



Loudoun County, Virginia

Board of Supervisors

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**BOARD OF SUPERVISORS
TRANSPORTATION AND LAND USE COMMITTEE
AGENDA SUMMARY**

Board Room, First Floor, Government Center

Wednesday, November 20, 2019

6:00 p.m.

Committee Members:

Geary Higgins, Committee Chair

Phyllis Randall, BOS Chair – Ron Meyer – Kristen Umstattd – Suzanne Volpe

6:00 p.m. Call to Order – Transportation and Land Use Committee

I. Call to Order – Supervisor Higgins, Committee Chair

II. Information Item

1. Response to Board Member Initiative: Transfer of Development Rights Program (Countywide)

The purpose of this item is to provide information to the Transportation and Land Use Committee (TLUC) regarding the practical and legal parameters of a Transfer of Development Rights (TDR) program. At the Board of Supervisors (Board) Business Meeting on December 4, 2018, the Board directed staff (9-0) to develop an information item explaining the practical and legal parameters of a transfer of development rights program. Seven topics were identified for further discussion: Frederick County's TDR program; the designation and function of sending and receiving areas; the function of TDR banks; potential holders of TDR-related conservation easements (i.e., County or land trusts); impacts to monetary proffers; cross-jurisdictional issues and Comprehensive Plan requirements. These topics were discussed at the February 21, 2019, Board Business Meeting and forwarded (6-3: Buona, Letourneau, and Meyer opposed) to TLUC for further discussion. Staff will provide a brief update regarding recent amendments to the sections of the Code of Virginia that enable local adoption of TDR ordinances.

Staff Contacts: Randall Farren & Alaina Ray, Planning and Zoning; Courtney Sydnor, County Attorney

III. Action Items

2. Public Land Inventory (Countywide)

On October 16, 2017, the Board of Supervisors (Board) convened the 2017 Housing Summit. The Board directed staff (8-0-1: Letourneau absent) to develop a Public Land

Inventory (PLI) and to bring that information to the Transportation and Land Use Committee (TLUC). On June 16, 2018, staff presented the findings of the PLI and the analysis of vacant land contained therein to TLUC. During the subsequent Board Business Meeting on July 19, 2018, it was requested that staff: 1) Conduct a detailed review of pending and partially fulfilled land dedications to the County to evaluate the amount of flexibility in allowable public uses; 2) Evaluate the development potential of each of the ten vacant parcels identified in the PLI; and 3) Return to a future TLUC meeting with recommendations relative to potential partnership opportunities with developers to increase affordable housing units on public land.

Staff recommends that the TLUC recommend that the Board direct staff to include, as part of the Unmet Housing Needs Strategic Plan, the review, analysis, and discussion of a variety of strategies for the use of public land that may include: land dedications for affordable housing purposes considered during the rezoning process; alternative acquisition of sites for affordable housing through strategic partnerships, outright purchase and/or co-location; and land trusts and land banks.

Staff Contacts: Brian Reagan & Glenda Blake, Family Services

3. ZCPA-2018-0009 & SPEX-2018-0022, Arcola Commercial Center (Blue Ridge)

The purpose of this item is to consider amending the Proffer Statement (Proffers) and Concept Development Plan (CDP) for a previously approved, yet unbuilt commercial center in the General Business (GB) zoning district in order to remove design and layout commitments and increase the total amount of development onsite from 162,500 square feet to 268,416 square feet. The applicant is also seeking a Special Exceptions (SPEX) for a warehousing facility.

The site is located in the Village of Arcola on the west side of Gum Spring Road (Route 659), north of John Mosby Highway (Route 50), and south of Evergreen Mills Road (Route 621). The area is governed by the policies of the Loudoun County 2019 Comprehensive Plan (Suburban Policy Area), which designate this area for the Suburban Employment Place Type.

The Planning Commission (Commission) held a public hearing on May 28, 2019. There was one member of the public who expressed concerns over the proposed development. The Commission requested the applicant provide more detail for the building architecture, building placement, massing, orientation, and scale. The Commission forwarded (9-0) the applications to a future work session. The Commission held a work session on the item on July 11, 2019. The Commission noted the applicant had not addressed previous recommendations to provide more details and design commitments. The Commission forwarded (8-1: Blackburn opposed) the application to the Board of Supervisors (Board) with a recommendation of denial.

The Board held a public hearing on September 11, 2019. There was one speaker who spoke in opposition to the application. The Board discussed the applications and requested the applicant work with staff and the community to address concerns related

to the proposal. The Board also discussed the possibility of developing the property as residential and the property’s designation as a Suburban Employment Place Type. The Board forwarded (8-0-1: Saines absent) the item to TLUC for further discussion.

Based on the applicant’s updated materials, staff supports approval of the applications subject to the revised Proffer and Conditions of Approval (Conditions). The proposal generally meets the 2019 Loudoun County General Plan (2019 GP) land use recommendations for the Suburban Employment Place Type. The Office of the County Attorney has approved the Proffers and Conditions to legal form. The critical action date is December 20, 2019.

Staff Contacts: Jacqueline Marsh & Alaina Ray, Planning and Zoning

V. Adjourn

If you require a reasonable accommodation for any type of disability in order to participate in this meeting, please contact the Office of the County Administrator at (703) 777-0200/TTY-711. At least one business day of advance notice is requested; some accommodations may require more than one day of notice.

FM Assistive Listening System is available at the meeting. Agenda Summary–11-20-19

Land Development Application Definitions	
CMPT	Commission Permit
DOAM	Development Ordinance Amendment
SIDP	Sign Development Plan
SPEX	Special Exception
SPMI	Minor Special Exception
ZCPA	Zoning Concept Plan Amendment
ZMAP	Zoning Map Amendment
ZMOD	Zoning Ordinance Modification
ZRTD	Zoning Conversion Route 28 Tax District
ZOAM	Zoning Ordinance Amendment
Land Development Application Types and Definitions subject to the State Proffer Bill	
ZRES	Zoning Residential Non-Exempt
ZRMD	Zoning Residential Non-Exempt Modification
ZRAM	Zoning Residential Non-Exempt Amendment