2024, for any legislative applications that have not yet been officially accepted for review in accordance with the applicable Loudoun County ordinances and policies.

[00:59:10] So I just want to make sure people understand the difference in what he just said and why it's a friendly and not another motion because this motion was to send it to the meeting. His motion is about

when it will take effect, so the two different things. And I need to second. Second. I'll second that. Did you mean that as a friendly?

[00:59:27] I meant that as a friendly. Okay, then I made the motion. I'll accept it, and you were the, yeah. All right, so there's no discussion on the friendly unless you want to have a discussion. Then you're going to need a second. I would like to have a discussion.

[00:59:42] Okay, then make it as an amendment. Madam Chair, point of clarification. What? You already sent it to the business meeting, so his is just a separate motion. It's not a friendly. It's just a separate standing motion. Which is why Mr. Kirshen just made a second to the motion.

[00:59:58] Okay, I think you made a mistake when you said friendly. Okay, good, good. So a couple of things here. This is a pretty big change. And one thing I want to clarify, and staff, correct me if I'm wrong. It's easy to get down the rabbit hole of this change in by size changes in the capital intensity factor is an incentive or a disincentive.

[01:00:22] In fact, it's an objective metric to how much infrastructure costs are associated with new construction, correct? Yes, that is the intent. It's intended to be an objective metric for the first time in Loudoun County history, I believe, that breaks out by size of the unit the actual infrastructure impact on the county.

[01:00:43] There's a lot of discussion about what this capital intensity factor will do to the market and to how the developers respond to this change in the CIF, and I understand that. But after a lot of discussions, I've come to the conclusion that the market will adjust to this.

[01:01:02] And this is an accurate reflection of the actual infrastructure cost to the county of new construction. And that objective measure is important for us to have. And let's keep in mind, inflation alone and the construction costs and everything else that's going on in the last seven years is an impact.

[01:01:19] So these new costs are a reflection, and there is no question they're an impact. What they will do to the market, I believe, is conjecture on everyone's part. However, I think it is fair, given the size of the change, that we need to give the market a relatively achievable glide path to go from where we are now to this fairly radical change.

[01:01:43] And I have had discussions with the industry. I think Supervisor Turner is going to propose a friendly to my amendment, and we can discuss that. But after talking with the representatives of the industry, My conclusion was 1 August was a reasonable time frame and that we used the same trigger mechanism that we used in the zoning ordinance rewrite, which was acceptance of an application as the grandfathering trigger on 1 August.

[01:02:08] So if you have an accepted application prior to 1 August, you are grandfathered. You go with the current CIF. After that, you go with this CIF. And that's the intent. And that's all I have. So yours is 1 August. That's the motion 1 August.

[01:02:23] Okay, discussion on the one August motion to Mr. Letourneau. Yeah, I'm going to propose an amendment. It's not a friendly amendment because I know Supervisor Turner is not going to accept it, and that is to change. I will move the same motion but to take effect on July 1st, 2021, 2024, instead of August 1st.

[01:02:41] Second. Okay, motion is made and seconded by Supervisor DeCrony to do the July 1st instead of August. Yep, so first of all, Supervisor Turner and I agree on 99% of this. The big change from the supplemental is acceptance of the application as the standard instead of a pre-app meeting, which I think is not a good standard at all because of how wild those can be and how there can be a long time between pre-app and application.

[01:03:07] The only difference is the length of the glide path. My argument for pushing it up is I think it would be nice and clean to align it with the fiscal year, which is July 1st. From this moment right now, there is 138 days until July 1st.

[01:03:23] So that is, if you look at what we did with the ZOR, we adopted the grandfathering proposal in September, and it took effect in December. So from here until July 1st is actually a longer window we're giving industry to adjust to it. I think August 1st is pushing it a little bit to the point where, you know, at some point we need to put this thing into effect. And the other point I'll make is these are not new numbers. The Fiscal Impact Committee finished its work exactly when sometime last year right correct so this has been around for a long period of time anybody who sort of is in the industry is paying attention to this knows this is coming

[01:04:02] has known it's coming hasn't known exactly when it would go into effect but i think we're giving with 138 days still plenty of time there if there are contracts that are still in due diligence you can you know there's time period look at that but it's more than reasonable and i agree with everything else as a turner said on the market the one point i'll make is i believe that regardless of what these numbers are market rate units will sell for market rate so if these numbers were half of this the unit is not going to cost half thirty thousand dollars less if the market is that a new home is selling for nine hundred and something thousand single family detached that's what

[01:04:40] they're going to ask for it that's just supply and demand industry so you know at this point we're just reflecting reality but i would ask that we go to july 1st instead of august 1st so that we can get this into effect and still provide i think a pretty long reasonable runway to get to it okay we are discussing we are discussing discussing mr letourneau's motion at this point which is july 1st so discussion on that motion right now mr kirschner are we allowed to discuss both motions, Madam Chair.

[01:05:12] If you want to do a pro and con, then that's fine. The reason I seconded Supervisor Turner's motion, because I do think a longer glide path is probably more valuable to the industry. I don't understand this argument about aligning it with the fiscal, cleanly aligning it with our fiscal year, because that really doesn't matter as far as this is concerned.

[01:05:32] This is a completely separate issue. What I will say is that, yes, it probably isn't going to make these houses costs a little bit, but it may take some houses that are currently being looked at or land that's being negotiated out of the formula. And what will happen is if they don't have long enough glide path, whoever the developer is that perhaps is working on negotiations on a piece of land or whatnot, and this jacks the price up, one or two things are going to happen. One, the deal will get pulled out, or two, the land will become less valuable to the land holder. And yeah, we're talking only about 30 days here in this discussion, but quite frankly, it does, the longer the glide

[01:06:08] Now, you don't have an infinite one, but that's why I support a little bit, 30 extra days to make sure these apps come in in a timely manner for pieces of property that are being looked at, where developers want to build homes, et cetera. I just think it's far safer, and I think it's a little more friendly.

[01:06:23] And these are big numbers. And as Supervisor Turner said, it's a little bit of conjecture as what the impact's going to have. But I'm guaranteeing you that there will be one impact, and that is the cost of building houses will be immediate. And how that formula all works out in terms of who pays for it at the end, whether it's the end user, whether it's the landholder, et cetera, it's going to have an impact.

[01:06:48] So I think the more generous we can be in terms of that glide path, I think the wiser. Okay. Mr. Sainz? Thank you, Madam Chair. And forgive me if this question was asked to staff already in my absence real quickly. motion, Supervisor Turner, Supervisor Letourneau, with the dates mirrors the closest to the ZOAR regarding the time frame to kick in after approval.

[01:07:15] I don't know the answer to that question specifically, but I believe Supervisor Letourneau mentioned it was a smaller amount of dates. I think that's a hard question for staff. Can I, Mr. Turner, if I can take a shot at this, I think that if you're talking about just the time frame, how many actual days we gave the ZOR to what we're doing now, Mr. Letourneau's would be how many actual days.

[01:07:43] That is all you're asking. Yes, that clarifies what I was asking for. Thank you. So in my opinion, stakeholders are the community, developer community, since we already did the ZOR process, and I believe it was around about 90 days or something to that effect, once we approve it, to me, we should mirror that same logic.

[01:08:02] And if that matches what Supervisor LeTourneau's motion is, then I'll be voting for Supervisor LeTourneau's motion. Thank you for saying. Thank you. Mr. Crony. Separating. Oh, well, then turn your light off for David.

[01:08:19] Mr. Turner. Thank you, Madam Chair. I just want to pass on, in the discussion I had with a representative from the development community earlier today, He provided, anecdotally, a circumstance where a developer has said that if this got approved and implemented in March, it would cost that developer \$8 million because it would blow up their pro forma.

[01:08:41] Now, that, I think, is the outlier example. So if we extend to 1 July, we extend to 1 August, I don't think it's going to make that much difference. But it sensitized me to the unintended consequences of a change of this magnitude. And so to Supervisor Kirshner's point, I want to give a reasonable glide path.

[01:09:02] And in the discussions, several discussions I had with that representative today, we finally said, let's split the difference. One August is a reasonable glide path. We can probably live with that. He was speaking for himself, not for anybody else. But that was really my intent with the one August.

[01:09:20] I certainly think one July is another date, and it's 30 days, and does it make that big difference? I appreciate Supervisor Letourneau's argument, but mine was, this is a big change, and I want to give as much time as we can comfortably do that without pushing in and beyond the extreme.

[01:09:37] So that's the case I make for going a little bit beyond the Zohr criteria. Thank you. Ms. Brixman. Thank you, Madam Chair. I'm fine with Supervisor Letourneau's date. I will support the motion. I just wanted to ask a clarifying question.

[01:09:53] This is similar to what we did with the ZOR in that only applications that have been accepted by the county by that date will be the ones that can be under the old contributions.

[01:10:09] It's worded a little differently than it was for the ZOR, so I just want to make sure. So it can't be something in pre-app. It can't be anything like that. It has to be accepted by the county. I believe that's the

intent of the motion, yes. Okay. Okay, thank you. So I understand what Ms. Letourneau is trying to do and that he's trying to match the ZOR, but I'm just not sure why he's trying to match the ZOR.

[01:10:33] They're completely different issues, to be honest. And so I think that the other arguments of do they need more of a glide path, why they might, why they might, why they might not, makes much more sense to me than we're trying to match. Because the ZOR was, you know, we worked hard to get that number for that purpose.

[01:10:49] This is a totally different issue and totally different purposes. So I don't know that I need to try to match the ZOR time frame. It's like matching the fiscal year. There's no logical rationale that I heard as to why that's important to try to match that rationale.

[01:11:05] I don't think, I mean, I think, listen, Mr. Turner and Mr. Turner work real closely together and get a lot of things done. And the Turner-Turner-Turner-Turner-Turner-Turner combination is really very, very good. I don't know that there's a lot of difference in what they're saying.

[01:11:23] And Mr. Letourneau said that they agreed on 95% of everything. So, you know, I think I would lean toward Mr. Letourneau. But if Mr. Letourneau can give me just some idea of why you think matching the ZOR is important or even matching the fiscal year is important, I mean, it does, but I don't know that it matters.

[01:11:47] If you could help me understand that, I'd appreciate it. Yes, in my time. Well, it's like I have a closing. That means you're going to have more time. Either way, it's fine with me. Well, because the discussion is really about grandfathering. So we are taking, whether it is the amount of money or whether it is regulation of the zoning ordinance, it is still a grandfathering discussion.

[01:12:11] So to me, we've already established a precedent of how we're going to grandfather, and so we should stick with that precedent. Claim my time and say, I've said this about 1,000 times, Doing something one time, I don't know that it established a precedence. It's one time for a reason.

[01:12:27] I think doing something twice, three times, four times establishes a precedent. And I don't know that I actually, you just talked me out of supporting you because I don't know that I, I really wasn't. I honestly wasn't. I honestly wasn't because I don't know that I want to establish a precedent for grandfathering because I want to be able to have the flexibility to grandfather how I think I should, depending on the issue and not stick to a kind of an arbitrary date just because that's a precedent that we set.

[01:12:54] So I really honestly wasn't there, but you helped me get there. Well, it's still the closing. You helped me get there, and you do have a closing, yeah. But I think I'm there. But, I mean, you know, but listen, it's 30 days, and I think both of you are making good points, and everyone's worked real hard on this.

[01:13:09] In my last 16 seconds, I will say thank you, Mr. Turner, for chairing the FIC committee, And thank you to staff for such good work on this item that took a long time and was based in facts and figures and stats and data. And you all did a really good job.

[01:13:26] So I do appreciate you. Thank you very much. Ms. LaTermichak, to have a closing. Yeah. So the other piece of this is we are costing ourselves money by waiting because we are not charging what it is actually costing us for the cost of development.

[01:13:42] We've established that currently these numbers are very low. that we've been calculating. And so with the purpose of the recalculation is to accurately reflect the actual cost of development. So the longer we wait, the more applications come in that will be below the actual cost of development, and it will cost taxpayers dollars.

[01:14:03] The purpose of a proffer system is to help offset that cost. I don't want to, I'm not sitting up here making an anti-development argument by any means, but the reality is there is a cost associated with developments. And so I believe we should try to be implementing this as soon as we can to save the rest of the county money on the cost of new development while still providing a fair glide path. The glide path, as I've said, is 138 days. But in reality, this number was set literally last fall, if not earlier than that. So everybody in the industry has known for months

[01:14:40] that these are the numbers, and that's what's coming, and I'm sorry if you haven't factored that into your land calculation. I'm still giving you four months to do that, so I think that's fair. I think it's a balance. I don't want to go much further than that because, you know, I think there will be something of a gold rush here to come in and get applications filed under the new numbers, but, you know, let's just get on with it at some point, and, you know, we could make an argument for any date, but I think July 1st, looking at, you know, what we've done in the past and the debate we had on the ZOR and all that, it makes the most sense. Okay, thank you. Thank you very

[01:15:14] much. The motion was made by Supervisor Letourneau and seconded by Supervisor DeCrony, I do believe, to go to the July 1st date. All in favor say aye. Opposed? No. So that will pass, 6-3. Supervisor Turner, Kirshner, and Randall voting no.

[01:15:41] That will pass. That's the date. We have a date. Yay. Jazz hands for the date. Whatever that date is, we've got a date. Yay. I will now go to Supervisor Tocroni for another motion. Okay. My motion is to separate the road CIF.

[01:15:57] Madam Chair, point of order. Yes, sir. We still need to vote. The date was changed to 1 July, but my amendment to the main motion is still in play. And we have to vote. Which was, oh, yeah, it was, it was.

[01:16:13] Okay, that, yeah, were you, and that was seconded by who? It's the blue one. It was. And then who was that seconded by, Mr. Turner, do you remember? Yeah, I thought it was Supervisor Kirshner, wasn't it?

[01:16:30] Yeah, okay. So would you please just restate that motion for the purpose? I'm going to state it as amended, just amended. Yep, yep. I move that the Board of Supervisors set the 2023 capital intensity factors to take effect on July 1st, 2024, for any legislative applications that have not yet been officially accepted for review in accordance with the applicable Loudoun County Ordinances and Policies.

[01:16:53] Okay, and that was just for the reading. Mr. Kirshner, you still? Okay, all right. Discussion on that, please no? No discussion. All in favor say aye. Aye. Any opposed? Okay, thank you. Mr. Crony, you want to do what?

[01:17:11] Separate the road CIF. You want to separate the road CIF. Can you make a motion, please? Yes. Okay. I move that the Board of Supervisors forward the road's capital intensity factor, as shown in Attachment 7, to the Finance, Government, Operations, and Economic Development Committee to further discuss the road CIF data inputs and methodology to be adopted before July 1, 2024.

[01:17:37] Motion's made, saying by Supervisor Glass, would you like to do an opening on your motion, Mr. Crony? Okay, so I do not support reducing the road CIF amount for the following reasons. Road construction costs have increased, and we heard from Mr. Hemstreet just an hour or two ago.

[01:17:55] He said transportation costs have increased our capital budget. Right-of-way and land costs have increased. And our CTP prioritizes connectivity, access, and a modern multimodal network that costs more to complete. VDOT is also encouraging innovative intersections and interchange designs to improve safety and efficiency on our roadways, and these alternatives cost more.

[01:18:21] Decreasing the road CIF increases the cost burden to the taxpayers for improvements that are needed to support the additional vehicle trips. my motion is to not change the formula but to consider the inputs and one input would be the level of service D I think it should be the 1,200 vehicle vehicles per hour and then also the cost per lane Meyer calculation to include other roadways more recent roadways like replace the Claiborne Parkway with route

[01:18:56] seven and battlefield parkway interchange north star boulevard look look into that again replace the route 606 segment which was in 2018 to the george washington boulevard extension and route seven overpass finished in the fall of 2023 and then i want to just say that we have a large list of needed road improvements and we should be increasing the road cis from 2014 not decreasing it and i hope my colleagues will support my motion to send the road cif to the finance committee to

[01:19:33] consider the two new data inputs again i'm not changing the formula because i know you spent two years doing the formula all i'm changing is two data inputs that i think will reflect more the cost of um roads and i i i want to thank supervisor letourneau for for talking about the actual costs how they've increased and road projects have increased too um you know it's not just development it is also the road projects um you know we've got bike and pestry pedestrian

[01:20:08] facilities that go with road construction um so our costs have increased probably five to ten percent every single year so i hope everybody will support my motion thank you oh my god i'm so super happy you're up here with us i'm not supporting your motion but really so we're happy you're up here with us she did she said i asked nicely you who did um mr leterno oh i get to lead off but she's so nice um i'm with her i'm with

[01:20:46] her i'm with her to proni in spirit but not with my vote um and this is why because to me it's just a a timing issue related to when this process happened so in fairness to the development industry this has been hanging this issue has been hanging out there a long time this was actually in front of the board for approval last year in which case we wouldn't have even had those inputs to discuss because those road projects were still underway and actually from a technical standpoint i'm not even sure that we've actually closed north star first segment on either so i don't think that could even be included right now because it's still not technically closed it's

[01:21:23] still an open project so it has to be a project that's been closed and we have a final number on um we we would have already adopted it we didn't because we all had concerns about it which is why said i agree with her in spirit we went through it frontwards and backwards and it just seemed like we need to make some more fundamental changes to how we look at this and i will say we actually my staff actually at one point recalculated the whole thing using our inputs and it did not actually move the number that much i mean it was marginal difference than what i would have expected so i don't think it's worth waiting i think at this point let's just adopt it but let's make sure we

[01:22:00] have input into the next process we're going to do a check back on this in that two to four year process that's what has already been reconstituted to do so I certainly support looking at it there but um given the time that this was actually done and when it completed its work I don't think it's really fair to go back and kind of reopen it and put different inputs into it um and I mean staff did adjust those for inflation and all that stuff so I don't think it's going to make a huge difference Thank you, Madam Chair. I really want to support this motion. I absolutely like where

[01:22:35] Supervisor Tacroni is coming, but Madam Chair, if I could ask staff a question. Of course. Thank you. Would you all be able to work, if Supervisor Tacroni's motion passed tonight, and I'm not sure it will, but if it did, would you all be able to work in the time frame given by July 1st to accomplish what the supervisor is asking?

[01:23:09] I believe if the board would direct us, we would attempt to do that in that time frame. Does attempt doesn't sound, doesn't sound great. I think that we fully haven't, we don't have a full understanding of how we might be able to incorporate the 1,200 versus 1,900 capacity.

[01:23:32] The cost of road projects is in our financial system, and we can access that information. I think it's the capacity aspect of the request that I don't know how to fully respond to right now. All right. Okay. Dan?

[01:23:48] I would just add that we would need to go back and understand that a little bit more than just hearing it tonight, honestly, for the first time. But it would take some time to do that. But if that's the board's direction, we will certainly make that happen. All right.

[01:24:04] Thank you very much. So before I go to Ms. Bricksman, because I don't want your motion to fail. Do you want to keep the motion? You want to withdraw the motion? You want to keep the motion? You can. Okay. Ms. Bricksman. Thanks. Ms. Bricksman, take the meeting, actually.

[01:24:22] Thank you, Madam Chair. So I'm not going to support the motion. We did talk for a while about it. I agree that we maybe should be using a little different inputs, But a couple things convinced me not to support it, and that is we're going to start the process again.

[01:24:39] We have hashed it out over and over again. This is going to add some certainty for the development community so they actually know what the numbers are going to be, so they can plan for it. And lastly, what staff said earlier, and that is they are using \$24?

[01:24:57] It's actually \$20, \$22. \$20, \$22. But even though some of the projects they looked at might have been 2018, 2019, they used \$20, \$22. So we're getting pretty close, and so I won't be supporting the motion. Thank you. All right.

[01:25:13] Motion, Supervisor Tacroni, seconded by Supervisor Glass. All in favor, please say aye. Oh, I'm sorry. Go ahead. You want a closing? So implementing the 2023 road CIF will mean the county will receive less money than it currently does, and county taxpayers will have to make up the difference, and the burden is on the taxpayer and not the developer.

[01:25:39] Again, I don't believe we've been charging, overcharging for decades with the \$6,000 per unit input or \$6,000 per unit that we've been charging because road costs have gone up. And I understand that road proffers make up a small percentage of the total funding for transportation projects, but I believe every contribution counts.

[01:26:03] and the roads CIF does impact the amount of credit an applicant will receive if they proffer road improvements instead of cash. I will say that if you use the theoretical, I kind of did the numbers, if you use the \$1,200 versus the \$1,900, you do have an increase.

[01:26:21] So the \$1,900 figure brings it down. If you use the \$1,200, it brings it up. So I did do an analysis on my own, And I also think the cost per lane mile that we came up with seems really low.

[01:26:39] So, again, inputs that you put into a formula give you certain outputs. If you do different inputs, you get a different output. So my feeling is we could have done a little better on some of the inputs. And, again, I'm not questioning the formula.

[01:26:56] I think you guys did a great job on the formula. I'm just questioning the inputs. So I still believe that we can do the work and get it done by July 1st. Again, it would just be like two inputs that we're looking at.

[01:27:11] And I cannot support the decrease in the road CAF. And I'm just hoping my colleagues will support my motion to send it to finance. Thank you. All right. Mr. Crony made the motion.

[01:27:27] Seconded by Supervisor Glass. All in favor, please say aye. All opposed? That motion will fail. 6-3, with Supervisors Glass, Dracone, and UPSTAP voting for the motion. Good try.

[01:27:43] I think we have one more much easier motion, I think, on the dais. Ms. Bricksman. Thank you, Madam Chair. I move that the Board of Supervisors refer to the Fiscal Impact Committee review of and recommendations for the transit contribution as part of its future work to update the capital intensity factor.

[01:28:01] Second. Thank you. Okay, so as we started this discussion, I don't know how many months ago in finance, one of the first things I questioned was, you know, why are we looking at the road contributions and not the transit contributions?

[01:28:17] And it's difficult in a community like this that is so car-centric to incentivize folks to get out of their cars, but one way I think we can do that is by investing more in transit. Supervisor Turner chair Fick I hope you're okay with this that we send this to you to you for your work plan and I hope my colleagues can support thank you any other comments okay I have a question just that when we talk when we say transit are we referring to just one of the districts in all likelihood or is it

[01:28:54] much broader than that because we've already done the roads so is that something that staff when we review transit I mean I'm gonna support the motion but I just had a question about it it's a transit it would be right now By practice, we request \$1,000 per residential unit transit contribution with a residential zoning throughout the county.

[01:29:17] Yeah, and I can address that. That's fine. That's fine. Okay. All right. Well, go ahead. So just curious, so when you all did this, you knew the Metro was coming.

[01:29:32] Why didn't you include it already in there? We didn't have direction to incorporate the transit contribution into the discussion, and it's not typically been part of the inventory of facility standards that the board has that is included in the capital intensity factor.

[01:29:55] It's treated as a fully separate contribution, but we are happy to discuss it at FIC. Okay, wonderful. And I was talking to you. I apologize. You heard Ms. Bricksman say you accept that. Okay, Ms. Bricksman, would you like a closing? Sure, thank you.

[01:30:10] So in my mind, the difference between the road contributions and the transit contributions is that transit refers to our bus systems, our bus stops, the last mile, multimodal forms of transportation, basically like anything but a car to get around. Thank you, Madam Chair.

[01:30:25] All right. Motion was made by Supervisor Bricksman. I think second by Supervisor Sains, I do believe. I think both went at the same time. But thank you, Ms. Bricksman. All in people who say aye.

[01:30:42] Any opposed? That motion will pass unanimously. Is that all the motions on the CIF, everyone? Very good. Okay, we're going to go on and do item number eight, which is a Goose Creek item. And I think we have speakers on this who might not have signed up.

[01:31:04] Do we have any? That's what I thought, because we didn't have any speakers at all signed up. I'm sorry, wait, this is all the same thing. Jane, Lori, and who came first?

[01:31:24] Okay, wonderful. All right, wonderful. Okay, we have three speakers. So I want to thank Mr. Turner for pulling us off the consolidated agenda, which means we're going to sit here a lot longer on this Valentine's Day than we would have otherwise done.

[01:31:59] But still, that's okay, Mr. Turner. I think he has. I think he has. All right, then.

[01:32:20] we are ready when you are. Thank you. Good evening. My name is Allison Britton with the Department of Planning and Zoning. I'm here today to present the application for Goose Creek Retail LLC. One thing I wanted to note is after the staff report was published and as of 5 p.m. tonight we received three additional public comments opposed to the application citing concerns with traffic circulation and trash control. Additionally there are two Scrivener's errors in the staff

[01:32:54] report. On page seven, table three, the difference in trips during PM peak hours should reflect an additional 51 trips, not one trip. And the date on the conditions of approval attachment says January, should be January 26, 2024, not January 26, 2023. The contents of the conditions are the same and the motion in the staff report identifies the correct date. Should the board approve this application tonight, the final records would reflect the correct conditions of approval date.

[01:33:28] Okay. The subject property is a 0.51 acre portion of a 15.92 acre parcel located west of Belmont Ridge Road and north of Sickland Road in the Goose Creek Village Retail Center in the Ashburn Election District. This property is zoned CCCC Commercial Center Community Center and is located in the suburban policy area in the suburban mixed-use place type. This site previously obtained site plan approval to develop as a drive-thru bank, but is currently undeveloped. The applicant is requesting a special exception to allow a 2,400 square foot restaurant with a drive-thru

[01:34:08] in the PDCCCC zoning district in accordance with section 4-204B9 of the revised 1993 Loudoun County zoning ordinance. This application was submitted prior to adoption of the current zoning ordinance, and as a result, it was reviewed under the revised 1993 zoning ordinance as a grandfathered application. The proposed restaurant with the drive-thru is an anticipated complementary use within the suburban mixed-use place type and appropriate on the periphery of the Goose Creek

[01:34:44] Retail Village Center to serve nearby residential communities. Here is the graphic of this special exception plot. Staff recommend conditions relating to architectural design, screening, exterior lighting, amenities in the open space area, pedestrian circulation, and directional signage to assist patrons exiting the site.

[01:35:11] The Planning Commission forwarded the application to the board with a recommendation of approval and staff support board approval subject to the conditions of approval dated January 26, 2024. This application is consistent with the suburban mixed-use place type as a complementary use on the periphery of the Goose Creek Retail Village Center and is consistent with the revised 1993 zoning ordinance.

[01:35:32] With that said, staff are happy to answer any questions. I do have Marie Pham from the Department of Transportation and Capital Infrastructure online as well to answer questions. This is the Ashburn District, so I will go to Mr. Turner first. Thank you, Madam Chair. What notifications, public notification signs, were placed and where and when?

[01:35:53] That's one of the issues that came up, is that was there sufficient notification? A lot of the residents didn't see the signs, so I'm just curious as to where they were and when they were put up. Staff did receive an affidavit of proper notification, but I will defer to the applicant for the exact location of the property posting.

[01:36:10] All right, thanks. Is there any mention in any of the proffers on trash mitigation? I'm not sure that the applicant's obligated to do that, but I would like to know, is there anything at all in the application about trash? The applicant is proposing a dumpster on site to mitigate trash from the proposed use with an enclosure.

[01:36:31] There are not additional conditions of approval related to trash. Okay. Thank you. That's all I have. Mr. Sainz? Thank you, Madam Chair. Either staff or if Mr. Turner can answer the question.

[01:36:47] What is the site that's directly right next to the proposed site? That was my question, too. Currently. For clarification, are you asking about this structure? No, no, no. Go down. This one, right? Yeah, right there. That's a Walgreens. That's a, say it again? A Walgreens.

[01:37:02] A Walgreens, okay. So I'm assuming they have trash. Has County ever received any complaints about trash regarding the Walgreens? I would have to follow up with that answer. Or can I ask Mr. Turner that question? Oh, related to the public comments or a zoning concern.

[01:37:20] Either way. Related to public comments, we received two public comments related to trash. Oh, about trash, about this application? About this, right. Not the Walgreens. Okay. Madam, through Mr. Turner? Do you know if he has? No. No, okay. Never received any so far.

[01:37:36] Okay. Thank you. Okay. Thank you. Just to clarify, Madam Chair, I received the same two. No, no. He's asking a different question. Mr. Sainz's question was not whether people are concerned about trash for the pending application.

[01:37:53] He's asking, have people complained about trash for the Walgreens, right? And the answer is no. Okay, okay. Thank you. Hi. You have 10 minutes that I don't you won't need. You can start anytime.

[01:38:10] I'll just skip to the end. Thank you very much. Tonight, I'm Paki Crown. I'm here representing the applicant, Goose Creek Retail LLC. Also with me tonight is John Paltanino, who represents the owner, is the owner of the shopping center, and Matt Letourneau, Matt Letourneau, hey you're good, Matt Leslie.

[01:38:39] I just promoted him for the application real quickly Allison if you can start the slides real quickly Allison you know gave an overview of the application but this is this project is located in the

existing Goose Creek Village shopping center the site is already approved for a drive-thru Bank what we're requesting is to add a drive-thru restaurant as an additional

[01:39:16] use that could be located here next slide as seen on this slide we actually work through with staff and Planning Commission circulation on the site so that there would be plenty of stacking of cars on the site and then circulation throughout the the shopping center we have agreed to architectural standards And I think if anybody's ever been out to Goose Creek Village, you'll see and know that the architectural standards that have been implemented there are very high.

[01:39:50] Four-sided architecture, 30% masonry, screening of the site from Belmont Ridge Road, that screening is predominantly in and has been for a number of years. it's very mature and that any architectures that would come before the the community and the developer would have to go through an approval process by the developer and then also with the county we've agreed to native plants we've agreed to LED lights in fact LED lights are throughout the entire

[01:40:27] shopping center already high reflective roofs and recycling receptacles on the property next slide transportation was looked at not just with staff but also with the residential community goose creek village residential community that we work with throughout this process it has a this project would increase traffic if this is developed here but it would be really nominal throughout the project and the distribution throughout the the center

[01:41:05] is adequate to disperse the traffic throughout the center what we did agree to are wayfinding signs to direct traffic through the center and then down to sickle and road we've also agreed to the location of bike racks added crosswalks within the center and internal sidewalks where needed next slide the question supervisor Turner about where the the signs were posted this provides those locations we had four locations I went

[01:41:40] back through our files today we actually take pictures of the signs when they are erected out in the community so that we can go back and and demonstrate that yes they were up there was a sign that was located on Hay Road within the community one along Belmont Ridge Road right across from and then Caddy Corner to to Hay Road one on the site and then one over along the frontage of Sickle and Road the requirements are that signs be posted along public streets and we met and actually exceeded the number of signs that were required to be posted in

[01:42:20] the community this property was posted three times for three different public two public hearings at the Planning Commission while public hearing a work session and now the public hearing for tonight so we have we have adequately posted in fact we over posted the property just to kind of continue along that we've also with all of our notices we sent notices out three different times through the communities we even notified nine different HOA's that are

[01:42:56] in the vicinity of this property. Next slide. The concern that we were informed about today, it was the first time we've heard a concern about trash blowing into neighborhoods across from the center. What I will point out here is that the site will be located about 475 feet south

[01:43:25] of Hay Road. We believe that the concern for trash may be coming from, you know, the residential community in Goose Creek. Matt actually lived in Goose Creek Village, and he can talk to that firsthand. Not only did he live there, he was on the HOA, and the HOA did get some complaints about that which they dealt with or attempted to deal with over the years. The owner of the

[01:44:00] commercial center has never received one complaint about the trash blowing over into adjacent areas. In addition to that, the center is swept six days a week and has janitorial service that routinely goes through the center to pick up trash, any additional trash they may see, and they do that six days a week. So it's been a focus, a very important focus for the owners of

[01:44:32] this center to keep it clean and very attractive for the community. I'm happy to answer any other questions that anybody may have. Again, this is Supervisor Turner's district. Do you have any question for the applicant? Thank you very much, Ms. Crown. That was very comprehensive.

[01:44:55] You say you invited nine different HOAs to the community meeting. How many people attended? No, we didn't invite nine different. We notified nine different HOAs through our notice letters. About a community meeting? No, about the project. About the project. We had a community meeting. We attended the annual meeting for the Goose Creek residential community.

[01:45:18] I really don't know, it was their annual meeting where they were voting, so they were offering a flat screen TV and all that stuff to try to get more people there. I would have to go ask the manager of the HOA how many people attended, but the room was full when we were there.

[01:45:40] Can we go back to the satellite view for a second that shows the whole shopping center? Sure. That's good. No, there's a better one, I think, but I can use this one after you. There's that one. Yeah, that one.

[01:45:55] Okay. I think if I remember from the concept, you're going to have a wayfinding sign here and a wayfinding sign there, and there's one more in here. Is there one in the middle there? Yes. Okay. I'll go with the flow here.

[01:46:12] So you can only turn in for the right here, and then you go around the building and come out this way. At this point, you could turn right and go down the alley between you and Walgreens. The thing I'm concerned about and that the homeowners have suggested is that once you're into this parking lot, it's anybody's guess where that you're going to exit.

[01:46:32] You could come out here, go down here and have to make a U-turn. There's all kinds of possible combinations here. My thought was, would you be willing to have very first of all, I guess the wayfinding signs have hours on them. Is that correct? That's correct. proposing them, I would get rid of the hours. That means anybody can go anywhere when it's not in that hour timeframe. If it were me, what I think would solve the problem is if you have, and this is a, I'm going to guess that this is a coffee establishment of some kind. If you look at the traffic flow, it's got heavy traffic in the morning and light traffic in the afternoon.

[01:47:07] So if you come out of here out of the line, there should be, I think, a wayfinding sign that says name of the establishment, exit, and an arrow, a left arrow. There should be another one there with another left arrow, there should be one there that says straight ahead, and one right there that says left arrow, and one there that says left arrow. Now, I know that sounds like overkill, but there's no way anybody could come out of that restaurant and not know how to get out of that area without wandering around in the parking lot, and I think that would really solve a lot of problems at a fairly low expenditure, but I'll leave it to you. Is that, are you a mental?

[01:47:45] That's fine. I will point out that there are additional signs, wayfinding signs, already in the center. In fact, there's one at the intersection, which would, I wish I had a pointer. At the intersection of,

what is it, across the North?

[01:48:11] Yeah, Creekview Plaza, I'm sorry, Creekview Plaza. No, it's right up at the intersection where you would come out of this site. And so where you pointed, there's a new one. We'll go in at the next intersection. There's already one that directs people down to Sickel and Road.

[01:48:30] Then there's two more that we're proposing that would direct people down to Sickel and Road. So, but if you want, you know, a couple more installed, that's fine. We don't mind doing that. What we were trying to do with the hours of operation were to, It was kind of twofold.

[01:48:51] You know, sometimes when you just see directional signs, you just don't really pay attention to them that much. But if there's hours on them, you pay more attention to it. So what we were trying to do was to direct people during certain times, the heavier use times, so they didn't go up into the residential community during the bus loading.

[01:49:14] Now, what we did go back today and double check was we understood that one of the concerns was. Can we, his time is like way up. Can we. We'll agree to the signs. Okay. Yeah. Way up.

[01:49:30] If you can't tell us and maybe you can't, do you know the end user? We don't know. We don't have. Okay. All right. All right. No, I'm not. Let's have members of the public who are here to speak on this item speak on this item. We have three speakers.

[01:49:46] Two are in person and one is remote. We have David White, followed by Lori Hancock, and then our remote speaker is Jane Jackson. Mr. White, are you here? Good evening, sir. Thank you very much for your time.

[01:50:03] I'm here for one reason only. I'll get to my point. My name is David White, by the way. I'm a resident of Belmont Ridge 2 HOA, directly east of that, where it's on the other side of prevailing winds. Everybody knows, I need to say this before I was going to say something else because I have to address something they said. Prevailing winds, it's a lot of winds coming from the west.

[01:50:21] Everything that sits in that parking lot ends up in our backyards. That's my big issue is the trash. But I can't get into conversation on that there. I only have two more minutes. So we just found out about this three days ago. Everybody on that side, immediately across the street from you, just found about three days ago.

[01:50:39] I'm not here to go over specific issues. I can't do that. And we're upset about we're just finding out about that. and six or seven residents of the probably 12, 14 on that side are concerned. I'm here for one reason, give us a month to go over our issues and have us be heard and discussed appropriately.

[01:50:56] We request that there's no vote on this special exception to be done tonight. Let us be heard on our concerns adequately and dressed in a proper manner as we were supposed to be afforded to. The signs, I wanna get the signs. I believe I saw one when I was driving by about 50 miles an hour on the Belmont Ridge Road, it's 45.

[01:51:16] didn't even think of it a long time ago you can't see it it's here's the road and it's pointing that way you can't read that i mean there's just no way and i'm mad about myself not going over and do it i used to be the the hoa president as over a decade ago i was on it for eight years i was president for six years i know i was there when the widening was occurring um and i went through this all back and forth that some nightmares but some things we were actually enjoyed uh we enjoyed the fact that we got some

things through and it was compromised so there's tremendous amount of wind also the science we want to shoot there's tremendous amount of winds and um i don't i don't believe we're talking about the receptacles we're talking about the consumers when they come out of

[01:51:56] sunoco when they come out of harris teeter that's the stuff that's being dropped down in the in the in the uh in the in the on the ground and ending up in our backyards because of the wind there's no way they can clean that up all the time and they once a week there's no way i've had two dogs that actually have suffered from health stuff there was food debris that actually flowed over one was a foil wrapper one was a plastic wrapper so that's just you know it gets to heart about our pets and so but my neighbors are all i'm here to represent a few of them we haven't even been able to able to discuss this yet and we're asking for you to give us more time to actually mitigate we

[01:52:32] want a mitigation plan on some of these things it's just the trash is me there's other people that want others thank you mr white mr white are you speaking on behalf of your hoa so no i cannot do that okay i used to come up here before that i cannot say that anymore but i can tell you that I was the leader of the Goose Creek Village subcommittee that I was supposed to take care of.

[01:52:52] Thank you very much. Okay, thank you. Lori Hancock, and you're going to be followed by Jane Jackson. Good evening, ma'am. And I speak to you as a resident of the same development, Belmont Ridge 2, across the street from this development.

[01:53:11] I have lived in Ashburn for 19 years and in this neighborhood for the last nine. My children go to school. My son is a walker to Stonebridge. My daughter soon will also be a walker. And I'm mostly concerned about the traffic coming in and out of this shopping center.

[01:53:29] It is already difficult to exit Walgreens and get back onto Hay Road because that four-way intersection in this shopping center is not right-angly aligned. So you're inching to this stop sign.

[01:53:45] And so my concern is with people, more traffic coming up and around to that four-way stop, we will not be able to see each other clearly, and you're just going to cause more of a backup as people exit the back of the shopping center to Hay Road.

[01:54:01] About two or three cars can make it through that light to turn right onto Hay or to go straight across. That is also a large intersection where the high school children are walking to and from school. And I mean a large number. Sometimes there's 10 to 12 students standing at that intersection waiting to cross, plus the stragglers that have before and after school activities.

[01:54:24] So the safety of our community is a big concern, as well as just drivers coming in and out of that shopping center. When you leave the drive-through at Walgreens, it's already making you caution, if you don't know that area to go very slow to decide if you're going to turn left or right. The signage that is in the shopping center is not clear currently on how to get out of the shopping center. So adding another location and these signs is just going to cause more traffic concerns. Thank you. Thank you.

[01:55:02] Thank you very much. And then to the virtual, to the remote speaker, Jane Jackson. Hi, my name is Jane Jackson. Oh, I'm getting some feedback. We can hear you just fine, ma'am. We're not getting feedback. Can you start our time over? Okay. Okay. Thank you. I think what I wanted to say has already been said, but I just want to say thank you to the board for allowing me to be

[01:55:37] here this evening. But I want to just voice my concerns as a resident of Ashburn. I shop frequently at Goose Creek and I know I have to be very, very careful. It's already been mentioned about exiting from the drive-thru pharmacy. Walgreens, it's somewhat hazardous. You have to creep out from the stop sign just to make sure that you can see down south and this development is going

[01:56:14] right between Walgreens where it's already an exit issue and also the gas station going north down the alley, there's a car wash that you have to be very careful to get through.

[01:56:33] I would like to echo what Mr. White said about giving us another month to really study the issue. I know that when I first looked at the plan, I just automatically thought it was off of sickling, so I wasn't as concerned as I am now that it's going to be with Belmont.

[01:57:02] There's already been, I know the traffic study was done, but I wonder if the number of accidents on Belmont on or about hay or Belmont have been studied. Those are my issues, and I think that that's really all the time I need.

[01:57:21] And, again, I thank you for listening to my concerns. Thank you very much, Ms. Jackson. Mr. Turner, as this is your district, would you like to go to a motion? Yes, Madam Chair. I'm going to modify it a little bit with an explanation in my comments. I move that the Board of Supervisors forward Leji 2023-0067, Goose Creek Retail LLC, Specs 2023-0011 to the March 13, 2024 Board of Supervisors public hearing for action.

[01:57:50] No, no, no, no. Madam Chair, can I just explain? Okay, is there a second on that motion? I'm sorry? That motion, Mr. Turner, Mr. Letourneau has seconded that motion for purposes of discussion. Thank you. The applicant has indicated to staff that they cannot extend the critical action date.

[01:58:09] If we go to the April meeting, it's past the critical action date. We can have a discussion as to whether or not it's feasible. However, as the gentleman, Mr. White, said, they need about a month, and this gives them a month. It doesn't need the critical action date extended. I think the only major issue, the trash is an issue, but not specific to this applicant.

[01:58:29] Traffic flow is an issue, but I think the way finding signs can solve that problem sufficiently. This is a clean application that's come through the system clean, and I think with a month to discuss with the community, members of the community that have concerns, we can probably resolve a lot of those.

[01:58:46] Come back on March 13th with a consolidated item and not have to debate the item. We saw it's a pretty reasonable compromise. Anybody else like to speak on this item? Mr. Letourneau?

[01:59:01] Yeah, I will just say I appreciate there are some residents that have concerns, but having looked at hundreds of these this is a pretty routine application I don't think there's a lot of specific issues here I think that's probably the consensus of the board so I don't think I appreciate obviously the district supervisor doing what he should do and allowing residents to be heard but I don't think the board's gonna have to spend a lot of time on this in the future I would concur with Mr. Letourneau I would ask that if you all if you can bring the traffic study to see there's a question about accidents I know this area very well this is not my neighborhood but I know this Walgreens I go to it all the time

[01:59:38] you know it I don't have any more or less trouble coming out of this area than I do any other area when I'm when I'm driving so at least I don't um but I'm I don't live there so I don't go over there as much as other people might um so that you know that's a month is like literally less than a month I mean

March 13th is literally less than a month away but if you can bring the traffic study back I will say that I don't know you know I'm not sure I think some of the issues some of the issues I heard were valid I don't know how you to how you mitigate those I mean I really I'm not

[02:00:18] trying to be disrespectful but if the issue is trade wins I don't know how you mitigate that anyway and so but if the if the community thinks that there is some way in a month that you could then let's have that discussion I'm pretty sure this application is going to pass I don't see it not but if people want to have that discussion over the next month okay all right anybody else Mr. Turner would you like to close all right all in favor say aye any opposed that motion will pass 8-1 thank you all right so let's take a break

[02:00:54] we have two more items let's take a let's take a 15 minute break I think it's two it's two yep let's take 15 minutes

[02:01:10] turn me on thank you

[02:28:42] Mr. Turner, I'm going to run it. Thank you, guys. Excuse me. Okay, we are back, and we're going to go to item number nine, which is in the Little River District, is the Wishing Stars substation.

[02:29:02] Good evening to staff, and I think we have somebody joining at the table. There they go. There we go. Here we go. We are ready when you are.

[02:29:20] Mr. Vesper, we have a 12-side. Are you in the presentation for this one? Yes? If you would like. Yes. Oh, yes. Mr. Crony, yes. Yes. All right. We'll go ahead. Good evening, board. My name is Marshall Brown with the Department of Planning and Zoning here to present the applications for Wishing Star substation.

[02:29:38] Before I begin, though, I do want to note that a supplemental item was prepared for these applications, so please refer to the motions that are in the supplemental item. The subject property is located south of Arcola Mills Drive and north of Briarfield Lane along the future alignment of North Star Boulevard.

[02:29:55] The site is zoned Industrial Park, or IP, and is located in the suburban neighborhood place type and in the Little River Election District. The applicant is proposing to construct two utility substations, one on the subject property, one for transmission, and one for distribution via the following applications.

[02:30:14] There is a ZCPA to amend the proffers approved with ZMAP 2018-0015, JK Technology Park No. 1, to allow utility substation use and to eliminate phasing and infrastructure commitments associated with the JK-1 proposal. Two special exceptions to allow utility substation transmission use in the PDIP zoning district and to allow that use within moderately steep slope areas.

[02:30:37] And the applicant is also requesting a minor special exception for modification and elimination of certain portions of landscape buffers between the substation uses. There are two commission permits associated with a proposal to permit two utility major uses. I will note that the commission permits not being covered by the board's grandfathering resolution were reviewed under the Loudoun County Zoning Ordinance.

[02:30:59] whereas the where the use is defined as a utility major the remaining zcpa specs and minor specs applications are covered by the resolution this is an annotated view of the specs plat just to provide you some orientation north is to the right side of the image so you can see the so there is future north star boulevard is on the bottom of the screen the area that is subject to the ZCPA request is highlighted in

orange. The future utility substation for distribution is outlined in the blue box, and the transmission substation is above that. There's a proposed

[02:31:39] broad run trail area that runs along the broad run frontage, which is on the north side of the property, but that is on the screen to the right, and two areas of enhanced landscape buffering, which I will also discuss in a moment.

[02:31:57] The ZCPA eliminates four specific proffers that are associated with JK1 Tech Park, and that is to deal with phasing of the development dependent on North Star Boulevard's completion and obligations of JK Technology Park No. 1 Property Owners Association and for stormwater management pond associated with the North Star Boulevard construction.

[02:32:19] There is a minor special exception, which is to modify buffers on site. For buffers within the transmission line corridor itself, the minor specs will still require the same number of plant units to be provided, but allow the units to be provided through shrub, ornamental, grass, and perennial plant material due to constraints of planting within the transmission corridor itself.

[02:32:40] So those are the two pink buffers that you see that are within the transmission corridor towards the top of the image. The minor specs also eliminates a required landscape buffer in the interior of the site, which is between the two substation uses, which is the pink strip towards the bottom of the image.

[02:32:59] Mitigation is provided through enhanced buffering of uses adjacent to residentially zoned parcels, and that is the green buffer, which is highlighted by red. That is an enhanced buffer between Willisford to the north on the other side of the transmission line corridor and the substation use.

[02:33:16] I do want to note that North Star Boulevard is currently under construction with an anticipated substantial completion date of 2025. In 2025 and as such the site has no current legal access via public right-of-way. Although the applicant is requesting remove the proper restricting operation of uses on the site contingent on North Star Boulevard being constructed and open to traffic, as a public road access is required to this site, staff has added conditions of approval requiring access to be provided either by right-of-way once North Star Boulevard is open to traffic or by a joint access agreement acceptable to the county for access through the county's active construction

[02:33:52] zone. The conditions also require additional dedication of right-of-way to accommodate turn lanes, a future permanent entrance, and reconstruction and realignment of a portion of the shared-use path that will be altered by construction of the permanent entrance to the site. And this is a zoomed-in look at that permanent site entrance on North Star Boulevard. The purple area denotes areas of dedication, right-of-way dedication. I will note that the area that's highlighted, the right-of-way that's highlighted with the yellow line has been dedicated.

[02:34:26] And there are also two 2019 Countywide Transportation Plan pedestrian trails that are identified on site. One is along the Broad Run, which is shown in green, and one that follows the existing transmission line corridor. The area in which the alignment may go on this site is shown in pink.

[02:34:45] Conditions provide for the future alignments for both trails to be constructed at a later date. Staff has analyzed the commission permit request based on the criteria set forth for review of such applications and finds that the location, the character, and extent of the commission permits is consistent with the 2019 general plan.

[02:35:04] That leads to my recommendation slide. At the January 23rd planning commission hearing, the commission approved the commission permits and forwarded a recommendation of approval for the ZCPA specs and minor specs applications. Staff does support board ratification of the CMPTs, and staff supports board approval of the remaining ZCPA specs and minor specs applications.

[02:35:26] Happy to take any questions. Okay, thank you very much. This is in the Little River District, so I will go to Mr. Crony first. So, just to clarify, the Dominion Power Regional Trail, that's all taken care of now, as far as the alignment?

[02:35:45] Yes, ma'am. The supplemental provided an update that does include that provision in the conditions now. Okay, so we have the easements for both trails then? That's correct, yes, ma'am. Okay, thank you. And then I know that it's not in this agreement, but I know that Dominion worked with Willowsford on an offsite agreement, or it's not in this item, for enhanced landscape buffering, which we'll probably get to, yeah.

[02:36:14] Okay, thank you. Mr. Sains? Well, thank you, Madam Chair. Can staff clarify and highlight where the Dominion Energy Regional Trail would go through? Yes.

[02:36:31] So the way the conditions language is written, it will be within this area. So there is no specific trail alignment that has been engineered at this point in time. So the conditions allow for an area within that pink box, essentially, where the trail can go.

[02:36:48] The future alignment is to be determined, but it will be within that space. okay there we go uh okay so here is the trail would go through here yes within that area now isn't that incorrect from wrong isn't that area where the tree conservation easement is supposed to go tree conservation easements are present on also on the broad run trail that is an allowable use in tree conservation areas recreational passive recreational trails so if we do the tree conservation easement and then we're also going to have the trail go through the tree conservation easement area possibly? Possibly yes that is a that is an

[02:37:24] allowable use in TCAs. Through the chair if I can ask Ms. Cronia a question. Are you are you comfortable with the the Dominion Energy Trail going through the tree conservation easement as they're pretty much stating it sounds like that might will go through? Yeah I mean I think we didn't have it before right staff I think I think we didn't even have the trail before so at least that provides the gap yes this this provides the area the conditions do state that it's um 15 feet wide so at at max it will be 15 feet wide for the easement the trail itself might be four or five

[02:38:04] feet wide okay but in theory you also could have that trail kind of connect with the broad run trail which is on yes the other side here is that correct which is not a tree conservation easement area there is tree conservation area there as well so essentially any of the dark shaded areas I'll see if I can move back to this slide.

[02:38:25] I don't know if that quite helps. Let me see. All right, well, if the district supervisor is agreeable to that, then okay. All right, thank you. Thank you. Ms. Brixman? Thank you. My questions were about the trails as well, and this orientation is a little bit confusing.

[02:38:46] Is this the power line? Yes, ma'am. Okay. So the gap that you see along that line and then to where it gets shaded a little bit darker to the left of that, that is the transmission line corridor. This?

[02:39:02] Yes. Yes, ma'am. And so they're building this in the corridor? Yes, ma'am. Okay. So the proposal then, because we did have it in our plans to have the trail go straight down, right? That's correct.

[02:39:18] Okay. So now they're going to build like a loop trail here? It's not anticipated to be a loop. Basically, because the infrastructure for the substation does go through the transmission line corridor, it's going outside the limits of disturbance of the application around it, essentially.

[02:39:36] And it's anticipated, it's hoped to provide a linkage to the Broad Run Trail that, you know, there may be a jog in the line, but it will provide the linkage. And there are other parts of this trail that do sort of jog away from, you know, the transmission line itself, and that's usually to avoid, you know, infrastructure or another impediment. So it should generally follow the transmission line corridor. So, and this is the broad run? Yes, ma'am. Okay. So it's this green, it's this thing right here. Yeah. So when I spoke

[02:40:12] with the applicant, they were suggesting some sort of realignment that would go over the Novec property and then back down to connect here. Are you familiar with that proposal? There was some discussion. Previously, the Dominion Power Regional Trail was listed as an outstanding issue because it was not following the alignment. There is a shared use path that's planned as a part of the North Star Boulevard construction. So that is still happening. That's a part of the county's construction project. Okay, I guess, bottom line, are you confident that we're going to have

[02:40:45] connectivity that would satisfy the county's plan yes yes ma'am okay we worked to get that connection made so okay all of us at least the portion that is on this property we work to get that um to staff satisfaction okay we're okay and the part do you do we still need to get an easement from novek though this is on um it would be on the land that is owned by i believe both dominion and novek so it's these conditions are bound to the property itself and bound to the

[02:41:17] honor okay okay I think I think I'm good then thank you thank you I think my questions are just for the applicant so thank you very much to the applicant you have ten minutes we're ready when you ever you are thank you chair Rendell members of the board my name is Sherry Akin I'm a senior land use planner with the law firm of McGuire woods and it's a pleasure to be here this evening on behalf of Dominion with me tonight I have Brady Johnson the project manager for Dominion. And I have the Dewberry team to my right and the left. We have Jack Story and Andrew

[02:41:54] Tall. It'll be important. Next slide, please. Thanks, Marshall. It'll be important to start with the need for Wishing Star, which will be a critical component in Dominion's Northern Virginia Reliability Plan. And it's part of a project designated as an immediate need to meet grid loading and reliability criteria by the end of 2025. It is part of the Wishing Star to Mars transmission project approved by the SEC in April 2023, and will provide the infrastructure reinforcement for Loudoun that will be critical in resolving infrastructure needs and to provide

[02:42:33] for future load growth. Given the importance of this project, we did want to explain this need. It's not just for a data center down the road, but in actuality, it's an essential infrastructure for Loudoun County. There were some questions about this at the PC, so we did feel like it was important to explain why this is necessary and needed to be approved as quickly as possible so that Dominion can start construction to meet that 2025 deadline. Next slide, please. I'm going to use

[02:43:12] as a highlight reel. Marshall provided a good summary of what the applications entail and the components of it. There have been a lot of moving parts as we started this project. Future North Star

Boulevard runs along the frontage. When we first submitted, road dedications hadn't occurred. It was questionable how there was access. We also had to coordinate with the county on stormwater management but this project has evolved for so again this is a highlight reel that i'm just going

[02:43:45] to run through them as quickly as possible normally as part of a legislative project the road dedication occurs after approval it's a development condition and then done throughout the site plan but knowing that this is an important project for the county dominion has completed the right-of-way dedication already for the portion of future north star that's along their property frontage.

[02:44:12] You can't really see it, but Briarfield Lane kind of separates what you see there, where the end of the Novak station is, and then south of that, the actual right-of-way for where North Star is, south of Briarfield, is owned by a separate property owner.

[02:44:32] Dominion was instrumental also with this project and getting that dedication completed within the past year as well. So when we first started this application, we took a critical look at the site, and we wanted to make sure we provided as much visual mitigation for this site.

[02:44:55] Given that there's two substations, we had to make sure those needs were met as well. Surrounding the perimeter, you'll see six areas of Tree Save. There's two west of the 250-foot transmission line corridor. There's two on the north side, which runs along Broad Run.

[02:45:15] There's a fifth one along the North Star frontage near that stormwater management pond. And the southern Tree Save area, you can see on the right of your screen, that actually, that land bay was a part of the JK Technology rezoning. It was slated for over 300,000 square feet of data center or office use.

[02:45:35] As part of this application, Dominion has acquired that piece. That's the ZCPA application where we're amending those proffers. But as you can see here, rather than 300-plus square feet, now it's going to be a good portion of it's going to be tree-safe, which will be a benefit to the community.

[02:45:54] We're also providing full buffers along the future North Star Boulevard, the 20-foot road corridor buffer, as part of the Planning Commission hearing. There was also additional comments about whether we could provide additional plantings. There is a lot of underground infrastructure along North Star, but we were able to find another 20-foot area fronting along Novak's Wall for another 20-foot area with evergreens that we'll be able to plant.

[02:46:23] And then the enhanced buffer that you see on the western side of the substation, we've been working with Willisford since before we submitted the application about the overall projects, but we did hear concerns from them about this time last year.

[02:46:40] So we did widen that 25-foot buffer by 10 feet to 35 feet. And then also the area in pink was a comment from the Planning Commission where now we're going to have two and a half acres of native pollinators spread within the transmission line corridor.

[02:46:59] Also, there will be a solid precast wall around both substations that will be decorative like a cobblestone finish. And then with the tree save that we're proposing, this is about a 45-acre site. The tree save areas total about 10 acres.

[02:47:16] With our planted buffers as well, we're going up to over 11 acres of tree canopy, which greatly exceeds zoning ordinance requirements. They only require about 10%. We're providing 41% of tree canopy.

[02:47:32] And then the last highlight for this is the trails, which you've had questions about. And I have another slide if you need to have more questions that I can talk from. But with the 10-foot shared-use path that's going to go along this property frontage, the Broad Run Trail that's going to go in an east-west fashion along Broad Run, and the trail that we've now committed to within those tree-save areas, We're gonna have over 4,000 linear feet of trails on this project alone, which greatly meets comprehensive plan

[02:48:08] Recommendations next slide, please and then another part of this application is with Willisford, which is the community West of the existing transmission line shown in yellow We have been working with them. They did have some more concerns as we went through the Planning Commission process I went over everything that we're doing on the Wishing Star site itself, but there really is nothing else we can do.

[02:48:38] There's not enough room, given the transmission line corridor, underground infrastructure, such as a gas line, the walls we're already providing. So we did go to them, met them on site. The area you see highlighted in pink are areas where we think and they think that off-site landscaping will help their community.

[02:48:59] So we are going to look at three areas, one within their tree buffer that you could see. It's very substantial during the summer months, but when the trees fall down, they get a little sparse. The Willisford Conservancy maintains that tree buffer area.

[02:49:15] So we're going to work with them to find areas where some type of evergreen or other type of planting could survive and not compromise the existing tree canopy there. We're also going to work with the Willisford HOA in one of their play area storm water management pond area for evergreens that could protect views towards that southern portion of the pink area.

[02:49:43] And then we're also actually going to contact the individual landowners that you see within that pink area to offer off-site landscaping on their private properties if they so choose. We have been working with them.

[02:49:59] They've been great to work with. They're pleased. We have an off-site landscaping agreement drafted. It's signed by Dominion. We actually had one of our last meetings with them on Monday, and they still have trails within their tree buffer, but we did that kind of just go over into Dominion's tree area.

[02:50:21] So we're going to work with them and supplement and add trees as well there when our negotiations. And then the agreement also talks about minimum planting heights, two-year warranty that Dominion is providing, and also Dominion will help maintain with the watering as we establish those plantings. Next slide, please. And with that, I really just want to thank Marshall for all his help with this application. Again, there were a lot of moving parks, a lot of issues that we worked through with this application. We are pleased to be here

[02:50:59] with all issues resolved with staff. We're also pleased to be here with a recommendation of approval from the Planning Commission, and with that I'd be happy to answer any questions. We have 28 seconds to go. Very good. There you go. Mr. Crony said that's pretty good.

[02:51:17] Yeah. Mr. Crony. So do you mind showing the trails just so we can, you said you had a slide with the trails? Sure. Can you go to slide 8, Marshall? This was a slide we used at the Planning Commission.

[02:51:33] At first, we balked at putting or agreeing to a condition about providing the area for a future trail on the western side of the transmission line corridor. We had been working so closely with Willisford, and they wanted the tree-save areas protecting their views as much as possible.

[02:51:55] There are impediments that you see on this slide that block the transmission line corridor. There's the existing Brambleton substation to the north, Wishing Stars within the transmission line corridor right-of-way as well. So that left, okay, if we're going to meet the plan recommendations here, we either have to go to the east or to the west.

[02:52:16] And one thing we were discussing with staff was that to the right along North Star might be the better alternative, given that it's going to be constructed as part of the North Star project, and that would protect the tree conservation areas.

[02:52:36] But going into the board, this is an important project for the county. We're always interested in working with the county on the projects, and we just went ahead, and for whenever the county could get the easements, there will be the ability to go through that area on the western side.

[02:52:55] so it'll go just around right around your your substation on your property through the tree conservation areas yeah yeah where you can see how it juts out on the western side yeah and um dan what's the plan for brambleton for the brambleton substation how are we gonna are we gonna go around that too for our trail i'd have to look into that i couldn't tell you yeah yeah because i see that's also an impediment the brambleton yeah substation okay and then can you go back to the slide with the pink we were just wondering if that's slide five yeah we're

[02:53:30] wondering if that's for the buffer or if that's going to have the back one more one more one more that one i'm sorry that's the um where we're going to meadow plantings we're going to do a broadcast of native pollinators um that was came as from the planning commission we already have established vegetation within the transmission line corridor it's important to keep that for soil stabilization um but we can do a broadcast to just enhance that and beef it up with meadow

[02:54:01] plantings wonderful wonderful thank you excuse me i just want to make you said it and you've written it i just want to make sure that all the plantings are native there will not be any invasive tree plantings correct correct okay and is there someplace written that that pollinator garden will always be a pollinator garden it will not later expand out to be more substation The development condition isn't written that way, but there's no plans to expand the substation at this time.

[02:54:40] Yeah, the at this time makes me a little concerned. So I understand it's not written that way, but if you sat here today and said, would you guarantee us that the pollinator garden would not go away and the substation expands? I think it's fair to say that with the transmission line corridor, it would be more likely that the towers would be changed.

[02:55:04] We're already changing and lowering the towers that you see there within the substation, but there can always be the pollinators underneath the transmission lines. Yes, and I'll add that the transmission lines, we do maintain those as open meadows for that purpose, soil stabilization as well as wildlife habitat.

[02:55:25] However, just not knowing what future needs could be, it's very difficult to guarantee that that particular section will always be wildlife or native pollinator habitat. And actually, it's worth mentioning that pink area is two and a half acres, right?

[02:55:44] Yeah, and it's slightly outside of the, well, it's within the application area, but there's no plans for expansion. Well, I would assume it's in the application area, otherwise we wouldn't be in the application discussion. But if we did, we'd have to come back before you for an expansion.

[02:56:03] So if there were concerns about the pollinators leaving, it would be before you again and up for a discussion, certainly. Okay. And tell me, just tell me about the cobblestone wall that you talked about.

[02:56:19] Did you talk about, did you talk about that a little bit? Yeah. Marshall, can you switch to slide six to guess? Are you looking for just a description of materials, Chair? Oh, is that what you're talking about? Okay. Essentially precast architectural product with a cobblestone finish on it.

[02:56:38] And that would be around the entire substation? Yes. Both. All sides. The pollinator garden would be within those walls? They'd be outside those walls? Outside those walls. Okay. Okay. So anybody from the public who'd like to speak on this item?

[02:57:00] Seeing none and hearing none on the remote. No? Okay. Mr. Croner, would you like to make a motion? I would. I move that the Board of Supervisors suspend the rules. Motion is made for rule suspension, seconded by Vice Chair Bricksman.

[02:57:19] Mr. Crony? I move that the Board of Supervisors... Wait, wait. Do you want to discuss suspension of the rules? Do you want to discuss suspension of the rules? No? No? Okay. All in favor of suspension of the rules, please say aye. Any opposed? That motion will pass 9-0.

[02:57:35] Mr. Crony? Okay. I move that the Board of Supervisors ratify the Planning Commission's approval of LEGIE 2023-0055 Wishing Star Substation, Commission Permit 2022-0010, CMPT 2022-0011, subject to the Commission Permit Platt, dated January 9th, 2024, and based on the findings for approval, provided as attachments 3 and 4, to the February 14th, 2024 Board of Supervisors Public Hearing Staff Report supplemental item.

[02:58:11] Hold on one second, Mr. Carney. Okay, yeah, that's right. All right, Ms. Vice Chair Brickman seconded the motion. Mr. Carney, discussion on the motion.

[02:58:28] All right, I just want to say that Dominion did a great job reaching out to the residential community that's next to the substation. I did meet with Willowsford, and they asked for additional plantings and enhanced buffer near their trail, and you agreed that you would do that in writing to help screen the view from the walking trail and also help with the views from the homes on weather, vain, place.

[02:59:01] So I appreciate that. I do think you've done a lot of enhanced buffering, you know, with the trees that you're going to put in place, a total of 744 plants my understanding the amount of plants that you're going to do and also the wall the cobblestone wall and two and a half acres of native pollinators and I do appreciate that you're going to be doing the dominion power regional trail so that we have that gap filled and the broad run regional trail as well

[02:59:40] so I think you've done the mitigation as far as next to the residential community that was my main concern and I appreciate that you reached out to the community and hope that the board will support this. Okay I don't see anybody else who would like to speak would you like a closing? Nope. Okay I want people to say aye. Aye.

[03:00:07] Opposed? That motion will pass unanimously thank you. Thank you thank you. Chair Randall. Chair Randall. The second one. There's another motion. Yeah there's another one. No two. Tell me there's not three. There's two. Mr. Crony. Okay I move that the Board of Supervisors suspend the rules. Motion for suspension has been made. Okay. Second by Supervisors saying discussion on this motion for suspension. All in favor say aye. Aye. Opposed?

[03:00:43] Motion passed unanimously. Mr. Crony. Okay I move that the Board of Supervisors approve LEGIE 2023-0055, Wishing Star Substation, ZCPA 2022-0009, SPAC 2022-0047, SPAC 2023-0025, SPMI 2022-0018, subject to the proffer statement dated February 7th, 2024, and the conditions of approval dated February 8th, 2024.

[03:01:17] and based on the findings for approval provided as attachments 1, 2, and 4 to the February 14, 2024 Board of Supervisors public hearing staff report supplemental item. Motion is made by Supervisor Glass. Discussion on that motion, which is kind of this, kind of had the discussion for the commission permit, but go on.

[03:01:37] Yeah, no further discussion, but thank you. All right. All the people who say aye. Aye. Opposed? And that motion would pass unanimously as well. Thank you. I think that's it. I'm going to do the third one. All right. Thank you. We have one more item, and this is an item that's coming back to us, and so we do not have a, there will not be an applicant's presentation on this item. It is item number 10. It's the Cedar Terrace and self-writing item. It's in the Dallas District. Would the staff please come to the table?

[03:02:18] Oh, any other staff to come to the table? Yeah, it's like, I live here at this table. So, yeah, even though you don't have a presentation, go ahead and have a seat, because there may be a question that may be asked of you.

[03:02:37] Okay, we are ready when you are staffed to give any information, updates. Mr. Letourneau, do you need anything specific on this? Are there any updates to give? There are no updates. Okay. And do you have any questions?

[03:02:54] Does anyone have any questions? Wait, I do. Okay. About the schools. And I think Bev Tate is here. You have staff, yes, ma'am. Is she? Oh, God. I know.

[03:03:11] We're Bev. Oh, Miss Tate. We do appreciate you, though. We really, really, really do. Miss Tate, you didn't ask a question yet. I didn't. I know.

[03:03:28] So that's been my, so, Bev, thank you for coming. I really appreciate it. That's okay. So, you know, my concern is Mercer Middle School and John Champ High School. So this development will be going to both those schools.

[03:03:47] Could you kind of reiterate, you know, the capacity and also the plan for the future? Because HS14 is not due to be opened until 2028. That's correct. Yes. And again, thank you for the email, for background for the other board members and those here.

[03:04:07] You had asked about our planning for the future, and we do plan for the future, whether it's believed or not. We track active applications as well as approved applications. And as we see them move towards the site plan record plat, that's when we start looking at them specifically with projections and knowing that they're going to be coming on.

[03:04:30] So we do that. You had asked about Mercer and John Champ in relation to the capacity at all of our secondary schools in the Dulles South area, and we are closely watching that as staff. We can't say that one application is worthy of approval or not.

[03:04:50] We're here to serve all the students, and so we will advise the school board who has the deciding as to what tools they may use, whether that's adding modulars, which we've done at Willard, we've done that at Champ, whether it's an attendance zone adjustment, whether it's moving forward with an addition at the elementary level.

[03:05:10] Sometimes it's programs, because if we have a step program at Hutchison Farm, as an example, and we see it's getting close to capacity, maybe we remove that program. But with respect to these projects and Mercer and John Champ, once, if it's approved, we would be monitoring it and if we see the need to provide relief for those schools and there's available capacity at freedom and lunsford as an example that would be a recommendation we would make for the board to consider they have the tools we can do an abbreviated boundary process or a

[03:05:47] full-blown okay thank you yeah because it is closer to freedom and lunsford because it is in south riding so yes i'm glad you made that point about another application heritage the other week so yes I did. Thank you. Does that answer? Yes, I think so, and I don't know.

[03:06:03] We'll get to the supervisor. Well, thank you, Mr. Crony. Although I don't see his light on. I know. Okay. Does it need to be on? Okay, thank you, Mr. Crony. And there's nobody from the public who has anything to, any questions.

[03:06:22] So I'm going to go to Mr. Letourneau to see if he has a motion. I do have a motion. I move the Board of Supervisors approve LEGIE 2023-0019, Cedar Terrace at South Riding, ZMAP, this is a long one, ZMAP 2021-0016, ZCPA 2021-008, SPECS 2021-0042, SPECS 2022-0028, SPECS 2022-0029, SPECS 2022-0030, ZMUD 2021-0050, ZMUD 2021-0051, ZMUD 2021-0052,

[03:06:59] ZMOD 2021, 0053, ZMOD 2021, 0054, ZMOD 2021, 0055, ZMOD 2023, 005, 006, 007, 008, 0020, 0024, and 0025.

[03:07:21] Subject to the proper statement dated January 31st, 2024, and the conditions of approval dated January 24th, 2024, and based on the findings for approval provided as attachments 1, 2, and 3 to the February 14th, 2024 Board of Supervisors public hearing staff report.

[03:07:40] Lots of seconds up here. I think I don't know. I'll get that one of Vice Chair Bricksman as well. Before we do discussion on the motion, although I'm sure that I did, just to be super careful, Mr. Rogers did not hear me ask for anyone to speak.

[03:07:56] I know that I did, but just in case, you might like to speak in this application. Okay, Ms. Aterno. All right, well, first of all, that motion is why we now have a PUD in our zoning ordinance and why we did a zoning ordinance update because that's what it took to get any kind of mixed use application, a whole lot of modifications.

[03:08:15] So this is a good application. It's come a long way. You'll recall it started with a lot more residential and not much commercial. And then we had some issues with the Airport Impact Overlay District. We worked with them to provide, I think, a smart residential community that really fits into

what's there in an existing way with Amberley and some of the neighborhoods immediately adjacent, as well as a realistic commercial project.

[03:08:42] A realistic being the key word for the poor residents of Della South who have heard about a lot of things over time that have not really materialized. I think this one has a good chance of materializing and one of the reasons is from the involvement from the report who's sitting at the table here that we've worked closely with as one of the applicants who's also the commercial center owner and developer of South Riding Market Square to just address the school issues in particular on paper it is concerning because there are capacity issues at John Champ and Mercer however I think when you look at when the residential build out and how quickly that's likely to occur is combined with some of the other trends,

[03:09:22] including the opening of HS14, I absolutely know the schools cannot say at this point in time there will be any changes to the CHAMP zoning boundary that could impact HS14. But the reality is a whole section of Heartland is going to CHAMP and Mercer today.

[03:09:40] This new school will be much closer to them. And so it would certainly make sense. And I think the discussions that I've had with some school board members about this to look at that, at least look at that. No promises, but I think that will be probably on the table and that would get that community together and also provided some additional capacity here if it's needed.

[03:10:00] Most of the residential here, these are not large units, so I think we're gonna have some both naturally affordable units as well as, of course, an affordable project specifically as part of this. So we're getting a lot with this project. So given the years that we've spent on it, I'm glad to have gotten to this point, and I would appreciate the board's support for this for the southern part of the county.

[03:10:23] Okay. Ms. Umstead. Thank you, Madam Chair. I would love to support my colleague, Mr. Letourneau, on this, but I continue to have concerns about converting commercial land to increased residential.

[03:10:42] This is 383 additional units that will cost the taxpayers \$4 million in annual operating costs for the schools and \$17 million in capital costs. Hopefully the schools will be able to overcome the predicted overcapacity issues at both Mercer and John Champ that are slated to occur in the 2029 to 2030 school year.

[03:11:14] But I do appreciate Supervisor Letourneau's hard work with a very good applicant to try to make this as good a project as possible. Thank you. Mr. Sainz. Thank you. Can staff or Madam Chair, if this is okay, if the applicant, can you refresh my memory of the different types of housing units?

[03:11:40] Absolutely. So it's a mix of townhomes and two over twos. Okay. Oh, I'm sorry. And a LIHTC multifamily building. Okay. Yeah, sorry. Apologies. Where's Mr. Hart coming in? I knew that if I were the second item. I'm the last. I forgot. Okay, thank you.

[03:12:00] Ms. Ducroy. So I want to echo what Supervisor LeTourneau said. We're desperately in need of high-quality retail. And as I said earlier, I'd love to see a one loud in here on Route 50, and I'm willing to work with you guys if you need help getting in some high-quality retail.

[03:12:20] I know somebody mentioned Cooper's Hawk, too. I mean, I'm happy to work on that. But I think the schools, I have an idea to help maybe with that in the short term. But I'm glad Bev Tape came and gave some more information.

[03:12:38] So I think I can support the application. Thank you. I'll talk about this a little more at our meeting next week, at our board meeting. But two things happened in the past, I guess, like 10 days that were really interesting.

[03:12:55] First, in NVT, NVT does a study every two years of the most pressing issues for the northern Virginia region. It's done by NVT because we always assumed that the most pressing issue is going to be transportation, traffic, transit, that sort of thing.

[03:13:12] For the first time ever, that wasn't the most pressing issue. The most pressing issue was lack of attainable homes. By a good little margin, that has changed in two years, lack of attainable homes. The other thing is, and I'll talk about this much more next week, attended the NACO Summit Conference, Ledge Conference.

[03:13:34] The number one issue by far, by leaps, by bounds, was attainable housing. Second was mental health, but the number one was attainable housing, and it was discussed everywhere. In fact, the password to get into Wi-Fi was Partnership for Housing.

[03:13:54] And that was a password for the Wi-Fi Partnership for Housing. The attainable housing crisis in America is reaching, was already at critical levels. I found out that African-American homeownership today is the exact same thing that it was in 1968.

[03:14:14] Exact same thing it was in 1968. Veterans housing, especially veterans who are coming out with mental health issues and other issues, is no housing for them. There's just no housing. As a county, a region, a commonwealth, and a country, we do not solve the housing issue without building homes. We just don't. You cannot solve the housing issue if you don't build homes. It's just impossible. Not building homes means

[03:14:50] no generational wealth. Not building homes means people on the street, homeless people on the Street. Not building homes means veterans have no place to go. Not building homes means especially minority populations will stay in apartment buildings forever if they have anywhere to go at all. Not building homes is really bad for single mothers or single women. This discussion that we can't build a home because it will cost money, well, I'm sorry. I have two children.

[03:15:21] I moved to Loudoun County, and I raised my children in one of the best schools in the country, and somebody helped me do that. So I have no trouble at all extending and helping somebody else do that. We need homes. Period. The end. We need homes. I will happily support this application.

[03:15:38] Ms. Letourneau. Yeah. Well, I'll still have kids at Champ and Mercer for a very long time. So we'll work with you on the school situation. And I just did want to mention that Rappaport has gracefully agreed to join me for a retail town hall meeting on Monday, the 24th.

[03:16:00] We're going to talk about this project. We have had plenty of public input with the public on this project up to leading to this vote. But post-vote, along with some other folks, to talk a little bit about retail development in this corridor and share some insights. So appreciate that. Okay.

[03:16:16] Motion made by Supervisor Letourneau, seconded by the Vice Chair of Bricksman. All people say aye. Opposed? That motion would pass 8 to 1. I think that's it, everyone. Thank you so much, and thank you to Supervisor Letourneau for all of his work with us.

[03:16:33] All right, thank you. We are done. Thank you. Supervisors were adjourned.



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