

**BOARD OF SUPERVISORS
PUBLIC HEARING
STAFF REPORT**

SUBJECT: ZMAP-2020-0005, ZCPA-2020-0008, ZMOD-2020-0020, & ZMOD-2020-0026, Goose Creek Overlook

ELECTION DISTRICTS: Ashburn and Blue Ridge

CRITICAL ACTION DATE: June 1, 2021

STAFF CONTACTS: Joshua Peters, AICP, Project Manager, Planning and Zoning
Alaina Ray, AICP, Director, Planning and Zoning

APPLICANT: Peter Gulick, Goose Creek Overlook, LLC
G. Kimball Hart, Good Works Development, LP

PURPOSE: To consider a proposal to rezone 46 acres of land currently zoned R-1 (Single Family Residential) to the PD-H4 (Planned Development – Housing 4) zoning district to allow for development of 251 dwelling units, including a maximum of 136 single family attached (SFA) residential units, 40 stacked multifamily (MF) units, and 75 attached MF affordable housing units (AHU).¹ The applicant also seeks to modify the Loudoun County Revised 1993 Zoning Ordinance (Zoning Ordinance) requirements to reduce the minimum number of parking spaces required to serve the project and to permit a number of residential units to front onto open space rather than a street.

This application was originally scheduled for the January 13, 2021, Board of Supervisors Public Hearing and was deferred to a later meeting at the applicant's request.

RECOMMENDATIONS:

Planning Commission: At the Planning Commission (Commission) Work Session on December 10, 2020, the Commission forwarded (5-3-1: Barnes, Kirchner, and Vance opposed; Merrithew absent) the applications to the Board of Supervisors (Board) with a recommendation of approval, subject to the Proffer Statements (Attachments 1 and 2), Conditions of Approval (Attachment 3), and amendments to an existing Virginia Outdoors Foundation (VOF) conservation easement to

¹A dwelling unit for rent or sale pursuant to state or federal affordable housing programs, which may be used to satisfy the Affordable Dwelling Unit (ADU) requirement of the Zoning Ordinance. Affordability is measured as affordable for purchase by households whose income is greater than thirty percent (30%) and less than seventy percent (70%) and affordable for rental by households whose income is greater than thirty percent (30%) and less than fifty percent (50%) of the median income for the Washington Primary Metropolitan Statistical Area (PMSA).

allow for completion of proposed improvements, and based on the Findings for Approval (Attachment 4). The Commission's recommendation for approval was also made subject to revisions, some of which have not been fully incorporated into the proposal, as listed below.

1. Civic Space: Provide an additional acre of outdoor civic uses. The *Loudoun County* 2019 General Plan calls for 10 percent of the site to be civic uses, which for the subject proposal equates to approximately 3.85 acres. The applicant's proposal has not thus far provided a full tabulation of civic uses and the areas that are labeled as such on the CDP do not appear to meet the policy guidance.

The Commission arrived at a compromise position directing the applicant to provide about 1.57 acres in total civic space versus the policy target of 3.85 acres; a half-acre outdoor firepit area, an additional acre of outdoor civic use area, and around 3,000 square feet of indoor civic space. The applicant's most recent submission included these requests, except for a clear provision of the additional acre of outdoor civic area.

2. Floodplain Encroachments: Remove the proposed active recreation areas from the major floodplain, which per the proposed proffers include "picnicking and open natural turf areas for outdoor games and sports that do not require structural foundations of any kind." Lighted sports fields, and formal sports fields (e.g., baseball and soccer fields, sand volleyball courts, and any sports fields which require the installation of structures, goal posts, sand or other loose aggregates etc.) are prohibited in the proposed proffers, and the Commission directed that all active recreation uses should be removed from the floodplain in accordance with 2019 GP policy.
3. Improvements proposed within the 300-foot "no build" buffer: Remove proposed pervious parking area from the "no build" area associated with Goose Creek reservoir protection area (kayak landing to remain);

A full summary of the Commission's requested revisions and the applicant's response and resubmittal is provided in this report beginning on page 10.

Staff: Staff is supportive of the proposed concept for residential development – including a significant affordable housing component – in this location. The proposed unit types and density are generally consistent with that anticipated by the Suburban Neighborhood Place Type of the 2019 GP; however, the proposal does not fully address all policies relating to use mix or environmental impacts. Outstanding policy issues are outlined below and analyzed more fully within the Policy Analysis section of this report. Staff recommends that the Board discuss the outstanding policy issues and forward the applications to a Board Business Meeting for action.

The Proffer Statements (Attachments 1 and 2) and Conditions of Approval (Attachment 3) are approved to legal form by the Office of the County Attorney. The applications are ready for action.

APPLICATION INFORMATION:	
APPLICANT: Goose Creek Overlook LLC Peter Gulick, Manager pgulick@gulickgroup.com	REPRESENTATIVE: Terra Dominion Group Colin Stiles (571) 377-9341 cstiles@terradominiongroup.com
PARCELS/ACREAGE:	
PIN	Acreage
154-45-5373	20.92
153-16-3488 (portion)	9.20
154-45-1833	1.21
154-45-3829	1.10
154-45-9680	8.49
154-35-8154	8.31
154-45-5980	<u>6.02</u>
Total	55.26²
ACCEPTANCE DATE: May 21, 2020	LOCATION: South of Dulles Greenway, on both sides of Sycolin Road (Route 625), along the east banks of Goose Creek.
ZONING ORDINANCE: <u>Revised 1993</u>	EXISTING ZONING: Residential (R-1) Planned Development – Housing (PD-H4)
POLICY AREA: Suburban	PLACE TYPE: <u>Suburban Neighborhood Place Type</u> – Primarily single family detached and attached residences at densities up to 4.0 dwelling units per acre (du/ac.)

CONTEXT:

Location/Site Access – The property is located south of Dulles Greenway, on both sides of Sycolin Road (Route 625), along the east banks of Goose Creek. The property can be accessed by a driveway to an existing residence on the north side of Sycolin Road (PIN 154-45-5373).

Existing Conditions –

- Development: The majority of the property is undeveloped with the exception of an existing single-family residence and accessory structures in the northwest portion of the site (PIN 154-45-5373).

²Total project area is 55.26 acres. However, the area of rezoning is 46 acres because the 9.2-acre portion of PIN 153-16-3488 is already zoned PD-H4 and does not need to be rezoned.

- **Conservation Easement:** The northeast portion of the site (PIN 153-16-3488) is owned by the Loudoun County Board of Supervisors, and the entirety of that parcel is encumbered by a conservation easement held by VOF.
- **Environmental Features:** The property is environmentally complex owing largely to its approximately one mile of frontage on Goose Creek. The property has significant presence of major floodplain, moderately and very steep slopes, and numerous specimen trees.
- **Archaeological Elements:** A Phase I archaeological survey provided by the applicant identified a total of nine archaeological sites on the property. Most significantly, Site 44LD1871, which is located in the portion of the site that is south of Sycolin Road, appears to represent the remains of an historic dwelling occupied approximately 1800 – 1830. The site appears to possess good integrity and is considered potentially eligible for listing on the National Register of Historic Places (NRHP). These elements are discussed more fully within the Policy Analysis section of this report.

Surrounding Properties –

	Land Use	<u>Zoning Districts</u>	<u>Place Type</u>
North	Light-medium industrial uses such as data centers and water treatment plant	PD-OP	Transitional Light Industrial
South	Single family detached residences	PD-H4	Suburban Neighborhood
West	Data center north of Sycolin Road, large-lot single family residences south of Sycolin Road.	TR-10	Transition Light Industrial; Transition Large Lot Neighborhood
East	Vacant, Residential	PD-H4; PD-OP	Suburban Neighborhood; Suburban Mixed Use

Directions – From Leesburg, travel east on Market Street for 0.7 miles, then turn right onto Plaza Street SE. Continue for 5.3 miles (Plaza Street becomes Sycolin Road) and the property will be on both side of Sycolin Road immediately after crossing Goose Creek.

Figure 1: Vicinity Map



PROPOSAL:

The applicant proposes the following legislative requests:

- 1) A Zoning Map Amendment (ZMAP) to rezone approximately 46.06 acres from the R-1 (Single Family Residential) zoning district to the PD-H4 ((Planned Development-Housing 4) administered as R-8 (Single Family Residential) and R-16 (Townhouse/Multifamily Residential) zoning district.

The ZMAP provides for development of a maximum of 251 residential units as follows:

- 75 MF AHU rental units provided within a 4-story-over-podium-parking structure (the “AHU Building”);
- 40 MF stacked units (two-over-two style condominium units); and
- 136 SFA units.

- 2) A Zoning Concept Plan Amendment (ZCPA) to amend the existing proffers and concept development plan (“CDP”) for approximately 9.2 acres that are currently subject to ZMAP-2003-0009, Goose Creek Village South, in order to revise open space tabulations and allow for development of a parking area and trail access.

Relatedly, the open space that is associated with Goose Creek Village South is currently subject to a conservation easement held by VOF. The applicant is concurrently pursuing

an amendment to that easement to allow for improvements (parking area, trail access) in that area as proposed with the subject applications.

- 3) A Zoning Modification (ZMOD) to reduce parking space requirements for 75 MF AHUs that are 2- and 3-bedroom units. If approved, this ZMOD would reduce the required parking for these units from 1.5 spaces per 1-bedroom apartment and 2 spaces per 2- and 3-bedroom apartments to 1.5 spaces for all of the AHU units.³ This would reduce the overall parking requirement for the AHU units from 143 spaces to 113 spaces, which is a reduction of 30 spaces.

Parking for the proposed 75-unit AHU Building will be provided through a combination of garage and surface parking. The remainder of the proposed community will be parked at the standard parking rate required by the Zoning Ordinance. The applicant has not indicated whether parking will be assigned/restricted to individual units or sections of the project.

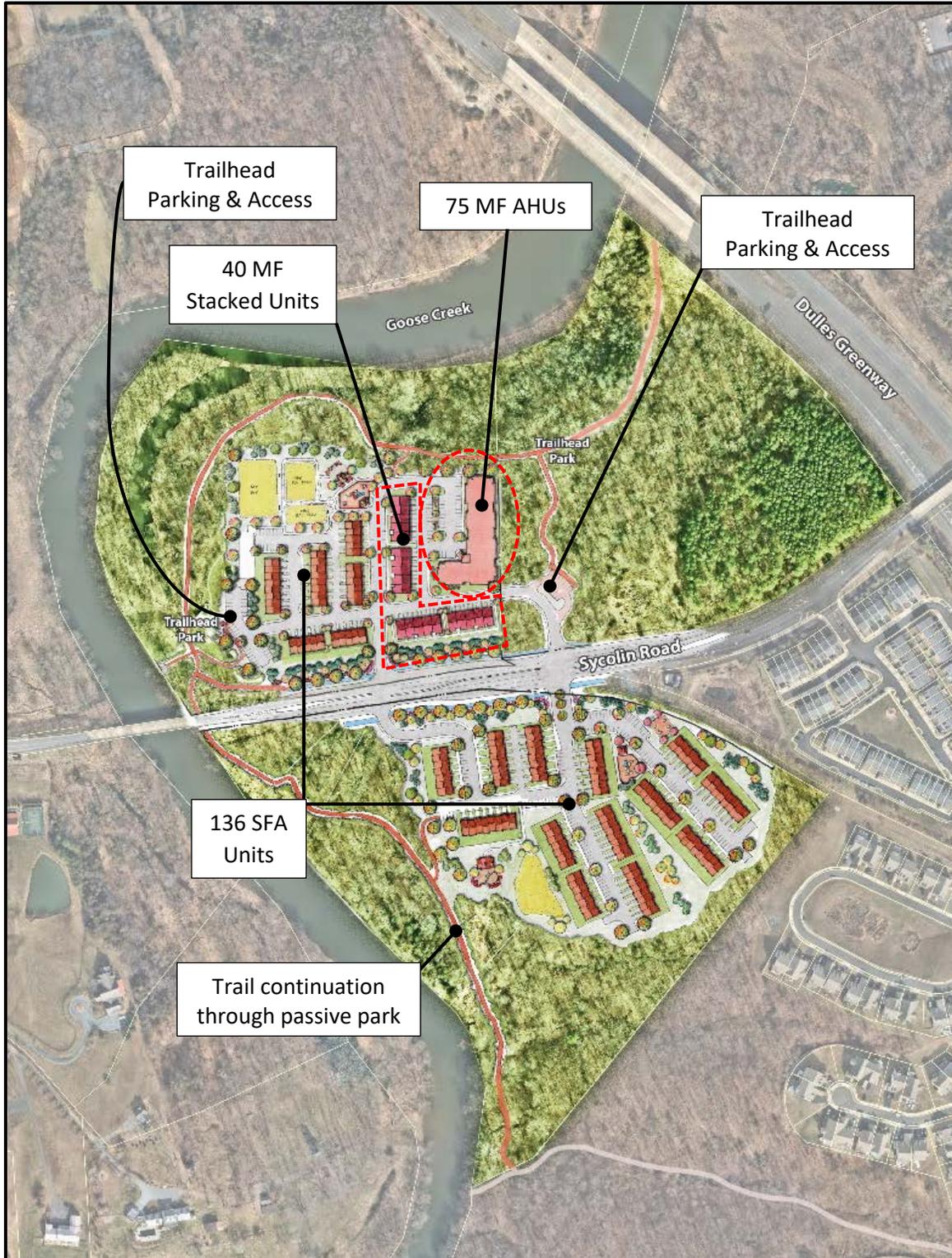
- 4) A ZMOD to permit frontage of single family attached and multifamily units on open space rather than the required frontage on a Class I, Class II, Class III road, or private access easement as specified in the individual district regulations.

Other noteworthy elements of the development program include:

1. Trail Linkages. Approximately 5,500 feet of trails within the proposed passive park along Goose Creek, including two trailhead parking/access locations.
2. Sanitary Sewer Pumping Station. A proffered improvement that will primarily serve the subject proposal but includes excess capacity to serve townhomes of Goose Creek Village South.
3. Canoe/Kayak Launch. Bank stabilization measures along Goose Creek that would accommodate pedestrian access to the water, including areas for small, non-motorized boats such as canoes and kayaks.

³The Zoning Ordinance does not distinguish between rental versus ownership units or affordable vs market-rate units when it comes to parking requirements. However, as part of the Zoning Ordinance Rewrite staff and consultant are conducting in-depth analysis and revisions to parking requirements for all residential and commercial product types.

Figure 2: Illustrative Development Plan



BACKGROUND: On October 19, 2004, the Board approved Goose Creek Village South (ZMAP-2003-0009), which rezoned approximately 32.4 acres from the R-1 zoning district to the PD-H4 zoning district (administered as R-16 zoning district) in order to develop a maximum of 92 single family attached (townhouse) units. That approval provided for residential development on the south side of Sycolin Road within approximately 14 acres, leaving the balance of 18.4 acres on the north side of Sycolin Road as open space (Figure 3). That open space provision exceeded policy standards of the time by 16.4 acres, per the approved CDP for Goose Creek Village South. Subsequently, the open space parcel was dedicated to Loudoun County, and made subject to a conservation easement held by VOF. As noted above, 9.2 acres of this excess open space is included in the open space acreage for the subject proposal (Figure 4).

Figure 3: Goose Creek Village South (ZMAP-2003-2009)

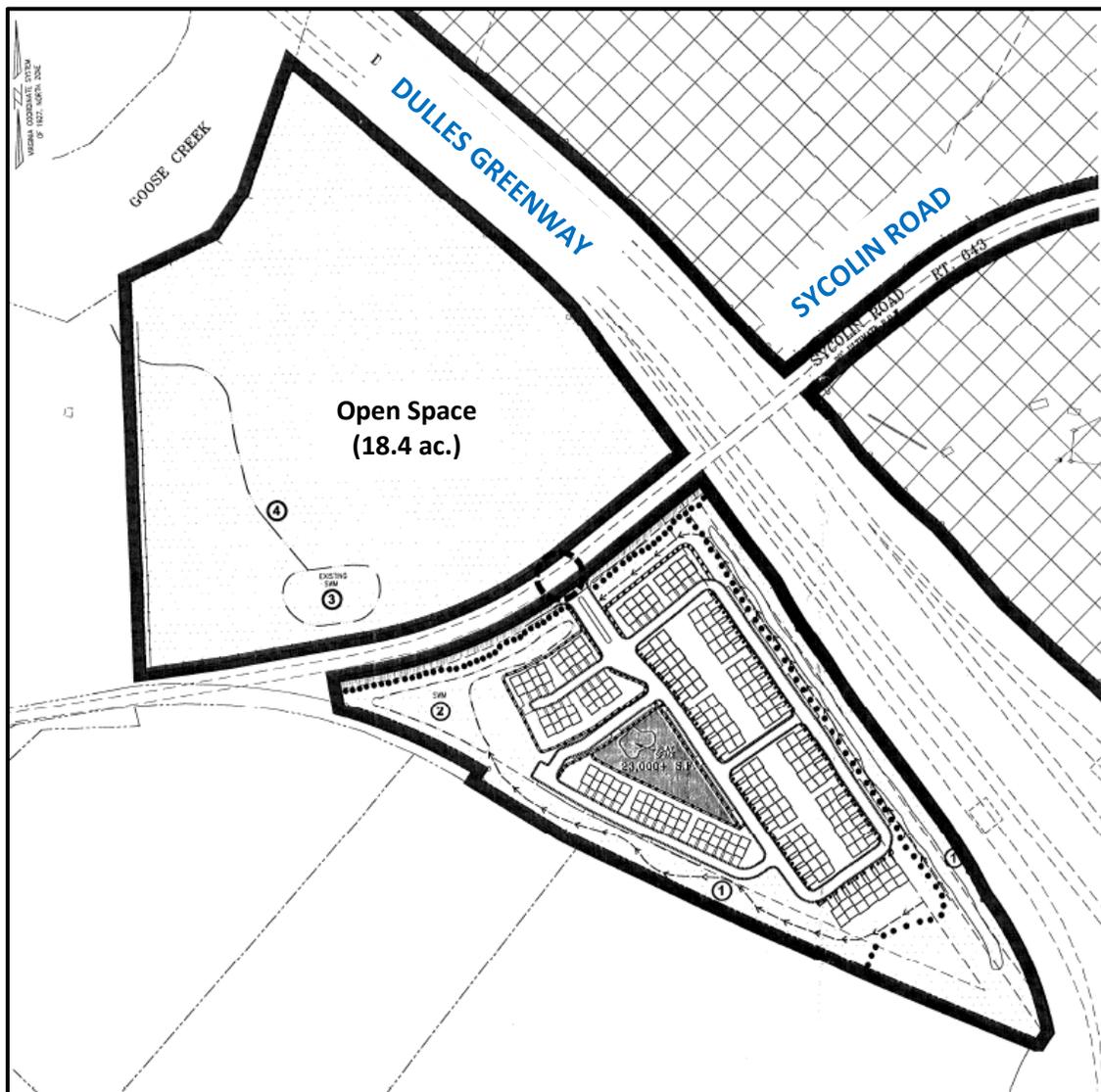
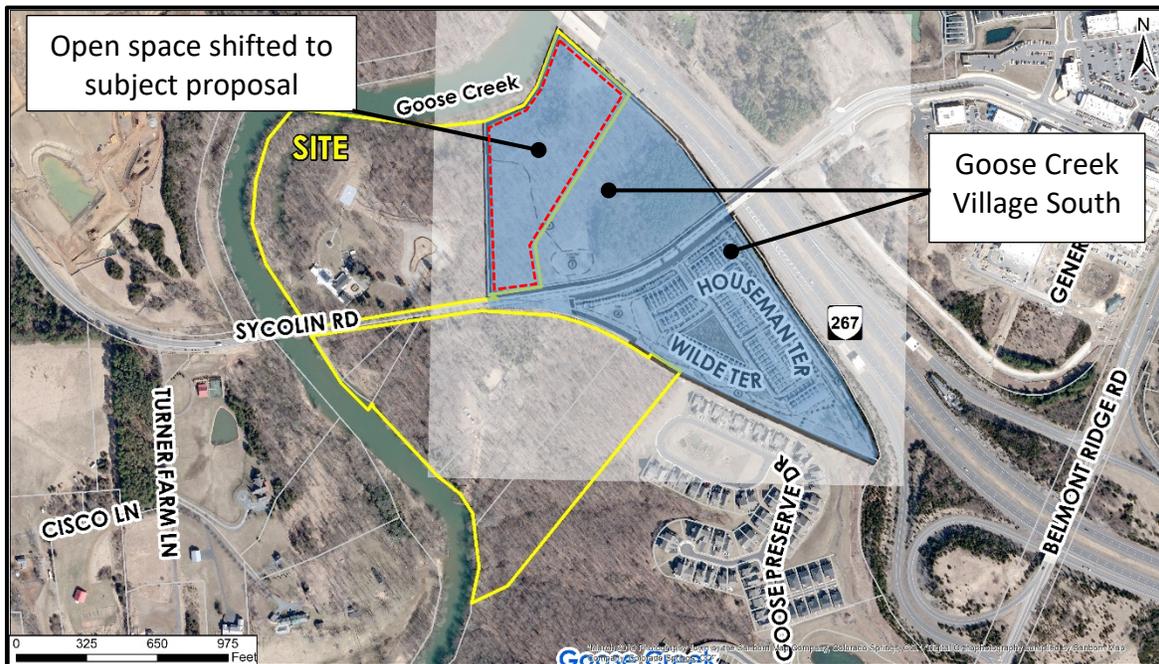


Figure 4: Open Space Parcel Re-allocated



Planning Commission: The Commission held a Public Hearing⁴ on November 16, 2020. Four members of the public provided public comment. Three people spoke in opposition to the proposal, expressing concern over building height, magnitude of cut and fill needed to develop the site, impacts to steep slopes and surface water, encroachments into the 300-foot reservoir protection buffer, location of the proposed sewer pump station in proximity to Goose Creek, lack of civic space, density, and safety issues associated with more people accessing Goose Creek. One speaker provided mixed comments, expressing concerns as listed above but supporting the passive park and trail connections.

The Commission's discussion acknowledged that County priorities pertaining to affordable housing and continuation of the stream valley trail system along Goose Creek would be substantially furthered through the proposal. The Commission also noted that numerous concerns remained to be addressed and that these issues mirrored the nine issues enumerated within the public hearing staff report:

1. The proposal's lack of civic uses (area and programming details), which are a design characteristic of the Suburban Neighborhood Place Type;
2. Information to demonstrate that goals of housing affordability are being furthered through design (size and number of units);

⁴The November 16, 2020, Planning Commission Public Hearing meeting video and staff report can be accessed [here](#).

3. Number of affordable dwelling units (ADUs) provided beyond Zoning Ordinance requirement minimums;
4. Proposed height of the AHU Building;
5. Lack of illustrative for the AHU Building;
6. Active recreation uses proposed in the major floodplain;
7. Improvements proposed in the 300-foot No-Build Buffer;
8. Missing segments of multi-use path along the property; and
9. Adequacy of bicycle parking.

The Commission forwarded (9-0) the application to the December 10, 2020, Work Session for discussion. The Commission requested that the applicant address concerns, as outlined above, and for staff to provide additional information pertaining to what qualifies as civic uses, how Loudoun County Public Schools (LCPS) deals with school capacity challenges, how the Department of Parks, Recreation and Community Services (PRCS) addresses safety issues in public parks, adequacy of proffered commitments dealing with on-site archaeological resources, and a number of distance and setback measures to understand proximity of the AHU Building to Sycolin Road and Goose Creek. The applicant submitted updated application materials on November 23, 2020.

The Commission held a Work Session⁵ on December 10, 2020 and deliberated on the six issues that were outlined in the staff work session memo as outstanding policy issues (civic space, unmet housing needs, building height, recreation uses in the floodplain, improvements within a reservoir protection area, and multi-use paths), as well as additional concerns expressed by Commissioners (plantings, steep slopes, and building materials). The Commission's deliberations and guidance to the applicant included the following:

1. Civic Space: The Commission requested commitments to deliver a previously submitted civic space illustrative, provide an additional acre of outdoor civic use area and an additional 2,000 SF of indoor civic Use Area. The Commission determined that the issue was *Unresolved*.
2. Unmet Housing Needs: The applicant agreed to provide six additional unmet housing needs units (beyond the Zoning Ordinance minimum of 20 units) for the event in which funding for the AHU Building is not secured. The Commission determined that this policy issue is *Addressed*.
3. Building Height: In consideration of the applicant's updated AHU Building illustrative and exhibits, which include a step-down feature, height details, and viewshed analysis, the Commission determined that the height of the building is appropriate, and the issue is *Addressed*.

⁵The December 10, 2020, Planning Commission Work Session meeting video and staff report can be accessed [here](#).

4. Active Recreation in Major Floodplain: The Commission recommended that active recreation areas that are used to meet the minimum Zoning Ordinance requirements should be removed from the floodplain. The Commission determined that the issue was *Unresolved*.
5. Improvements Proposed in 300-foot No-Build Buffer: The Commission recommended that the proposed permeable parking lot area that is intended to serve as trailhead parking be removed from the “no build” buffer associated with Goose Creek. The Commission determined that the issue was *Unresolved*.
6. Multi-use paths: The Commission and applicant reached agreement to revise the multi-use path proffer to remove a regional road contribution credit, and to increase a cash-in-lieu rate to \$250 per linear foot (LF) for a 150-foot segment that is not proposed to be constructed. The Commission determined that issue is *Addressed*.

The Commission forwarded the item to the Board of Supervisors (5-3-1: Barnes, Kirchner, and Vance opposed, Merrithew absent) with a recommendation of approval, subject to the above revisions. The applicant submitted updated application materials on December 15, 2020. The updated materials do *not* fully address the Commission’s guidance on the following issues (also outlined within the Recommendation section):

1. Civic Space: The applicant proffered to the civic space illustrative as discussed and provided additional 2,275 SF of indoor civic use area. However, the revised plan set does not demonstrate that the additional acre of outdoor civic use area is provided, nor is there a tabulation of total civic area provided.
2. Active Recreation in Major Floodplain: Active recreation areas proposed within the major floodplain are further clarified and restricted from generating significant disturbance, but not removed. The most recent proffer submission would allow uses in the floodplain that include “picnicking and open natural turf areas for outdoor games and sports that do not require structural foundations of any kind,” and prohibit “lighted sports fields and the construction of formal sports fields of any kind (e.g., baseball and soccer fields, sand volleyball courts, any sports fields which require the installation of structures, goal posts, sand or other loose aggregates etc.)”
3. Improvements Proposed in 300-foot No-Build Buffer: The proposed pervious parking area is reduced in size but not removed. In place of the reduced parking area, the applicant proposes to retain an existing two-story parking garage, which is proposed to be rehabilitated and repurposed as indoor civic use area.

Board of Supervisors: The Board of Supervisors held a public hearing on January 13, 2021. At the applicant’s request, the item was deferred to the February 10, 2021, Board public hearing. There was no staff or applicant presentation, discussion by the Board, or public comment on the item. Subsequent to the January 13, 2021 public hearing, staff worked with the applicant to finalize

the proposed Proffer Statement, which is now approved to form by the County Attorney's Office and ready for action.

The applicant has alerted staff to three community meetings (Goose Creek Village, Goose Creek Preserve, and various other property owners), as well as meetings with related stakeholder groups such as VOF. Staff has received three comments on Loudoun Online Land Applications System (LOLA) and six public comments via email, each generally concerned about or opposed to the proposal due to anticipated visual and environmental impacts to Goose Creek, as well as comments about perceived safety concerns associated with increased boating activity. The staff reports and associated attachments as well as public comment emails can be viewed online at www.loudoun.gov/lola; search "ZMAP-2020-0005."

OUTSTANDING ISSUES: Staff identifies the following outstanding issues with the proposal:

1. Civic Space – The proposal does not provide the minimum 10 percent Public/Civic uses anticipated in the Preferred Mix of Uses for the Suburban Neighborhood Place Type of the 2019 GP.
2. Active Recreation in Major Floodplain – The proposal depicts active recreation uses within the major floodplain associated with Goose Creek. The 2019 GP does not support active recreation uses in the major floodplain. Relatedly, the applicant seeks a modification to frontage requirements that, while achieving an innovative design by combining public park access with private residence access, also likely accommodates a higher unit count than could otherwise be achieved. As such, staff does not support the proposed modification of frontage requirements if proposed in tandem with encroachments into sensitive resource areas.
3. Improvements Proposed in 300-foot No-Build Buffer – The proposal includes improvements (permeable surface parking area and kayak landing) within the 300-foot "no build" buffer associated with Goose Creek Reservoir, where land disturbance is not generally supported.

POLICY ANALYSIS:

Zoning Map Amendment Petition (ZMAP) Criteria for Approval - Zoning Ordinance Section 6-1210(E) of the Revised 1993 Zoning Ordinance states that if an application is for a reclassification of property to a different zoning district classification on the Zoning Map, the Planning Commission shall give reasonable consideration to six (6) factors or criteria for approval. These criteria for approval are organized below by category, followed by Staff's analysis.

A. Land Use:

ZO §6-1210(E)(1) Appropriateness of the proposed uses based on the Comprehensive Plan, trends in growth and development, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies and the encouragement of the most appropriate use of land throughout the locality.

Analysis – The proposal is generally consistent with the land use and residential density that is anticipated by the Suburban Neighborhood Place Type of the 2019 GP.

The proposed density and unit types are generally consistent with the Suburban Neighborhood Place Type of the 2019 GP, which anticipates primarily residential uses at densities up to 4.0 dwelling units per acre (du/ac.) along with limited supportive retail and service uses. The applications propose a total density of 4.56 du/ac and includes a significant affordable housing component in the form of a 75-unit MF AHU building. While total density in the development does exceed the planned density by 0.56 du/ac, staff notes that the Zoning Ordinance and 2019 GP support the concept of a density bonus in the pursuit of providing affordable housing within the County. Staff is supportive of the proposed density as appropriate to the place type in consideration of the proposed affordable housing component.

Staff and the Commission worked with the applicant regarding the number of Unmet Housing Needs units (Proffer 4), which would only be applicable if state or federal funding is not secured for the 75 affordable units that comprise the AHU Building. In that event, the proposal would be required to meet the minimum ADU requirement pursuant to Article 7 of the Zoning Ordinance, resulting in a requirement of 20 ADUs.⁶ For that specific event, the applicant proffers to provide six additional dwelling units as Affordable Market Purchase Program units (“AMPPUs”), for a total of 26 affordable units. The AMPPUs would be available to qualified applicants, as determined by the County, with a household income of between 70 percent and 100 percent of the Washington Metropolitan Statistical area median income.

The application is not currently meeting the preferred use mix of the Suburban Neighborhood Place Type. The 2019 GP calls for Suburban Neighborhoods to consist of at least 30 percent open space uses (16.58 acres) and at least 10 percent of the development as civic uses (3.85 acres). The proposal fulfills the open space vision of the place type by dedicating 16.73 acres of passive park area along Goose Creek. Certain areas of the passive park and trail network are labeled on the CDP as providing civic use opportunities, but the overall area does not appear to satisfy the anticipated 3.85 acres for civic uses (the applicant has not provided a tabulation). Staff has recommended that the proposal be revised to provide the full use mix, and that areas should not generally be double-counted to fulfill both open space and civic space.

Staff recommends that the proposal be revised to clearly reflect 10 percent (3.85 acres) civic use area, as anticipated by the Suburban Neighborhood Place Type (i.e., spaces that serve as meeting or gathering areas) to serve all units within the development proposal.

⁶The Zoning Ordinance generally requires a minimum ADU contribution of 12.5 percent of single family units and 6.25 percent of multifamily units.

B. Compatibility:

ZO §6-1210(E)(2) *The existing character and use of the subject property and suitability for various uses, compatibility with uses permitted and existing on other property in the immediate vicinity, and conservation of land values.*

Analysis – The proposal for residential development is generally compatible with surrounding developments, notwithstanding the height of the AHU Building, which would be taller than other structures in the vicinity. Development surrounding the site consists of the residential communities of Goose Creek Village South (ZMAP-2003-0009) to the northeast and Goose Creek Preserve (ZMAP-2002-0009) to the southeast (see Figure 1). These residential communities comprise a mix of single family detached, single family attached, and multifamily units, at heights that generally do not rise above three stories.

Building Heights – The proposed multifamily AHU structure (Figure 5) is proposed as four stories over podium parking. The building would be a maximum of 55 feet tall and is proposed at one of the highest elevations on the site. The place type design characteristics anticipate a maximum of four-story building heights, with an average story height assumed as 12 feet (maximum anticipated height of 48 feet). The building was initially proposed as a full four stories over podium parking, raising staff concerns about the significant height. During referral process, staff recommended reducing the building height to conform with place type design guidance, and the applicant agreed to step the building down on the down-slope side where the parking garage adds an additional story of height. The stepdown feature provides a smoother transition in building heights to the remainder of the site and mitigates visual impacts to surrounding properties. Staff notes that the site’s design would not likely be improved by relocating the structure further west (down-grade) as that would detract from a coherent transition toward the Transition Policy Area (TPA) immediately across Goose Creek. Considering revisions to the building design (the step back feature) along with significant deliberations during the Commission Work Session that included demonstrations of sight lines and screening to achieve minimal visual impacts, staff supports the Commission’s determination that this building design is appropriate in this location.

Figure 5: Proffered AHU Building Illustrative



Building Design Guidelines – The applicant is proposing proffered design guidelines (Attachment 1, Exhibit A) that address height (45 feet for SFA units, 55 feet for MF AHU and MF stacked units), articulated surfaces, building materials, and a color palette. The guidelines include Figures 5-8 for illustrative purposes.

Figure 6: Proffered Design Guidelines Illustrative - Front



Figure 7: Proffered Design Guidelines Illustrative – Color Palette/Materials



Figure 8: Proffered Design Guidelines Illustrative – Sides and Rear



C. Environmental and Heritage Resources:

ZO §6-1210(E)(5) *Potential impacts on the environment or natural features including but not limited to wildlife habitat, wetlands, vegetation, water quality (including groundwater), topographic features, air quality, scenic, archaeological, and historic features, and agricultural and forestal lands and any proposed mitigation of those impacts.*

Analysis – Goose Creek is a scenic river resource and reservoir that runs through and along the subject property. The following regulatory and policy protections apply for this important environmental resource and are relevant to understanding this section:

- **River and Stream Corridor Resources (RSCR)**: Rivers and streams that drain 100 acres or more, associated 100-year floodplains, adjacent steep slopes, and a 50-foot management buffer surrounding the floodplains and adjacent steep slopes. Policy guidance for RSCR protection within the 2019 GP supports appropriate siting of development and lower intensity uses within the major floodplain.
- **300-foot No-Build Buffer**: A buffer that applies to public water supply reservoirs, Scenic Rivers, the Potomac River, and the Bull Run. Policy guidance for this 300-foot no-build riparian buffer within the 2019 GP calls for appropriate siting of development. The 300-foot no-build riparian buffer is also in the Facilities Standards Manual (FSM). Infractions that are approved at the legislative review phase would likely require an additional waiver request at the time of permitting, which is administrative.
- **Scenic Creek Valley Buffer**: The Scenic Creek Valley Buffer is established to govern the construction of buildings, structures, parking, and other impervious surfaces in areas adjacent to scenic rivers and all waterways draining greater than 640 acres, by providing for a setback area (200 feet for Goose Creek) from the channel scar line in which construction of improvements would not generally occur. This is a Zoning Ordinance requirement.

Staff has identified outstanding environmental policy issues as outlined below.

Active Recreation uses within major floodplain – The proposed CDP depicts active recreation areas within major floodplain, which is not supported by environmental policies of the 2019 GP. The RSCR policies of the 2019 GP support passive but not active recreation in this area. Limiting uses and structures within floodplains is important for stream bank stabilization, temperature moderation, flood control, aquatic habitat, and filtering nutrients and sediments from upland disturbances.⁷ The applicant proposes a reduced scope of active recreation uses that include “picnicking and open natural turf areas for outdoor games and sports that do not require structural

⁷At the northern edge of the property, Goose Creek has been listed by the Virginia Department of Environmental Quality (DEQ) as impaired for fish consumption. Immediately downstream when Goose Creek is no longer in the Reservoir Protection Area, it is listed as impaired by DEQ for aquatic life (aquatic insects and other small organisms that live on the stream bottom), recreational use and fish consumption.

foundations of any kind. Lighted sports fields and the construction of formal sports fields of any kind (e.g., baseball and soccer fields, sand volleyball courts, any sports fields which require the installation of structures, goal posts, sand or other loose aggregates etc.) shall be prohibited within the major floodplain.” The Commission considered the revised list of active recreational uses proposed to occur in the floodplain but maintained that active recreation is most appropriately provided outside of floodplain areas.

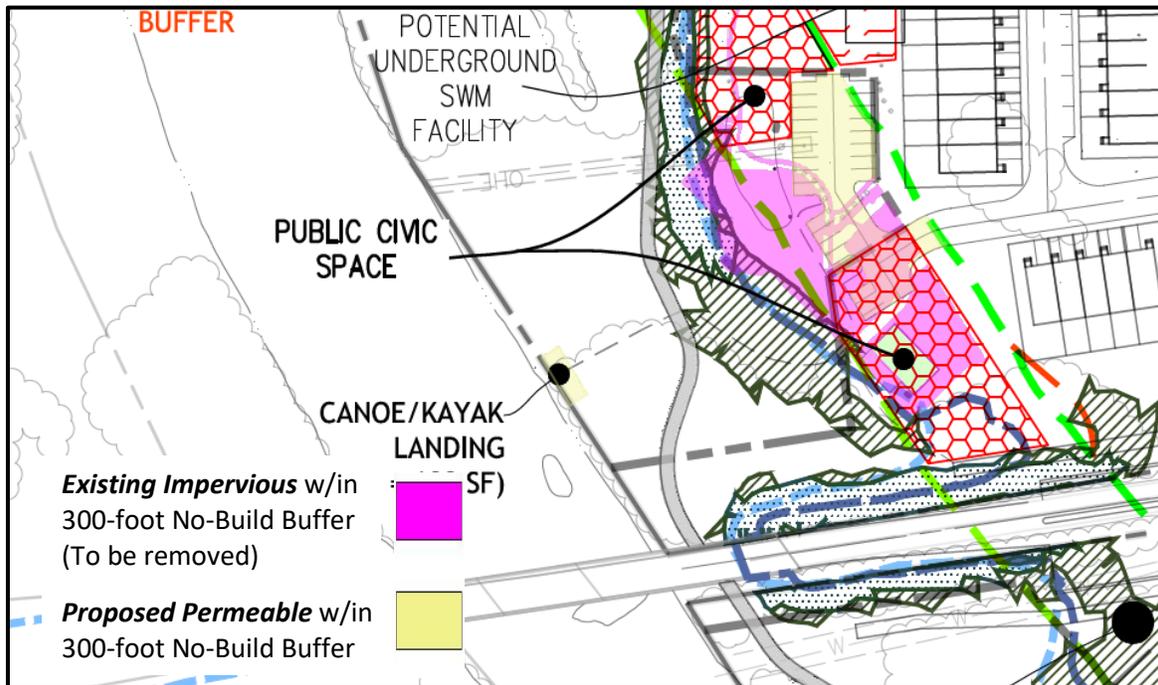
Staff recommends that the proposal be revised so that active recreational amenities are provided outside the major floodplain.

Improvements within the 300-foot No-Build buffer – The proposed CDP depicts improvements – primarily a trailhead parking area – within the limits of the 300-foot “no build buffer” (Figure 9). Environmental policies of the 2019 GP do not support improvements of any kind within the buffer, because the buffer is intended to prevent pollutant loading into the water resource. This particular instance includes the nuance that there is considerable (24,773 SF) existing impervious surface within the buffer already associated with the existing by-right residence on the property. The improvements proposed by the subject applications include a permeable surface parking area and canoe/kayak landing that together comprise less area (8,735 SF) than existing infractions. Staff would not typically support any encroachment into the 300-foot No Build Buffer but acknowledges the uniqueness of this instance, which includes a net reduction in impervious surface, as well as provision of public access to Goose Creek and the associated trail network. Staff recommended during the course of review that the improvements be provided outside of the resource areas. In summary, the proposal is not consistent with 2019 GP guidance to avoid disturbance within the No Build buffer,⁸ but as proposed, would result in a net reduction of infractions. The Commission recommended that the proposed permeable parking area be completely removed from the 300-foot “no build” buffer.

Staff recommends that the Board consider the appropriateness of the proposed permeable parking area that is reduced in size in response to Commission recommendation but remains within the 300-foot No-Build Buffer.

⁸Improvements within this area will also require a waiver from the Facilities Standards Manual (FSM), which is a separate, administrative process that occurs after the rezoning process. The applicant has been alerted to this process during staff review of the subject applications.

Figure 9: Existing and Proposed Infractions w/in 300' No Build Buffer



The applicant provides the following Environmental and Heritage Resource commitments within the Proffers, which staff generally supports as consistent with 2019 GP policies:

1. Stormwater Management (Proffer 22) – The applicant proffers to provide a minimum of three Low Impact Development ("LID") Best Management Practice measures to treat stormwater from the Property, such as but shall not be limited to, water quality swales, bioretention facilities/rain gardens, sheet flow to vegetated buffers, and permeable pavement for parking spaces.
2. Tree Conservation Areas (Proffer 23) – The applicant proffers to protect 1.14 acres of currently forested area on the property pursuant to the County's standard Tree Conservation Area (TCA) template language. TCA preserves existing healthy trees, generally prohibits encroachments, and provides for maintenance of a minimum 80 percent canopy threshold via preservation and replanting commitments. Provision of TCA is a supported mitigation measure to address a reduction of the 50-foot management buffer.
3. Tree Survey (Proffer 24) – An updated tree inventory will be provided for portions of PIN 154-45-5980 and PIN 154-45-9680 in acknowledgement of tree clearing that appears to have occurred subsequent to submission of the tree inventory that is a part of the plan set.

4. Native Species (Proffer 25) – Plantings throughout the property will employ native species or hardy drought tolerant, regionally-appropriate, adaptive plants in consultation with and approval by the County Urban Forester.
5. Noise Study (Proffer 26) – The study shall be conducted to ascertain noise impacts of traffic on Sycolin Road and the Dulles Greenway on future residents of the subject property. Based on the outcome of the study, noise attenuation measures shall be provided with first consideration given to passive measures (setbacks, earthen berms, wooden fences, and vegetation), and structural measures (e.g. noise walls) provided if necessary.
6. Lighting (Proffer 27) – The applicant proffers to provide light fixtures designed to minimize light trespass onto other properties in a manner consistent with typical zoning ordinance standards.
7. Habitat Study (Proffer 28) – The applicant proffers to provide studies for the freshwater mussel and/or wood turtle that will evaluate the portions of onsite streams that may be impacted through land disturbing activities and submit to Virginia Department of Conservation and Recreation (DCR), the Virginia Department of Game and Inland Fisheries (DGIF), and/or U.S. Fish & Wildlife Service (USFWS) prior to the approval of the first site plan. If DCR, DGIF, and/or USFWS finds that a species-specific survey is warranted, the owner shall perform this species-specific survey, and, if applicable, the implement any recommended protective measures prior to the approval of the first zoning permit on the Property.
8. Goose Creek Buffer Improvements and River and Stream Corridor Resource Management Buffer (Proffer 29) – The applicant proffers to provide 21,587 SF of “Reforestation Area” as mitigation to address the above described infractions into environmentally sensitive areas (i.e. Active Recreation Uses within Major Floodplain and Improvements within the 300’ No Build Buffer). The approved reforestation plan shall be implemented in accordance with the reforestation standards of the FSM. Provision of Reforestation Area is a supported mitigation measure to address a reduction of the 50-foot management buffer.
9. Erosion and Sediment Control (Proffer 30) – The applicant proffers to provide a double layer of super silt fence to protect areas of very steep slopes wherever the standard 50-foot buffer is not provided. Provision of enhanced erosion and sediment control measures are a supported mitigation measure to address a reduction of the 50-foot management buffer.
10. Archaeological Evaluation (Proffer 31) – The applicant proffers to conduct Phase II archeological significance study for one heritage resource (Site 44LD1871) on the property that is potentially eligible for the National Registry of Historic Places (NRHP). The study will occur prior to site plan approval. If the Phase II study determines that the identified resources are significant, the owner will modify project plans to avoid or minimize impacts to the resource or, if avoidance is not possible, then, prior to site plan approval, the owner will undertake Phase III data recovery excavations as a means of mitigating adverse

impacts to the resource. Staff finds these proffered commitments to be appropriate for the context.

D. Transportation:

ZO §6-1210(E)(3) *Adequacy of sewer and water, transportation, and other infrastructure to serve the uses that would be permitted on the property if it were reclassified to a different zoning district [emphasis added].*

Analysis – Staff has not identified any outstanding transportation issues. Staff has worked with the applicant to secure commitments to appropriate roadway improvements that are needed to address project impacts and to achieve consistency with the *Loudoun County Countywide Transportation Plan (2019 CTP)* as well as proposed amendments to the existing VOF easement area. This project is tracking slightly ahead of ongoing revisions to the VOF easement, however staff confirmed at a January 6, 2021 meeting with VOF staff that future transportation improvements to Sycolin Road will not be in conflict with the VOF easement amendment as currently drafted. VOF Board is anticipated to approve the final easement language in March or April 2021.

The current condition of Sycolin Road along the property frontage is two lanes, undivided with a planned ultimate condition of four lanes, divided. There are two-lane bridges at the eastern and western ends of the property that do not have sufficient shoulders or spacing to safely accommodate pedestrian or bicycle traffic. The 2019 CTP ultimate condition for both bridges is to expand to four lanes wide, however, these projects do not yet have funding. This poses a challenge for safe and enjoyable pedestrian and bicycle connections, especially to the nearby Goose Creek Village shopping center, but the burden of widening these bridges is beyond the scope of this proposal since the issue is understood to be regional in nature and not specifically attributable to impacts incurred through the subject applications.

Based upon the existing development on the site, approved development potential, and this proposal, the development would impact existing and potential site trip generation as follows:

Development Program	AM Peak Trips	PM Peak Trips	Weekday Total Trips
Total Existing Trips	1	1	9
Total Proposed Trips	85	108	1,367
Difference (Proposed minus Existing)	+84	+107	+1,358
Total Permitted Trips (By-Right Use)	35	46	435

Total Proposed Trips	85	108	1,367
Difference (Proposed minus Permitted)	+50	+62	+932

The applicant provides the following Transportation commitments within the Proffers, which staff supports as consistent with 2019 CTP policies:

1. Regional Road Contribution (Proffer 15) – The applicant is providing a cumulative maximum contribution of \$1,056,000. This figure equates to \$6,000 per market rate residential dwelling unit, which is consistent with past residential applications.
2. Transit Contribution (Proffer 16) – The applicant is providing a cumulative maximum contribution of \$176,000. This figure equates to \$1,000 per market rate residential dwelling unit. This contribution is consistent with recent approvals for residential rezoning applications.
3. Public Access Easement (Proffer 17) – Certain internal streets on the property provide public access to the passive park trailhead parking area and the applicant provides requisite public access easements for those connections.
4. Sycolin Road Improvements (Proffer 18) – The applicant is providing sufficient right-of-way, easements, and improvements to achieve consistency with the ultimate four-lane, median-divided condition of Sycolin Road. The improvements will include widening to four lanes along the property’s frontage, and taper back down to two lanes at either end of the property to meet the two-lane bridges (over both Goose Creek to the west and Dulles Greenway to the east). Multi-use paths are also provided on both sides of Sycolin Road, in accordance with the 2019 CTP.
5. Pedestrian Facilities (Proffer 19) – The applicant is providing minimum 5-foot wide sidewalks along building frontages throughout the property.
6. Bicycle Infrastructure (Proffer 20) – The applicant is providing a minimum of four bicycle racks on the property, maintenance for which is assumed by the master Property Owners’ Association. Considering the likelihood for passive park and trailhead access to generate significant pedestrian and bicycle traffic in addition to that of a multifamily building, staff suggests that a minimum of four bicycle racks is a more appropriate provision.

E. Fiscal Impacts:

ZO §6-1210(E)(4) *The requirements for airports, housing, schools, parks, playgrounds, recreational areas and other public services.*

Analysis – Staff has not identified any outstanding fiscal impact issues.

Affordable Dwelling Units (ADUs) and Unmet Housing Needs – As noted within the land use analysis, it is the intention of this proposal to fulfill the typical Zoning Ordinance requirement for ADUs (12.5 percent of single-family units and 6.25 percent of multifamily units) through the proposed 75-unit AHU Building located in Land Bay F. If successful, the project would provide 75 affordable units as compared to the 20 units that would be required through Zoning Ordinance ADU minimums. Development of the AHU Building is contingent on a competitive application process for state and/or federal funding. In the event that funding is not secured by the applicant, and therefore, the AHU units are not viable, the Zoning Ordinance required minimum of 12.5 percent of dwelling units in Land Bays A and C must be provided; the applicant is also proffering the addition of six Affordable Market Purchase Program units (“AMPPUs”).

Capital Facilities Contribution – The applicant is providing a blended contribution of \$19,323.34 per market rate unit (\$3,400,908 cumulative maximum⁹) based on the following housing types, consistent with Capital Intensity Factors (CIF) adopted for eastern region of the County:

- \$33,733.40 per single-family attached market-rate unit; and
- \$25,016.56 per stacked multifamily market-rate unit;

Public Schools – Student generation and the capital and operating costs attributed to the additional residential units are listed in Table 3 below. Based on School Board adopted attendance boundaries, Belmont Station and Cedar Lane Elementary Schools, Trailside Middle School, and Stone Bridge High School would serve the needs of public school students residing in this development. Table 4 includes the number of enrolled students versus the student capacity for each of the schools that will service the proposed development.

Units	Elementary School	Middle School	High School	Total Students Generated by Proposal	Annual Operating Costs	Estimated Capital Costs
SFA = 136 MF = 115	50	27	37	114	\$1,734,396	\$7,098,604

	Belmont Station ES	Cedar Lane ES	Trailside MS	Stone Bridge HS
Student Enrollment (30-SEP-2020)	747	770	1,234	1,778
2020-2021 Base Building Capacity	812	812	1,265	1,731

⁹Less base density credit of \$47,554.27 per by-right single-family detached market-rate dwelling.

Based on Loudoun County Public School’s (LCPS) five-year projections, there is not sufficient school capacity in existing buildings at the elementary, middle, or high schools. Current enrollments are near or over capacity as shown in Table 4, and enrollments through 2025-2026 are projected to be near or over 100 percent utilization for each school. While the capacity issue does pose an operational challenge, the applicant is proffering the full anticipated Capital Facilities contribution. This cash contribution, which is paid based on the number of units that are ultimately constructed, is based on the County’s anticipated cost burden to provide public services and facilities, among which, schools are included. For that reason, staff notes the operational challenge, but in consideration of the cash contribution to off-set capital impacts, considers the issue to be addressed.

The applicant provides the following public park commitment within the Proffers:

Goose Creek Stream Valley Park (Proffer 13) – The applicant will dedicate approximately 14 acres of land along Goose Creek to the County. Included in this proffer are commitments to construct a natural surface trail along the approximately one mile of stream bank, a canoe/kayak landing, two trailhead parking areas with access paths to the trail network, interpretive installations, and wayfinding signage. The proffer includes that the applicant will receive a credit against the capital facilities contributions noted above for installation of the trail, inclusive of engineering, surveying, bonding, permit fees, utility relocation, easement acquisition, and other soft and hard costs of construction. Fiscal policies of the 2019 GP support such capital facilities credit.

F. Public Utilities/Public Safety:

ZO §6-1210(E)(3) Adequacy of sewer and water, transportation, and other infrastructure to serve the uses that would be permitted on the property if it were reclassified to a different zoning district. (6) The protection of life and property from impounding structure failures. [emphasis added].

Analysis – Staff has not identified any outstanding public utility or safety issues.

Table 5. Public Utilities and Public Safety
<u>Water and Sewer</u> – The subject property will be served by an extension of Loudoun Water facilities.
<u>Fire & Rescue Service</u> – The Ashburn Fire and Rescue Station (6) would serve the subject property with an approximate response time of seven minutes.
<u>Fire & Rescue Contribution</u> – The Applicant agrees to make the standard one-time Fire and Rescue contribution of \$136.85 per residential unit to the fire and rescue companies providing service to the property, consistent with the Board Fire and Rescue policy.

The applicant also provides the following Public Utilities commitments within the Proffers:

Permanent Sanitary Sewer Pump Station (Proffer 6.c) – The applicant is providing a permanent sanitary sewer pump station on Land Bay B, to be operational and transferred to Loudoun Water prior to the first occupancy on the property. The facility would be sized to accommodate existing and proposed flows for:

- All new residential units on the Property;
- Existing single family attached homes in the existing Goose Creek Village South subdivision; and

ZONING ANALYSIS: Other than the regulations specifically modified by this application, the proposal is in conformance with the requirements of the Zoning Ordinance.

ZONING MODIFICATIONS: *Zoning Modification (ZMOD) Criteria for Approval – Section 6-1217(B) of the Revised 1993 Loudoun County Zoning Ordinance authorizes the Board to approve modifications to Suburban District regulations provided that the proposal meets the criteria of Section 6-1217(B): 1) No such modifications shall be approved which affect uses, density, or floor area ratio of the district; 2) No modifications to the Affordable Dwelling Unit Developments regulations of Article 7 shall be permitted except in accord with Section 7-108; 3) No such modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation; 4) No such modification shall be approved for the primary purpose of achieving the maximum density on a site; 5) No such modification shall be approved unless the Board of Supervisors finds that it is applicable to an entire development or to a defined portion of a development that is proposed to contain multiple lots.*

The applicant is requesting modifications of the Zoning Ordinance as described and analyzed by staff in Table 6, below. Refer to the applicant's Statement of Justification (Attachment 7) for the applicant's justification for the following zoning modifications:

Table 6. Zoning Modifications

Zoning Ordinance Section	Proposed Modification
§5-1102, Off-Street Parking and Loading Requirements, Number of Parking and Loading Spaces Required, Table 5-1102, Parking Spaces Required.	To reduce the parking space requirements for the 75 MF Dwelling Units of the AHU Building from two spaces per dwelling unit for 2- and 3-bedroom units to 1.5 spaces per dwelling unit.
<p>Staff supports approval to reduce the required parking space minimums. The applicant provided a Parking Demand Study (Attachment 11) that evaluated three local AHU residential developments with similar or greater unit counts. Parking utilization rates in those examples averaged 1.2 spaces per dwelling unit (with ranges between 1.1 and 1.4 spaces per dwelling unit). Additionally, outside research has corroborated that car ownership rates drop among lower income level households, which results in reduced parking demand. The Parking Demand Study was reviewed by staff during the referral process and no concerns were carried forward. The proposed reduction is also consistent with the most recently approved request for parking reduction for AHU housing, ZMOD-2020-0033, Tuscarora Crossing Parking Reduction.¹⁰</p> <p>2019 GP housing policies promote innovative and flexible regulatory approaches to help fulfill the continuum of housing needs throughout the County. Specifically, the 2019 GP encourages zoning regulations that lower costs for affordable housing construction. The proposed parking reduction helps reduce overall project costs, thereby increasing the feasibility of constructing affordable housing units at Goose Creek Overlook.</p>	
§1-205(A), Interpretation of Ordinance, Limitations and Methods for Measurements of Lots, Yards and Related Terms, Lot Access Requirements.	To permit frontage of single family attached and multifamily units on open space rather than the required frontage on a Class I, Class II, Class III road, or private access easement as specified in the individual district regulations.
<p>Staff could support approval of this request if the proposal is revised to remove Active Recreation Areas from the major floodplain. As proposed, the modification appears to support the achievement of density that would not otherwise be possible while staying within the limits of policy-supported development areas. Zoning Ordinance criteria for evaluating a ZMOD includes, “No such modification shall be approved for the primary purpose of achieving the maximum density on a site.”</p>	

¹⁰ This request is for the same parking rate reduction (from 2.0 down to 1.5 spaces for 2- and 3- bedroom units) as [Item 4 at the January 13, 2021, Board of Supervisors Public Hearing, ZMOD-2020-0033, Tuscarora Crossing Parking Reduction](#). The Board approved the request (7-1-0: Letourneau opposed; Buffington absent).

DRAFT MOTIONS:

1. I move that the Board of Supervisors forward ZMAP-2020-0005, ZCPA-2020-0008, ZMOD-2020-0020, & ZMOD-2020-0026, Goose Creek Overlook, to the March 2, 2021, Board of Supervisors Business Meeting for action.

OR

2. I move an alternate motion.

ATTACHMENTS:

1. Proffer Statement – ZMAP (January 26, 2021)
2. Proffer Statement – ZCPA (January 20, 2021)
3. Conditions of Approval (January 28, 2021)
4. Findings for Approval
5. Concept Development Plan – ZMAP (January 20, 2021)
6. Concept Development Plan – ZCPA (January 20, 2021)
7. Statement of Justification
8. Review Agency Comments
9. Response to Referral Comments
10. LCPS Staff Response to Capacity Questions
11. Parking Demand Memo (August 19, 2020)

PROFFER STATEMENT

GOOSE CREEK OVERLOOK

ZMAP-2020-0005

August 19, 2020
September 22, 2020
October 20, 2020
November 23, 2020
December 14, 2020
December 30, 2020
January 20, 2021
January 26, 2021

William J. Hennessy and Arezou K. Hennessy (“Hennessy”), collectively, the owners of property identified as Loudoun County PIN 154-45-5373 and PIN 154-45-1833 (Tax Map ##/78/////////3/ and /78/////////3A, respectively) (the “Hennessy Property”), The Carol A. O’Neil Trust, Carol A. O’Neil, Trustee (“O’Neil Trustee”), the owner of property identified as PIN 154-45-3829 (Tax Map #/78/////////2/) (the “O’Neil Trust Property”), Katherine Parry (“Parry”), the owner of property identified as PIN 154-45-9680 (Tax Map #/78/////////5B) (the “Parry Property”), Judith Knoop (“Knoop”), the owner of property identified as PIN 154-35-8154 (Tax Map #/78/////////6/) (the “Knoop Property”), GC Property, LLC (“GC”), the owner of property identified as PIN 154-45-5980 (Tax Map #78/////////5A) (the “GC Property”), and the Loudoun County Board of Supervisors (the “County”), the owner of a portion of property identified as PIN 153-16-3488 (Tax Map #/78//88////D/) (the “County Property”) (collectively, Hennessy, O’Neil Trustee, Parry, Knoop, GC, and County are hereinafter referred to as the “Owner”) (collectively, the Hennessy Property, O’Neil Trust Property, Parry Property, Knoop Property, GC Property, and County Property are hereinafter referred to as the “Property”), as more fully depicted on the Concept Development Plan identified in Proffer 1, do hereby voluntarily proffer on behalf of themselves, and their successors and assigns, pursuant to Section 15.2-2303 of the Code of Virginia (1950) as amended, and Section 6-1209 of the Revised 1993 Loudoun County Zoning Ordinance, as amended (the "Zoning Ordinance") that, in the event the Property is rezoned by the County from the R-1 Single Family Residential zoning district to the Planned Development - Housing 4 (“PD-H4”) zoning district (Section 4-100 *et seq.*) to be administered as an affordable dwelling unit development under Section 7-800 of the Zoning Ordinance (“R-8 ADU”) and Section 7-900 of the Zoning Ordinance (“R-16 ADU”), in accordance with the Concept Development Plan, development of the Property shall be in substantial conformance with the following conditions (“Proffers”). These Proffers replace and supersede any previous proffers approved and applicable to the Property. As used herein, the term “County” refers to the Board of Supervisors of Loudoun County, Virginia, or to the applicable Loudoun County government department, staff or official, as the context implies. All proffers made herein are contingent upon the approval by the County of this ZMAP-2020-0005 and the accompanying applications ZCPA-2020-0008, ZMOD-2020-0020, and ZMOD-2020-0026 (the “Application”).

All references in these Proffers to subdivision, subdivision plat, or record plat shall be deemed to include condominium or condominium plat or any other document or mechanism that legally divides the Property into separately transferable units of ownership. Any obligation imposed herein that must be performed prior to, in conjunction with, or concurrently with first or other subdivision or record plat approval shall be deemed to be required to be performed prior to the recordation of any such condominium declaration or plat or other similar document that would have the legal effect of dividing the Property into separately transferable units of ownership.

When any plan submission, signal justification study submission, noise or other impact study submission, bonding, dedication, conveyance, construction, commencement or completion of construction, opening of a facility or infrastructure to traffic or use, payment of cash, or any other act or activity required in these Proffers is required to be performed, submitted, recorded, paid, commenced and/or completed prior to the issuance of an occupancy permit, the said occupancy permit shall not be issued until the Owner has provided written documentation from County Building and Development (“B&D”) or Zoning Administration staff that the said requirement has been satisfied, or documentation from Zoning Administration staff that the said requirement is no longer a prerequisite for issuance of such occupancy permit.

CONCEPT DEVELOPMENT PLAN & DEVELOPMENT SCOPE

1. Concept Development Plan. Development of the Property shall be in substantial conformance with Sheets 01, 02, 06, 07, 08, 08.1, 09, 10, 11, and 12 of the 12-sheet plan set titled “GOOSE CREEK OVERLOOK ZONING MAP AMENDMENT AND ZONING MODIFICATIONS ZMAP-2020-0005, ZMOD-2020-0020 ASHBURN/BLUE RIDGE ELECTION DISTRICT LOUDOUN COUNTY, VIRGINIA,” dated March, 2020 and revised through January 20, 2021, and prepared by J2 Engineers, Inc. (jointly referenced as the “Concept Development Plan” and “CDP”). The CDP shall control the general layout and configuration of development of the Property. Adjustments to the locations of the proposed uses, facilities, and improvements shown on the CDP shall be permitted as reasonably necessary to address grading, drainage, environmental, cultural, archaeological, and natural features, development ordinance requirements, and other final engineering considerations provided that any such adjustments shall be in accordance with Section 6-1209 of the Zoning Ordinance. All land development applications, including zoning permit applications, for development of all or any portion of the Property shall identify the Property as being subject to these Proffers.
2. Development Scope. In addition to any related parking, civic space, open space, stormwater management, recreational, and other community facilities and amenities as shown on the CDP or described in these Proffers, the Property shall be developed as follows and as stated on Sheet 07 of the CDP:
 - a. Land Bay A. Land Bay A shall be developed with up to a maximum of 37 single family attached units (“SFA Dwelling Units”) and a maximum 40 multi-family stacked units (“MF Stacked Dwelling Units”).

- i. Hennessy Garage Preservation. The Owner shall preserve the approximately 2,275 square foot two-story frame garage building located in Land Bay A (the “Hennessy Garage”), depicted as “EX. GARAGE TO REMAIN” on Sheet 08 of the CDP, for use by the residents of Land Bays A, C, and F for community meetings and other civic activities, and, if not previously scheduled for use by the residents of Land Bays A, C, and F, said Hennessy Garage may be made available for use by the general public. The Master POA, as provided in Proffer 8, below, shall be responsible for the maintenance of the Hennessy Garage and associated parking area. The Hennessy Garage shall be open for use prior to the issuance of the 47th occupancy permit for Land Bays A and C.
- b. Land Bay B. Land Bay B shall be developed with a permanent sanitary sewer pump station (the “Permanent Sanitary Sewer Pump Station”) and associated parking lot, as further described in Proffer 6.c.
- c. Land Bay C. Land Bay C shall be developed with up to a maximum of 99 SFA Dwelling Units.
 - i. Southern Overlook: The Owner shall provide an area measuring approximately 26,000 square feet in size as civic space (the “Civic Space”) for the use of the general public. The Civic Space will be located in the area as generally shown on Sheet 08 of the CDP. The Owner shall restore the remnants of the two stone chimneys and associated stone walls in this area that were formerly associated with the Fox Croft Girls School (the “Restoration”). A minimum of two picnic tables and a natural surface trail connecting the Civic Space to the Goose Creek Stream Valley Trail pursuant to Proffer 13.b shall also be provided (the “Civic Space Improvements”), as shown on Sheet 08.1 of the CDP. Said Restoration and Civic Space Improvements shall be depicted on, and bonded for construction prior to approval of, the first subdivision, site plan, including site plan amendment, or construction plans and profiles (“CPAP”) application for Land Bay C, shall be constructed concurrent with development of Land Bay C, and shall be available for use prior to issuance of the first occupancy permit for Land Bay C.
- d. Land Bay D. Land Bay D shall be conveyed to the County and reserved exclusively for civic/open space/conservation/passive recreation purposes and those improvements further described in Proffer 13. The area of Land Bay D shall be aggregated into the Property’s overall site area for density purposes and counted towards the Property’s open space calculations.

- e. Land Bay E. Land Bay E consists of an approximately 9.2-acre portion of Loudoun County PIN 153-16-3488 (the “County Parcel”) owned by the County which is subject to an open space easement recorded in the Land Records of Loudoun County Circuit Court (the “Land Records”) in Deed Book 1279 at Page 0976 (the “Existing Open Space Easement”). Land Bay E shall be reserved exclusively for civic space, open space, conservation, and passive recreation purposes and the Land Bay E Improvements, as defined and further described in Proffer 13.f.

- f. Land Bay F. Land Bay F shall be developed with up to 75 Affordable Housing Units (“AHUs”) as defined by Article 8 of the Zoning Ordinance in one four-story over podium parking multi-family elevator-serviced residential building (the “Affordable Workforce Building”). Pursuant to Section 7-109 and Article 8 of the Zoning Ordinance, the AHUs shall be financed by, and developed and governed in accordance with the rules and regulations of the program, whether administered by the Virginia Housing Development Authority (“Virginia Housing”) or the United States Department of Housing and Urban Development (“HUD”) governing this development. The Affordable Workforce Building shall meet all building code requirements with respect to providing handicapped/accessible units, and shall be certified and designed in accordance with a certified third-party green building program. The rents and/or sales prices for such AHUs determined in accordance with the requirements of the applicable Virginia Housing or HUD program and restrictive covenants for the benefit of the County, if any, as approved by the County Attorney, and Virginia Housing or HUD, as applicable. Upon foreclosure of any AHU, the rent and/or sales price restrictions applicable to such unit shall terminate if required by, and in accordance with, the applicable Virginia Housing or HUD program requirements. The foreclosing party shall provide to the Zoning Administrator written verification from either Virginia Housing or HUD, as applicable, that a foreclosure has occurred and that termination of the rent and/or sales price restrictions (with respect to the foreclosed unit(s)) is required in accordance with the program requirements. The affordability provisions of this proffer shall remain in force and effect with respect to each AHU unless and until the Zoning Administrator has received such written verification. For purposes of this paragraph, the term foreclosure shall include execution and delivery of a deed in lieu of foreclosure.

- i. Multipurpose Room. The Owner shall provide a minimum 1,000 square foot multipurpose meeting room (the “Multipurpose Room”) in the Affordable Workforce Building for use by residents of the Affordable Workforce Building, and, if not previously scheduled for use by residents of the Affordable Workforce Building, said Multipurpose Room may be used by residents of Goose Creek Overlook and the general public. Said Multipurpose Room shall include a kitchenette, wireless internet service, tables, and chairs, and shall be completed prior to the issuance of the first occupancy permit for the Affordable Workforce Building. Such

occupancy permit shall not be issued until the Owner has provided written documentation from B&D or Zoning Administration staff that the Multipurpose Room is completed.

- ii. AHU Building Tot Lot. The Owner shall provide a tot lot on Land Bay F to serve the residents of the Affordable Workforce Building. The tot lot shall be a minimum of 750 square feet in size and shall be shown on the first site plan application submitted for development of the Affordable Workforce Building. The tot lot shall be constructed and available for use prior to issuance of the occupancy permit for the first residential unit in the Affordable Workforce Building.

3. Affordable Dwelling Units.

- a. Pursuant to Article 7 of the Zoning Ordinance in effect as of the approval date of this Application (the “ADU Ordinance”) and Chapter 1450 of the Codified Ordinances of Loudoun County (the “Codified Ordinances”), the Owner shall construct a minimum of 12.5 percent of the total number of SFA Dwelling Units on Land Bays A and C as Affordable Dwelling Units (“ADUs”) pursuant to the R-8 ADU requirements, and a minimum of 6.25 percent of the total number of MF Stacked Dwelling Units as ADUs in Land Bay A pursuant to the R-16 ADU requirements. A minimum of 20 ADUs must be constructed with Notices of Availability of such units provided to the County prior to issuance of the occupancy permit for the 176th non-ADU unit. These ADUs shall be constructed in accordance with the timing requirements of Section 7-106 of the ADU Ordinance. This Proffer 3.a shall no longer apply once funding has been approved by Virginia Housing and/or HUD for the Affordable Workforce Building.
 - b. In the event funding has been approved by Virginia Housing and/or HUD for the Affordable Workforce Building and AHUs are provided on Land Bay F to satisfy the requirements for ADUs and AHUs pursuant to the provisions of Section 7-109 of the ADU Ordinance, any or all of the ADUs otherwise required to be constructed in Land Bays A and C may be provided within one or more buildings in Land Bay F; provided that, in any event, the total aggregate number of ADUs and AHUs provided on the Property shall meet or exceed the number of ADUs and AHUs otherwise required on Land Bays A and C by the Zoning Ordinance. If funding is not available to provide such AHUs in a single building in Land Bay F, then the required number of ADUs must be provided in Land Bays A and C and constructed in accordance with the timing requirements of Proffer 3.a and Section 7-106 of the ADU Ordinance.
4. Voluntary Unmet Housing Needs Units. In the event funding is not available to provide AHUs in a single building pursuant to Proffer 2, then, in addition to any ADUs required pursuant to Article 7 of the ADU Ordinance and the Codified Ordinances under Proffer

3, the Owner shall provide an additional six dwelling units as Affordable Market Purchase Program units (“AMPPUs”) in Land Bays A and C. The AMPPUs shall be available to qualified applicants, as determined by the County, with a household income of between 70 percent and 100 percent of the Washington Metropolitan Statistical area median income as published by HUD, provided that for all other purposes, the AMPPUs shall be administered by the County as ADUs. At least one AMPPU shall be provided in each of the two unit types (SFA Dwelling Units and MF Stacked Dwelling Units). Each applicable subdivision and site plan, including any site plan amendment, application for the Property shall include a tabulation of the number of market-rate residential dwelling units shown on said application as well as cumulative totals of the number of market-rate residential dwelling units shown on previously approved subdivision and site plan, including any site plan amendment, applications for the Property. Construction and availability of the AMPPUs shall be governed by Section 7-106 of the ADU Ordinance.

5. Housing Affordability. In addition to the AHUs to be provided per Proffer 2.f, a variety of lot and unit sizes shall be provided within the Property to address the County’s housing affordability/attainability goals as follows:

- a. SFA Dwelling Unit lots shall range in size between 18 feet and 24 feet in width;
- b. A minimum of 36 of the SFA Dwelling Units shall be 18 feet in width; and
- c. A minimum of 30 units and a maximum of 40 units may be MF Stacked Dwelling Units.

6. Water and Sewer.

- a. Public Water Systems. The Property shall be served by public central water supply and public central sanitary sewer systems, including the Permanent Sanitary Sewer Pump Station under Proffer 6.c, below. The Owner shall construct and install all water and sewer extensions to the Property and shall provide all connections necessary for development of the Property at no cost to the County or to the Loudoun County Sanitation Authority (“Loudoun Water”), and such extensions and connections shall be constructed and installed in accordance with Loudoun Water standards. The Owner shall acquire, at no public cost, any off-site easements, if needed, to extend public water and/or sanitary sewer lines to the Property and shall dedicate such easements to Loudoun Water at no cost to the County or to Loudoun Water.
- b. Existing Wells. Unless otherwise proposed for irrigation purposes as approved by the Loudoun County Health Department, any existing wells and drainfields located on the Property shall be abandoned prior to approval of the first zoning permit for the Property in accordance with Loudoun County Health Department standards and requirements then in effect.

- c. Permanent Sanitary Sewer Pump Station. The Owner shall install a Permanent Sanitary Sewer Pump Station on Land Bay B in the general location depicted as “PUMP STATION SITE” on Sheet 07 of the CDP. The Permanent Sanitary Sewer Pump Station shall be designed, constructed, and installed in accordance with Loudoun Water standards and specifications and be appropriately sized and have appropriate connections to accommodate existing and proposed flows for: (i) all new residential units on the Property; (ii) the existing single family attached homes in the existing Goose Creek Village South subdivision; and, (iii) the existing 64 lots in Goose Creek Preserve Section 6 as delineated as Subarea #3 on approved CPAP-2013-0009. The Permanent Sanitary Sewer Pump Station shall be designed and bonded for construction prior to the approval of the first site plan, including any site plan amendment, application for the Property, and shall be constructed, operational, and accepted by Loudoun Water prior to the issuance of the first occupancy permit for any dwelling unit on the Property. The Permanent Sanitary Sewer Pump Station shall be conveyed to Loudoun Water, along with an approximately 1.25-acre parcel depicted as “PUMP STATION SITE” on Sheet 07 of the CDP, prior to the issuance of the first occupancy permit for any dwelling unit on the Property. The Owner shall have no further obligation to operate or maintain the Permanent Sanitary Sewer Pump Station following its installation and acceptance by Loudoun Water.
7. Screening For Trash Collection and Mechanical Units. All dumpster pads and other trash collection areas shall be established in accordance with the Zoning Ordinance, and the Facilities Standards Manual (“FSM”), and shall be consistent with the Design Guidelines provided in Proffer 10. All dumpster pads and other trash collection areas shall be enclosed by architectural elements compatible with building façade architecture, fencing, or other buffering and screening so as to be screened from view from any public rights-of-way or adjacent property. Any mechanical units or equipment placed on the rooftop of buildings shall be screened from view from any adjacent public rights-of-way or adjacent property by architectural features compatible with building façade architecture. Such architectural elements, fencing, or other buffering and screening shall be depicted on each site plan, including any site plan amendment, and CPAP applications for the Property, and shall be consistent with the Design Guidelines provided in Proffer 10.
8. Property Owners Association. All property owners in Land Bays A and C shall be members of a Master Property Owners Association (“Master POA”) established to regulate use and provide standards for construction and landscaping within Land Bays A and C, and to provide maintenance and other services described for Land Bays A and C in these Proffers. All of Land Bays A and C shall be subject to one Master POA. The Owner shall establish the Master POA as an overall umbrella association and may also establish one or more sub-associations. As used herein, the term “Master POA” refers to the Master POA or any sub-associations, as the context implies. Concurrent with the

submission of the first record plat or site plan, including any site plan amendment, application for any portion of the Property, whichever is first in time, the Owner shall submit to the County, for review and approval, a declaration of covenants, conditions, and restrictions, and related governance documents (together, the "POA Documents") creating the Master POA. All property owners within Land Bays A and C shall be subject to the POA Documents. The Master POA shall be established, and the associated POA Documents and sub-association documents, if any, shall be recorded, in the Land Records prior to the approval of the first applicable subdivision or site plan, including any site plan amendment, application for any portion of the Property, whichever is first in time.

- a. General Responsibilities. The Master POA shall provide maintenance of all common areas, open space areas, and civic and active recreation buildings/areas, as well as provide for trash removal, snow removal from private streets, parking areas, and pedestrian facilities, and recycling services throughout Land Bays A and C. The Master POA shall also be responsible for the maintenance of all common recreational facilities in Land Bays A and C, all storm drainage easements and stormwater management facilities in Land Bays A and C not maintained by the County, all private streets, fire lane identification, pedestrian facilities, and street lights internal to Land Bays A and C not otherwise maintained by the County or the Virginia Department of Transportation ("VDOT"). The Master POA also shall provide maintenance of Land Bay D, and all facilities constructed therein, until such time as Land Bay D has been dedicated to the County.
 - b. Garage Restriction. The POA Documents shall include a provision prohibiting any garage space from being converted to habitable and/or living space or to any other use that precludes the parking of operable vehicles as required to meet the parking requirements of the Zoning Ordinance.
9. Land Bay F Maintenance. As required by the applicable Virginia Housing or HUD program for the Affordable Workforce Building, the owner of the Affordable Workforce Building shall provide maintenance of all common areas, open space areas, parking areas, pedestrian facilities, and active recreation areas, as well as provide for trash removal, snow removal, and recycling services throughout Land Bay F. The owner of the Affordable Workforce Building shall also be responsible for the maintenance of all common recreational facilities and all storm drainage easements and stormwater management facilities in Land Bay F not maintained by the County. For any roadways or other site features shared between Land Bay F and Land Bays A and C, the landowner of Land Bay F will execute a Joint Maintenance Agreement with the Master POA, including appropriate reimbursements, either way, for the party providing services to the shared area.
 10. Design Guidelines. Development within Land Bays A, C, and F of the Property shall be in substantial conformance with the design guidelines titled "Goose Creek Overlook Design Guidelines," dated August 19, 2020, revised December 21, 2020, prepared by Bowman

Consulting, Ltd., and attached to these Proffers as Exhibit A (the “Design Guidelines”). In instances where the Design Guidelines conflict with any provisions proffered herein, including the CDP and any sheets thereof for which substantial conformance has been proffered, these Proffers shall supersede the Design Guidelines. The Design Guidelines describe general building location, streetscape, building character, design and materials, and parking standards for Land Bays A, C, and F of the Property. The Owner shall develop appropriate design review procedures to ensure Land Bays A, C, and F of the Property are developed consistent with the Design Guidelines. The Design Guidelines shall be enforced by the Master POA. Although Land Bay F is not subject to the Master POA or POA Documents, all building plans for the Property, including the Affordable Workforce Building on Land Bay F, shall be subject to the Design Guidelines. A letter confirming approval by the Master POA shall be included with all building permit plan applications submitted to the County for the Property. The buildings shall be similar in character to the elevations depicted in the Design Guidelines, but exact conformity shall not be required. Architectural elevations submitted to the County with each zoning permit application shall be reviewed for conformance with this Proffer 10, by the Zoning Administrator or his/her designee(s).

11. Universal Design. In addition to any Virginia Statewide Building Code requirements, the following Universal Design Options shall be offered at the time of initial purchase and installed at the purchaser’s sole cost prior to the issuance of occupancy permit for each residential dwelling unit on the Property:
 - a. Blocking for reinforcement of fall grab bars;
 - b. Front entrance doors that are a minimum of 36 inches wide;
 - c. Electrical outlets that are a minimum of 18 inches high on the wall;
 - d. Light switches and thermostats that are located a maximum of 48 inches high on the wall. Thermostats shall be relocated to a maximum of 48 inches high on the wall at the request of the original home purchaser at the time of sale;
 - e. Lever door handles instead of door knobs;
 - f. A curb-less shower or a shower with a maximum two inch high curb;
 - g. A turning radius of five feet near the first floor bathroom commode;
 - h. Americans with Disabilities Act-compliant grab bars in the bathrooms; and
 - i. A first floor bathroom console sink in lieu of a cabinet-style vanity.

12. Active Recreational Amenities. As indicated on Sheets 07, 08, and 08.1 of the CDP, the Applicant shall provide a minimum of 41,200 square feet of active recreation space in Land Bays A and C (labeled as “ACTIVE RECREATION SPACE” and, hereinafter, “Active Recreation Space”), consisting of a minimum of 22,800 square feet provided in Land Bay A and a minimum of 18,400 square feet in Land Bay C. The Active Recreation Space in Land Bay A shall include, but not be limited to, a community lawn, a tot lot, and a picnic area, as permitted by the Zoning Ordinance definition for Active Recreation Space and as permitted by Section 4-1500 of the Zoning Ordinance for that portion of the Active Recreation Space that is located within major floodplain. Notwithstanding the foregoing, and as shown on Sheet 08.1 of the CDP, any Active Recreation Space that is located within major floodplain shall be limited solely to picnicking and open natural turf areas for outdoor games and sports that do not require structural foundations of any kind. Lighted sports fields and the construction of formal sports fields of any kind (e.g., baseball and soccer fields, sand volleyball courts, and/or any other sports fields or courts which require the installation of structures, goal posts, sand or other loose aggregates etc.) shall be prohibited within the major floodplain. Active Recreation Space(s) will be shown on each respective site plan containing the area of the CDP depicting such Active Recreation Spaces. The Active Recreation Space in Land Bay A shall be constructed and available for use prior to issuance of an occupancy permit for the 47th residential unit in Land Bay A. The Active Recreation Space in Land Bay C shall be constructed concurrent with the development adjacent to each of the Active Recreation Spaces and shall be available for use prior to issuance of an occupancy permit for the 50th residential unit in Land Bay C. Any such Active Recreation Space(s) shall be owned and maintained by the Master POA. Said Active Recreation Space(s) and the facilities and amenities to be constructed or placed within said areas shall be bonded for construction in conjunction with each subdivision/site plan, including any site plan amendment, or CPAP application depicting said Active Recreation Space.
 - a. Subsequent Changes. Once the required recreational facilities and amenities are constructed or placed within said Active Recreation Space as required pursuant to this proffer, the Master POA shall be permitted to change the active recreation amenity contemplated by this proffer without the need to process a Zoning Concept Plan Amendment, so long as the Property continues to meet the minimum active recreational space required by these Proffers, the alternative active recreation amenity meets the definition of active recreational space under the Zoning Ordinance, and the alternative Active Recreation Space is in substantial conformance with these Proffers as determined by the Zoning Administrator. Prior to any such change, the Owner or Master POA, as applicable, shall submit a written request to the Zoning Administrator of the contemplated change for review and approval.

GOOSE CREEK STREAM VALLEY PARK

13. Goose Creek Stream Valley Park. It is the Owner's intention to create a unified publicly-accessible passive recreation linear stream valley park along the Goose Creek ("Goose Creek Stream Valley Park") comprising Land Bay D and the County Parcel (inclusive of Land Bay E), which will consist of the following elements:
 - a. Land Bay D Park Site. The Owner shall dedicate Land Bay D to the County, and construct park and civic space improvements as further described below in Proffers 13.b through 13.g, at no cost to the County, for civic/open space/conservation/active recreation/passive recreation purposes only. The portions of Land Bay D north and south of Sycolin Road may be dedicated at different times, and dedication shall occur prior to the issuance of the first occupancy permit for Land Bay A. The Owner shall not use Land Bay D nor permit Land Bay D to be used for staging, dumping, or similar activities, nor grant, create, or establish any utility easement or other easement on Land Bay D, without prior approval of the County, which may be withheld in the County's sole discretion. Land Bay D shall remain undisturbed except for any environmental management activities, trails, raised boardwalks, parking lots, a natural picnic area, a canoe/kayak landing on Goose Creek, as referenced in these Proffers, and any other improvements approved by the County for the Goose Creek Stream Valley Park, and County- and/or Loudoun Water-approved activities related to the construction and maintenance of wetlands mitigation, reforestation activities, as well as any other trail easements, stormwater easements, utilities, pump stations, stormwater management, best management practices ("BMP") facilities, or other improvements contemplated by these Proffers. Land Bay D shall not be subject to, and shall be expressly excluded from imposition of, any property owners association, covenants, and/or restrictions that may apply to the Property, and shall be withdrawn from any property owners association, covenants, and/or restrictions which may have previously been imposed prior to dedication to the County. The Owner shall place Land Bay D under a permanent open space easement pursuant to the Virginia Open-Space Land Act codified at Section 10.1-1700 et seq. and/or the Virginia Outdoor Foundation statute codified at Section 10.1-1800 et seq. of the Code of Virginia (1950), as amended, concurrent with conveyance of Land Bay D to the County. The Owner shall work in conjunction with the Virginia Outdoor Foundation and the County on the terms of said easement to ensure consistency with County use, operations and maintenance requirements for the Goose Creek Stream Valley Park. Said easement shall be submitted to the County in a form acceptable to the County Attorney's Office prior to the approval of the first subdivision or site plan, including any site plan amendment, application for the Property, whichever is first in time, and shall be recorded in the Land Records prior to the issuance of the first occupancy permit for Land Bay A.

- b. Goose Creek Stream Valley Trail. The Owner shall construct, at no public cost, a variable width four- to 10-foot wide natural earth bearing trail (the "Goose Creek Stream Valley Trail") within Land Bays A, C, and D, and upon those portions of the County Parcel included within Land Bay E, as well as any portion that may be located within the public right-of-way for Sycolin Road, in the general locations depicted as "PROPOSED 4' - 10' WIDE NATURAL EARTH BEARING "GOOSE CREEK STREAM VALLEY TRAIL" on Sheets 08 and 09 of the CDP, including a connection under the Goose Creek Bridge. The Owner shall work with the Department of Parks, Recreation & Community Services ("PRCS") staff to design and field-locate the Goose Creek Stream Valley Trail on Land Bays A, C, D and E, as part of a future regional Goose Creek linear trail system. The Goose Creek Stream Valley Trail shall remain in a natural state to be used for activities such as walking, hiking, biking, or such other uses that conditions may warrant, subject to County approval. The Goose Creek Stream Valley Trail shall be depicted on the first CPAP application submitted for the park improvements identified in Proffers 13.a through 13.f and shall be bonded for construction prior to, the approval of the first subdivision or site plan, including any site plan amendment, application for Land Bay A, and constructed and available for use, subject to County approval, prior to the issuance of the first residential occupancy permit within Land Bay A; provided, however, that in the event VDOT does not approve construction of those portions of the Goose Creek Stream Valley Trail located within the VDOT right-of-way (e.g., under the Goose Creek Bridge) prior to the approval of the first subdivision or site plan, including any site plan amendment, application for Land Bay A, the Owner shall have no obligation to construct the portion of the Goose Creek Stream Valley Trail within the Sycolin Road right-of-way and shall instead make a cash contribution to the County in the amount of \$10,000.00 to be used for park and recreation purposes in the Ashburn Planning Subarea of the County. The Owner shall work in conjunction with VDOT and the County to obtain trail access within the existing VDOT rights-of-way. The Owner shall grant and convey to the County a 10-foot wide public access easement for all portions of the Goose Creek Stream Valley Trail that are not located on County property or within the VDOT right-of-way. This easement shall be in a form approved by the County Attorney, granted to the County at no public cost, and recorded among the Land Records prior to the approval of the first subdivision or site plan, including any site plan amendment, application for Land Bay A. The Owner shall receive a credit against the Capital Facilities Contribution required by Proffer 14 equal to the verified actual reasonable cost, as reviewed and approved by the Zoning Administrator, of the installation of the Goose Creek Stream Valley Trail (inclusive of engineering, surveying, bonding, permit fees, utility relocation, easement acquisition, and other soft and hard costs of construction); provided, however, that any entitlement to any such credit shall not entitle the Owner to demand, recover, receive, or require any cash payment or refund from the County for any payments or contributions made to the County prior thereto.

- c. Canoe/Kayak Landing. As depicted on Sheet 08 of the CDP as “CANOE/KAYAK LANDING,” the Owner shall, at no public cost and in consultation with PRCS, install a canoe/kayak landing (the “Canoe/Kayak Landing”) on Land Bay D for use by the general public. The design of the Canoe/Kayak Landing shall include an access path connecting the Canoe/Kayak Landing to the Goose Creek Stream Valley Trail and trailhead parking area. The specific design and location of the Canoe/Kayak Landing shall be generally as shown on Exhibit B, “Illustrative Canoe/Kayak Landing,” and, in consultation with PRCS, shall be depicted on, bonded for construction prior to approval of, the first record plat or site plan, including any site plan amendment, application for any portion of the Property located north of Sycolin Road, whichever is first in time, and shall be constructed and conveyed to the County concurrent with the dedication of Land Bay D as described in Proffer 13.a, above. The timing of availability of the Canoe/Kayak Landing shall be determined by the County. The Owner shall have no further obligation to operate or maintain the Canoe/Kayak Landing following its installation and acceptance by the County. The Owner shall receive a credit against the Capital Facilities Contribution required by Proffer 14 equal to the verified actual reasonable cost, as reviewed and approved by the Zoning Administrator, of the installation of the Canoe/Kayak Landing (inclusive of engineering, surveying, bonding, permit fees, utility relocation, easement acquisition, and other soft and hard costs of construction); provided, however, that any entitlement to any such credit shall not entitle the Owner to demand, recover, receive, or require any cash payment or refund from the County for any payments or contributions made to the County prior thereto.
- d. Land Bay D Trailhead Improvements. As depicted on Sheets 08 and 08.1 of the CDP, the Owner shall, at no public cost and in consultation with PRCS, install improvements (the “Land Bay D Trailhead Improvements”) on Land Bay D for the benefit of allowing the general public to access and use Land Bay D and the Goose Creek Stream Valley Park, the Goose Creek Stream Valley Civic Space, the Goose Creek Stream Valley Trail, and the Canoe/Kayak Landing referenced in Proffer 13.c, above. Said Land Bay D Trailhead Improvements shall consist of a pervious surface parking lot or comparable material, as approved by and in consultation with the County, containing a minimum of 21 parking spaces, a minimum of one bicycle rack that serves six bicycles, a parking/traffic control gate, a minimum of four picnic tables and natural seating areas adjacent to the parking area all as generally shown on Sheet 08.1 of the CDP, trash and recycling receptacles, and an approximately four- to 10-foot-wide natural earth bearing trail, the ultimate width to be determined by the County, connecting the parking lot to the Goose Creek Stream Valley Trail and the Canoe/Kayak Landing. The Land Bay D Trailhead Improvements shall be depicted on, and bonded for construction prior to approval of, the first subdivision, CPAP, or site plan, including any site plan amendment, application for any portion of the Property, whichever is first in time, and shall be constructed and conveyed to the County concurrent with the dedication of Land

Bay D to the County. The timing of availability of the Land Bay D Trailhead Improvements shall be determined by the County. Following conveyance of the Land Bay D Trailhead Improvements to the County, the Owner shall have no further obligation to operate or maintain the Land Bay D Trailhead Improvements. The Owner shall receive a credit against the Capital Facilities Contribution required by Proffer 14 equal to the verified actual reasonable cost, as reviewed and approved by the Zoning Administrator, of the installation of the Land Bay D Trailhead Improvements (inclusive of engineering, surveying, bonding, permit fees, utility relocation, easement acquisition, and other soft and hard costs of construction); provided, however, that any entitlement to any such credit shall not entitle the Owner to demand, recover, receive, or require any cash payment or refund from the County for any payments or contributions made to the County prior thereto.

- e. Interpretive Installations. The Owner shall, at no public cost, provide a minimum of three commemorative signage installations/interpretive markers on Land Bay D near the Trailhead Parking described in Proffer 13.d, above, and depicted as “INTERPRETIVE SIGNAGE” on Sheet 08 of the CDP. Said Interpretive Signage shall commemorate: (1) the Goose Creek and the significance of its designation as a state scenic river; (2) the role of conservation easements in preserving Virginia’s scenic and open space areas; and, (3) the artistic work of William J. Hennessy, Jr., the former owner of a portion of the Property. The language on any commemorative installation/interpretive markers shall be submitted to PRCS staff for review, consultation, and comment, with the specific location, language, and visual display of each installation determined by the Owner prior to approval of the first subdivision or site plan, including any site plan amendment, application for Land Bay A. The Interpretive Signage shall be installed concurrent with the Land Bay D Trailhead Improvements required in Proffer 13.d and prior to the dedication of Land Bay D to the County.

- f. Land Bay E Improvements. As depicted on Sheet 08 of the CDP, the Owner shall, in consultation with PRCS and the grantee of the Existing Open Space Easement (the “Grantee”), install improvements at no public cost on Land Bay E for the benefit of allowing the general public to access the Goose Creek Stream Valley Park and the Goose Creek Stream Valley Trail. Said improvements shall consist of a pervious surface parking lot or comparable materials, as approved by and in consultation with the County, containing a minimum of 14 parking spaces, gates at the entrance and exit to the parking lot, trash and recycling receptacles, an approximately four- to 10-foot-wide natural earth bearing trail, the ultimate width to be determined by the County, connecting the parking lot to the Goose Creek Stream Valley Trail, one bicycle rack (in addition to the bicycle racks referenced below in Proffer 20) which shall accommodate a minimum of six bicycles, one bicycle repair station with an air pump, and a 26-foot wide access road connecting said parking lot to Sycolin Road and the Property (together, the “Land Bay E Improvements”). The Land Bay E Improvements shall be conveyed to the County

upon completion and the Owner shall have no further obligation to operate or maintain the Land Bay E Improvements following their acceptance by the County. The Land Bay E Improvements shall be depicted on, and bonded for construction prior to approval of, the first subdivision or site plan, including any site plan amendment, application for any portion of the Property, whichever is first in time, and shall be constructed and available for use, subject to County approval, prior to the issuance of the first residential occupancy permit on the Property; provided, however, that in the event the Grantee determines that construction of the Land Bay E Improvements would be prohibited under the terms of the Existing Open Space Easement, and the Existing Open Space Easement is not, prior to the approval of the first subdivision or site plan, including any site plan amendment, application for the first residential units for Land Bay A, amended by the Grantee in a manner that would permit construction of the Land Bay E Improvements, then the Owner shall have no further obligation under this proffer. The Owner shall receive a credit against the Capital Facilities Contribution required by Proffer 14 equal to the verified actual reasonable cost, as reviewed and approved by the Zoning Administrator, of the installation of the Land Bay E Improvements (inclusive of engineering, surveying, bonding, permit fees, utility relocation, easement acquisition, and other soft and hard costs of construction); provided, however, that any entitlement to any such credit shall not entitle the Owner to demand, recover, receive, or require any cash payment or refund from the County for any payments or contributions made to the County prior thereto.

- g. Park Wayfinding Signage. The Owner shall, in coordination with PRCS, develop a directional/wayfinding signage system for the Goose Creek Stream Valley Park and Goose Creek Stream Valley Trail to ensure residents and visitors can easily identify and access Land Bay D and Land Bay E's public recreational amenities and trails. The initial location of such directional/wayfinding signage system, as generally shown on Sheet 08 of the CDP, shall be depicted on the first CPAP application submitted for the park improvements identified in Proffers 13.a through 13.f above. The design of the directional/wayfinding signage system shall be in substantial conformance with the Loudoun County PRCS Comprehensive Sign Plan and Standards, dated August 9, 2010. Said wayfinding signs shall be installed by the Owner in conjunction with the construction of the Goose Creek Stream Valley Park and Goose Creek Stream Valley Trail, and prior to the dedication of Land Bay D to the County.
- h. Park Disclosure. The POA Documents shall include a requirement that, prior to entering into a contract of sale, prospective purchasers of the residential units on the Property shall be provided with a disclosure that includes a detailed description of the Property's relationship to Land Bay D and Land Bay E, including an acknowledgement that Land Bays D and Land Bay E shall be used for public recreation purposes open to the general public, and that the general public may traverse pedestrian and vehicular connections within the Property to access Land

Bays D and Land Bay E. Such disclosure language shall be subject to review and approval by the Zoning Administrator or his/her designee(s) prior to the approval of the first record plat or site plan, including any site plan amendment, application whichever occurs first in time.

CAPITAL FACILITIES

14. Capital Facilities Contribution. The Owner shall make a one-time capital facilities cash contribution to the County in the amount of \$19,323.34 for each new market-rate residential dwelling unit constructed on the Property, based upon a blended rate of the total number of new market-rate MF Stacked Dwelling Units and SFA Dwelling Units permitted pursuant to Proffer 2, which equals a total cumulative maximum contribution of \$3,400,908.00, less any applicable credits pursuant to these Proffers. The amount of the said capital facilities contribution payable for each such dwelling unit, adjusted pursuant to Proffer 34, shall be calculated at the time of the approval of the zoning permit for each said dwelling unit, and shall be payable prior to the issuance of the occupancy permit for such dwelling unit. Said contributions may be used at the County's discretion for capital facility improvements within the Ashburn Planning Subarea of the County.

TRANSPORTATION

15. Regional Road Contribution. The Owner shall make a one-time cash regional road contribution to the County in the amount of \$6,000.00 for each market-rate residential dwelling unit constructed on the Property, for a total cumulative maximum contribution of \$1,056,000.00. The amount of said contribution payable for each unit, adjusted pursuant to Proffer 34, shall be calculated at the time of the approval of the zoning permit for each said dwelling unit, and shall be payable prior to the issuance of the occupancy permit for such dwelling unit. Said contributions shall be payable to the County and used at the County's discretion for regional road or transportation improvements including, but not limited to, widening of the Sycolin Road bridge(s) across Goose Creek and/or the Dulles Greenway, and other transportation improvements within the Ashburn Planning Subarea of the County.
16. Transit Contribution. The Owner shall make a one-time cash regional road contribution to the County in the amount of \$1,000.00 for each market-rate residential dwelling unit constructed on the Property, for a total cumulative maximum contribution of \$176,000.00. The amount of said contribution payable for each unit, adjusted pursuant to Proffer 34, shall be calculated at the time of the approval of the zoning permit for each said dwelling unit, and shall be payable prior to the issuance of the occupancy permit for such dwelling unit. Said contributions shall be payable to the County and deposited in a Transit/Rideshare Trust Fund or otherwise used by the County, at the County's sole discretion, to support transit services as described in the Loudoun County 2019 Countywide Transportation Plan, as amended.

17. Public Access Easement. Streets that provide direct access from Sycolin Road to the two public trailhead parking/access areas on the Property, as depicted on Sheet 08 of the CDP, shall be located within a public access easement granted to the County at no public cost prior to approval of the first subdivision, site plan, including any site plan amendment, or CPAP application, submitted for the adjacent section of the Property. The Master POA shall be responsible for the maintenance of said streets.

18. Sycolin Road Improvements.
 - a. Sycolin Road Right-of-Way Dedication. The Owner shall dedicate to the County, subject to VDOT approval and at no public cost, sufficient land along the Property's Sycolin Road frontage, to provide for variable width right-of-way as depicted on Sheet 11 of the CDP as "PROP. ROW DEDICATION," together with the granting of all related easements outside the dedicated right-of-way, such as slope maintenance, storm drainage, temporary construction and utility relocation easements, necessary to accommodate the construction of Sycolin Road. Such dedication shall be made prior to the approval of the first site plan, including any site plan amendment, application for the Property.

 - b. Sycolin Road Frontage Improvements. The Owner shall, subject to VDOT approval and at no public cost, design, bond, and construct those improvements to Sycolin Road depicted on Sheet 11 of the CDP, to create a median-divided four-lane section of Sycolin Road with two northbound and two southbound lanes, left- and right-turn lanes, and tapers to a two-lane undivided section of roadway. Said improvements shall be bonded for construction prior to approval of the first subdivision, site plan, including any site plan amendment, or CPAP, application for the Property and be installed, operational, and available for use, but not necessarily accepted by VDOT, prior to the issuance of the first occupancy permit for a market-rate residential dwelling unit on the Property.

 - c. Sycolin Road Public Access Easement. The Owner shall dedicate to the County, subject to VDOT approval and at no public cost, a maximum 14-foot wide public access easement along both sides of the Property's Sycolin Road frontage, as depicted on Sheet 11 of the CDP as "PROP. PUBLIC ACCESS EASEMENT." Said easement shall be dedicated to the County prior to the approval of the first subdivision, site plan, including any site plan amendment or CPAP, application for the Property, whichever is first in time.

 - d. On-Site Sycolin Road Multipurpose Trail. The Owner shall, subject to VDOT approval and at no public cost, design, bond, and construct an approximately 10-foot wide multipurpose trail along both sides of the Property's Sycolin Road frontage as depicted on Sheet 09 of the CDP as "PROPOSED 10' SHARED USE PATH (ASPHALT/CONCRETE)" ("On-Site Multipurpose Trail"). On the western side of the Property, the On-Site Multipurpose Trail shall extend as follows: (1) to

the Goose Creek Stream Valley Trail spur on the north side of Sycolin Road and; (2) to within approximately 10 feet of the existing Goose Creek Bridge landing on the south side of Sycolin Road. Said improvements shall be depicted on, and bonded for construction prior to approval of, the first site plan, including any site plan amendment, application for the Property and be installed, operational, and available for use, but not necessarily accepted by VDOT, prior to the issuance of the 115th occupancy permit for Land Bays A and C of the Property. As shown on Sheets 09 and 11 of the CDP, a 14-foot wide easement to accommodate the future construction of the remaining sections of the On-Site Multipurpose Trail (north and south of Sycolin Road to the Property line) to the western Property line shall be dedicated to the County, at no public cost, prior to approval of the first subdivision, site plan, including any site plan amendment, or CPAP, application for the Property. The Owner shall also pay a cash contribution to the County in the amount of \$213.00 per market-rate residential dwelling unit, to be paid concurrent with issuance of the zoning permits for said units, for the construction of the missing link of the On-Site Multipurpose Trail on the western side of the Property, or other regional road improvements in the vicinity of the Property, as determined by the County.

- e. Sycolin Road Offsite Improvements. The Owner shall, subject to VDOT approval and at no public cost, design, bond, and extend the multipurpose trail constructed pursuant to Proffer 19.d along certain sections of Sycolin Road as shown on Exhibit C, "Shared Use Trail Extension Exhibit". Said improvements shall be depicted on, and bonded for construction prior to approval of, the first site plan, including any site plan amendment, application for the Property and be installed, operational, and available for use, but not necessarily accepted by VDOT, prior to the issuance of the 115th occupancy permit for Land Bays A and C.
19. Pedestrian Facilities. As depicted on Sheet 09 of the CDP, the Owner shall construct pedestrian circulation and access facilities and connections on the Property. Construction of these facilities and connections shall be performed in conjunction with the development of the adjacent lots, streets, infrastructure, and adjacent residential dwelling units, and shall be depicted on each applicable subdivision, CPAP, or site plan, including any site plan amendment, application submitted for the Property. All public pedestrian facilities shall be located either completely within a dedicated public right-of-way or completely outside of the public right-of-way within a public access easement on the Property, provided that transitions between the public and private rights-of-way may be necessary at road crossings and other areas. Any pedestrian facilities located outside of the public right-of-way shall be maintained by the Master POA. In the event such pedestrian facilities are to be constructed within a public access easement, said easement shall be dedicated to the County at no public cost prior to approval of the applicable subdivision, CPAP, or site plan, including any site plan amendment, application for the Property. All pedestrian facilities shall be constructed in accordance with VDOT or FSM standards, unless modified or

waived by VDOT or the County, as applicable. All pedestrian facilities shall be constructed prior to the issuance of the first occupancy permit for the dwelling units adjoining said pedestrian facilities.

- a. Sidewalks. All facilities depicted as "PROPOSED 5' MIN. SIDEWALK (CONCRETE)" on Sheet 09 of the CDP shall be constructed in accordance with FSM or VDOT standards, as applicable, throughout the Property of concrete or other similar material permitted by the FSM and/or VDOT and shall be a minimum width of five feet unless otherwise required in these Proffers or depicted on Sheet 09 of the CDP. Sidewalks and/or pedestrian pathways shall be located either completely within the public right-of-way or completely outside of the public right-of-way within public access easements that are a minimum width of seven feet granted to the County, except as otherwise approved by Loudoun County and/or VDOT, as applicable, provided that transitions between the two may be necessary at road crossings and other areas. Said sidewalks shall be bonded for construction prior to approval of the subdivision or site plan, including any site plan amendment, application including said sidewalk, and shall be constructed and open for use prior to the issuance of the first occupancy permit for the adjacent dwelling units.
 - b. Other Private Pedestrian Connections. The Owner shall be entitled to construct any number of additional private pedestrian connections internal to the Property in conformance with the Zoning Ordinance and the FSM. All private pedestrian connections shall be maintained by the Master POA, to be established pursuant to Proffer 8.
20. Bicycle Infrastructure. The Owner shall provide a minimum of one bicycle rack each in Land Bays A and C of the Property (in addition to the bicycle rack under Proffer 13.f), each of which shall accommodate a minimum of six bicycles. The location of said bicycle racks shall be as generally shown on Sheet 09 of the CDP as "POTENTIAL BICYCLE RACK LOCATION". Said bicycle racks shall be required to be maintained by the Master POA. The bicycle racks shall be depicted on, and bonded for construction prior to approval of, the first site plan, including any site plan amendment, application for, and installed concurrently with, the adjacent development, and available for use on Land Bay A prior to the issuance of the occupancy permit for the 47th residential unit located in Land Bay A, and on Land Bay C prior to the issuance of the occupancy permit for the 50th SFA Dwelling Unit located in Land Bay C. The Owner shall also provide a minimum of two bicycle racks in Land Bay F to serve the multi-family attached AHU residential units. These bicycle racks shall be installed and available for use prior to issuance of the first occupancy permit in the Affordable Workforce Building and shall be maintained by the owner of the Affordable Workforce Building. In the event funding is not approved by Virginia Housing and/or HUD for the Affordable Workforce Building pursuant to Proffer 2.f, the Owner shall have no further obligation to construct said bicycle racks in Land Bay F.

21. Off-Site Right-of-Way Acquisition.

- a. The Owner shall make good faith efforts to acquire any off-site right-of-way and/or easements necessary for the road or pedestrian improvements identified in these Proffers. The Owner shall advise the County of such acquisition efforts and shall, to the best of its ability, attempt to acquire such off-site rights-of-way and/or easements without the need for eminent domain proceedings. Where right-of-way and/or easements necessary for such proffered road or pedestrian improvements cannot be obtained despite such good faith efforts, including through: (i) voluntarily donation or proffer to the County; or (ii) purchase by the Owner at a fair market value, the Owner shall request that the County acquire such right-of-way and/or easements by appropriate eminent domain proceedings by the County, with all costs associated with the eminent domain proceedings to be borne by the Owner, including, but not limited to, land acquisition costs and appraisal fees. The initiation of such eminent domain proceedings shall be solely at the discretion of the County.
- b. If any necessary off-site right-of-way and/or easements cannot be acquired by the Owner and the County chooses not to exercise its right of eminent domain to acquire said right-of-way, the Owner shall be released from the obligations to acquire such right-of-way. If the County chooses to defer the exercise of its right of eminent domain to acquire any necessary off-site right-of-way or easements, the Owner's obligation to complete the improvements identified in the associated proffer shall be likewise deferred until the said off-site right-of-way is available.

ENVIRONMENTAL

22. Stormwater Management. All stormwater management facilities on the Property shall be designed and constructed consistent with applicable state stormwater regulations and FSM standards, provided that state regulations shall take precedence over the CDP in the event of a conflict. Stormwater management measures may include bioretention areas, underground detention, and manufactured BMPs as depicted on Sheet 10 of the CDP. All stormwater measures shall be designed and implemented in accordance with the adopted provisions of the latest edition of the Virginia Stormwater Management Handbook and FSM, unless modified or waived by the County, and shall be depicted on, and bonded for construction prior to the approval of, the applicable CPAP and/or site plan applications for development of each section of the Property. The Owner shall provide a minimum of three Low Impact Development ("LID") Best Management Practice measures to treat stormwater from the Property. Such LID measures may include, but shall not be limited to, water quality swales, bioretention facilities/rain gardens, sheet flow to vegetated buffers, pervious pavement for parking spaces, or any alternative LID practice proposed by the Owner and deemed by B&D to be acceptable. One LID measure shall be located in Land Bay A, one LID measure shall be located in Land Bay C, and one LID measure shall be located in Land Bay F. The location of the LID measures shall be shown on each site plan,

including any site plan amendment, or CPAP, application, whichever is first in time, submitted for Land Bay A, Land Bay C, and Land Bay F. Such LID measures shall be designed and implemented in accordance with the adopted provisions of the FSM, unless modified or waived by the County. Said LID measures shall be depicted on, and bonded for construction prior to the approval of, the applicable CPAP and/or site plan, including any site plan amendment, applications for development of the Property. Said stormwater facilities shall be installed and operational prior to issuance of the first occupancy permit for the applicable land bay.

23. Tree Conservation Areas. Within the area identified on Sheet 08 of the CDP as “TREE CONSERVATION AREA = 1.14 AC,” the Owner shall preserve healthy trees provided, however, that trees may be removed to the extent necessary for the construction of trails, passive recreation uses, and stormwater management facilities that are required pursuant to these Proffers and/or shown on the approved CPAPs as lying within such Tree Conservation Areas and for the construction of utilities necessary for development of the Property. Notwithstanding the previous sentence, a minimum of 80 percent of the canopy within the cumulative Tree Conservation Area depicted on the CDP shall be preserved, exclusive of stands of Virginia Pine over 25 years in age. In the event that the 80 percent canopy threshold cannot be achieved within the designated Tree Conservation Areas, such lost canopy shall be recaptured elsewhere onsite in locations to be designated at the discretion of the Owner in consultation with the County. Boundaries of all Tree Conservation Areas shall be clearly marked and protected in the field prior to land disturbing activities in accordance with the FSM and shall be delineated on each CPAP, subdivision, or site plan, including any site plan amendment, application containing any portion of a Tree Conservation Area.

If, during construction on the Property, it is determined by the Owner’s certified arborist and/or the County that any healthy tree located within the boundaries of any of the Tree Conservation Areas described in this proffer has been damaged during construction and shall not survive, then, prior to bond release on any section containing or immediately adjacent to a Tree Conservation Area, the Owner shall remove each such tree and replace each such tree with two one-inch caliper native, non-invasive deciduous trees. The species of such replacement trees shall be determined by the Owner’s certified arborist or landscape architect in consultation with the County Urban Forester or Zoning Administrator. The placement of the replacement trees shall be proximate to the area of each such damaged tree so removed, or in another area as requested by the County.

The Master POA Documents shall include a provision that prohibits cutting and removal of trees in Tree Conservation Areas, as shown on the record plat, after construction has been completed by the Owner without specific permission of the County Urban Forester or Zoning Administrator. Trees may be removed within Tree Conservation Areas as necessary to accommodate Tree Risk Mitigation and or Forest Management Techniques, performed by or recommended by a professional forester or certified arborist, that are necessary to protect or enhance the viability and regeneration potential of the canopy, in

consultation with the County Urban Forester or Zoning Administrator. Such Forest Management Techniques may include such actions as, without limitation, removal of invasive species, and cutting of trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased, insect-infested, dead, or are considered a hazard to life or property. The Master POA Documents shall clearly state that such provisions prohibiting tree removal shall not be amended by the Owner or the Master POA without written approval from the County. All subdivision, CPAP, and/or site plan, including any site plan amendment, applications for each portion of the Property containing a Tree Conservation Area shall contain a note stating that the removal of trees within a Tree Conservation Area is prohibited except in accordance with the Master POA Documents.

24. Tree Survey. Prior to approval of the first CPAP and/or first subdivision application, whichever is first in time, for the portions of PIN 154-45-5980 and PIN 154-45-9680 that were previously cleared by the owner of PIN 154-45-5980 to remove diseased trees (the “Tree Removal Area”), the Owner shall provide an updated tree inventory for the Tree Removal Area to the County Urban Forester to document any changes that may have occurred subsequent to the submission of the tree inventory shown on Sheet 12 of the CDP.
25. Native Species. The Owner shall use Virginia native species for all landscaping (80 percent for shrubs and 100 percent for trees), with an emphasis on Northern Virginia species, including, but not limited to, oaks, dogwoods, redbuds, American hollies, Red maple, and American sycamore, or other drought tolerant, regionally appropriate trees in accordance with the FSM throughout the Property, provided that the Owner reserves the right, in consultation with and approval by the County Urban Forester, to modify as part of site plan approval, the exact species to be used in order to meet FSM requirements and/or green building certification standards, or if some plant materials are not available, or not available in the quantities required for the project, or have been deemed by the County Urban Forester to no longer be appropriate. The Owner shall consult with the County Urban Forester to select appropriate Northern Virginia indigenous native species for said areas prior to approval of any landscape plans for the Property.
26. Noise Study. The Owner shall provide a noise impact study to the County that shall determine the need for any additional buffering and noise attenuation measures along Sycolin Road and the Dulles Greenway. The noise impact study shall be based upon traffic volumes for these roadways at a time 10 to 20 years from the start of construction based upon the most recent, applicable forecast available from the Department of Transportation and Capital Infrastructure, the ultimate road configuration as defined in the Loudoun County 2019 Countywide Transportation Plan (“CTP”), and the ultimate design speed, pavement type and proposed topography. This noise impact study shall be conducted by a professional acoustical consultant and submitted to the County concurrently with the submission of the first site plan, including site plan amendment, or CPAP application for the Property, whichever is first in time. The noise impact study shall be prepared using the latest version of the Federal Highway Administration’s Traffic Noise Prediction Model. Noise impacts shall be deemed to occur if predicted highway noise levels substantially

exceed the existing noise levels (a 10 decibel increase over existing levels) or approach (one decibel less than), meet, or exceed the Noise Abatement Criteria identified in the CTP. For all uses deemed to be subject to such noise impacts, noise attenuation measures shall be provided along the specified roadways sufficient to mitigate the anticipated noise impacts prior to the issuance of any occupancy permits for any impacted structures. Such noise attenuation measures shall be shown on the applicable site plan, including site plan amendment, or CPAP application. Noise attenuation measures shall result in noise levels less than impact levels (two decibels less than the Noise Abatement Criteria) and shall result in a noise reduction of at least five decibels below predicted highway noise levels. Where noise attenuation measures are determined to be required, priority shall be given to passive measures (to include adequate setbacks, earthen berms, wooden fences, and vegetation). Structural noise attenuation measures (e.g., noise walls) shall be used only if adequate noise attenuation cannot otherwise be achieved. Notwithstanding the previous sentence, structural noise attenuation measures may be incorporated into the construction of impacted structures to achieve interior noise standards. The first occupancy permit for any dwelling unit or other noise-sensitive use adjacent to the specified roadways shall not be issued until the Owner has provided written documentation from B&D or the Zoning Administrator that such required attenuation measures have been constructed or installed or are not required. All such noise attenuation measures (other than those incorporated into the construction of impacted structures to achieve interior noise standards) shall be located on Master POA-owned property, and the Master POA Documents shall clearly state that all required noise attenuation measures shall be maintained by the Master POA and shall not be removed without written approval from the County.

27. Lighting. In an effort to minimize nighttime light pollution from the Property, all exterior light fixtures on the Property shall be designed, constructed, and installed to minimize light trespass off-site and to limit the view of lighting from off-site, shall be full cut-off and fully-shielded, shall be directed inward and downward away from adjacent properties and streets, and shall comply with the Design Guidelines and applicable Zoning Ordinance regulations. Where there are conflicts between the aforementioned provisions, the stricter requirement shall apply. Notwithstanding the foregoing, nothing contained in this proffer shall preclude the installation of streetlights along the internal private streets, the up-lighting, accent lighting, or backlighting of signage, entrance features, and related landscaping throughout the Property as permitted by applicable regulations of the Zoning Ordinance.
28. Habitat Study. If deemed necessary by the Virginia Department of Wildlife Resources (“DWR”), U.S. Fish & Wildlife Service (“USFWS”), and/or Virginia Department of Conservation and Recreation (“DCR”) as part of the Section 401/404 wetland permitting process, the Owner shall prepare a freshwater mussel and/or a wood turtle habitat study (the “Habitat Study”) that will evaluate the portions of onsite streams that may be impacted through land disturbing activities and shall submit the Habitat Study to DCR and/or USFWS prior to the approval of the first CPAP or site plan, including any site plan amendment, application, whichever is first in time, for the Property. A copy of the Habitat

Study will be provided to B&D at this time. If DCR, DWR, and/or USFWS finds that a species-specific survey (“Species Survey”) is warranted due to the proposed land disturbing activities on the Property that may affect the freshwater mussel and/or wood turtle habitats, the Owner shall perform this Species Survey and submit it to DWR, with a copy to B&D. If applicable, the Owner shall implement any recommended protective measures prior to the approval of the first grading permit on the Property; however, if documented seasonal constraints require additional review time by the DCR, DWR, and/or USFWS, the implementation of protective measures may be delayed beyond the approval of the first grading permit on the Property, however, no land disturbing activity shall be permitted within the immediate vicinity of the location of the protection measures until such protection measures shall have been implemented, and such protection measures shall be implemented no later than the issuance of the first occupancy permit on the Property. If the Habitat Study, or the Species Survey, are deemed to not be necessary by DWR and/or USFWS as part of the Section 401/404 wetland permitting process, which will apply to the Property as part of its Clean Water Act Permit, then the Habitat Study and Species Survey shall not be required for submission to DWR and/or USFWS, and B&D. Should the Species Surveys be deemed to not be necessary, documentation will be provided to B&D that shows DCR, DWR, and/or USFWS did not require these surveys.

29. Goose Creek Buffer Improvements and River and Stream Corridor Resource Management Buffer. As depicted on Sheet 10 of the CDP, the portion of the Property north of Sycolin Road currently contains approximately 24,773 square feet of impervious surfaces in the environmental buffers along Goose Creek (i.e. 200-foot Scenic Creek Valley Buffer, 300-foot Reservoir Protection Buffer and major floodplain (the boundary of the major floodplain generally is shown on Sheet 10 of the CDP as “Floodplain per FEMA” and “Floodplain per GIS” – a floodplain study will determine the location of the boundary of the major floodplain prior to approval of the first subdivision or site plan, including any site plan amendment or CPAP, application for any portion of the Property, whichever is first in time) (collectively, the “Environmental Buffers”). A 50-foot Stream Corridor Resource Management Buffer is also shown beyond the existing major floodplain and very steep slopes on the Property and is depicted as “RSCR 50’ MANAGEMENT BUFFER” on Sheet 10 of the CDP (the “RSCR Management Buffer”). With the exception of the approximately 40,088 square feet of encroachments depicted as “PROPOSED ENCROACHMENTS” on Sheet 10 of the CDP (the “Encroachment Area”), the Owner proposes to remove approximately 0.6 acres of the existing impervious surfaces within the Goose Creek Environmental Buffers and RSCR Management Buffer and to provide only passive recreational uses within the major floodplain as depicted on the CDP. The Owner shall mitigate the improvements in the Encroachment Area by reforesting approximately 21,587 square feet in the area designated Reforestation Area identified as “POTENTIAL TREE REFORESTATION AREA ±21,587 SF MAX” on Sheet 10 of the CDP.

The Owner shall submit a reforestation plan, prepared by a Certified Arborist, Professional Forester, or Landscape Architect, in accordance with the reforestation standards set forth in the FSM for the reforestation area(s) identified for the area north of Sycolin Road on the

Property. Such reforestation plan shall be submitted prior to the approval of the first subdivision, site plan, including any site plan amendment, or CPAP application proposing the development of any area that encroaches into the RSCR Management Buffer for review and approval by the County Urban Forester or Zoning Administrator. The approved reforestation plan shall be implemented in accordance with the reforestation standards of the FSM, including the maintenance and restocking provisions, concurrently with the development of the areas subject to such subdivision, site plan, including site plan amendment, or CPAP application, and completed prior to the approval of the first occupancy permit for the building(s) included on the associated site plan, including site plan amendment, or CPAP application. In the event that the targeted stocking is not achieved, the Owner, shall in consultation with the County Urban Forester or Zoning Administrator, provide a one-time supplemental planting to achieve the full, initial stocking in accordance with the FSM.

30. Erosion and Sediment Control. As depicted on Sheet 10 of the CDP as “DOUBLE LAYER OF SUPER SILT FENCE”, the Owner shall install a double layer of super silt fence in accordance with FSM specifications, and as shown on Sheet 10 of the CDP, as a perimeter control around very steep slopes to maximize protection to slopes and Goose Creek. The double layer super silt fence shall be shown on the CPAP, site plan or site plan amendment application for each applicable section of the Property and shall be installed upon the issuance of a grading permit from B&D for any such applicable section of the Property. If during the CPAP, or site plan, including any site plan amendment, application review process, B&D staff determines that additional areas of double layer super silt fencing should be provided to protect additional very steep slope areas, the Owner agrees to work with B&D staff to determine the appropriate locations and extent of such double layer super silt fencing. Said double layer of super silt fence shall be installed prior to any land disturbance on the applicable section of the Property. In addition to installation of the double layer of super silt fence as described above, the Owner agrees to provide a two-phase erosion and sediment control plan (“E&S Plan”), prepared in accordance with the latest edition of the Virginia Erosion and Sediment Control Handbook and County FSM requirements, for review and approval by the County. Phase I of the E&S Plan will install perimeter controls around the proposed limits of disturbance with minimal clearing prior to the commencement of land disturbing and rough grading activities. Said measures may include, but not be limited to, any combination of super silt fence, tree protection, diversion dikes, blankets and matting to aid in stabilization of disturbed areas with slopes, as well as temporary holding facilities such as sediment basins and traps. Phase II of the E&S Plan will be designed to mitigate sediment-laden runoff while the site is being developed. In this phase, perimeter controls such as super silt fence and tree protection will remain in place, open lawn areas will be seeded and/or sodded and storm structures will be protected by gravel inlet protection. Approved stormwater management and water quality measures, as described in Proffer 22, shall also be constructed during Phase II. Should any of the proposed stormwater facilities be eligible for County maintenance, the maintenance responsibility for these facilities shall remain the obligation of the Owner until such time as they are accepted by the County.

ARCHAEOLOGICAL

31. Archaeological Evaluation. Prior to site plan approval, the Owner will conduct a Phase II archeological significance evaluation of the site identified as 44LD1871 on the Property. The Phase II archaeological study will be undertaken by an archaeologist who meets the professional qualifications established by the U.S. Secretary of the Interior. The Owner will provide historic preservation staff with a copy of the findings of the Phase II archaeological study prior to site plan approval and the initiation of land-disturbing activities on the Property. If the Phase II study determines that the identified resources are significant, the Owner will modify project plans to avoid or minimize impacts to the resource or, if avoidance is not possible, then, prior to site plan approval, the Owner will undertake Phase III data recovery excavations as a means of mitigating adverse impacts to the resource. County historic preservation staff will be afforded the opportunity to review Phase II and Phase III research designs, as applicable. In the event that significant archaeological resources are identified on the Property, then, following the completion of Phase II and Phase III investigation and reporting, the Owner will transfer ownership, without cost, of all artifacts and copies of all site records to the County for long-term curation in the County's artifact repository.

FIRE & RESCUE

32. Fire & Rescue Contribution. The Owner shall make a one-time cash contribution of \$136.85 per market-rate residential dwelling unit within Land Bays A and C payable to the County for distribution by the County to the volunteer fire and rescue companies providing service to the Property. The amount of the said contribution payable for each said dwelling unit, adjusted pursuant to the provisions set forth below in this proffer, shall be calculated at the time of the approval of the zoning permit for each said dwelling unit and shall be payable prior to the issuance of the occupancy permit for such dwelling unit. The amount of the contribution shall be adjusted on a yearly basis from the base year of 2021 and change effective each January 1 thereafter, in accordance with changes to the Consumer Price Index for all urban consumers (CPI-U), 1982-1984=100 (not seasonally adjusted), as published by the Bureau of Labor Statistics, U.S. Department of Labor, for the Washington-Arlington-Alexandria, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the "CPI"). Contributions pursuant to this paragraph shall be divided equally between the servicing fire and rescue companies providing service to the Property. Notwithstanding the foregoing, if at the time of the application for any such zoning permit, the primary servicing fire and rescue company does not utilize, to any significant extent, either volunteer staff or apparatus owned by a volunteer organization, then the Owner may elect to make no contribution. The intent of this provision is to support volunteer fire and rescue staffing and operations so long as any significant element of the primary provider of fire and rescue services to the Property is volunteer-owned or operated. If only one of these services has ceased to utilize volunteer staff and apparatus, then the contribution may be halved and shall be provided to the remaining company.

MISCELLANEOUS

33. Severability. Any portion of the Property may be the subject of a Proffered Condition Amendment, Zoning Concept Plan Amendment, Rezoning, Special Exception, Commission Permit, Zoning Modification, Variance or other zoning application without the joinder and/or consent of the owner of the other land areas within the Property, provided: (a) that such application is compatible with these Proffers; (b) that the approval of such application would have no material, adverse impact upon any other land within the Property or the performance of any of these Proffers by the owner of the other land within the Property; (c) that such application complies with all relevant Zoning Ordinance and Virginia Code provisions; (d) that such application includes a proffer audit outlining the status of each commitment in these Proffers; and (e) that such application shall not be approved by the Board of Supervisors unless the application has been presented and considered at such public meetings or hearings as required by law. Previously approved proffered conditions or development conditions applicable to a particular portion of the Property which are not the subject of such a future application shall remain in full force and effect.
34. Adjustment Clause. All cash contributions enumerated in these Proffers shall be adjusted on a yearly basis from the base year of 2021 and change effective each January 1st thereafter, in accordance with changes in the CPI.
35. Construction. The Zoning Administrator may grant an extension to any dates or events provided in these Proffers by which time a commitment must be fulfilled if the Zoning Administrator determines that an extraordinary, unforeseeable event or circumstance beyond the control of the Owner has prevented the fulfillment of the Owner's obligations under these Proffers within the stated time period upon the Owner securing fulfillment of such commitment by providing a bond or other adequate surety deemed satisfactory by the Zoning Administrator.
36. Successors and Assigns. These Proffers shall bind and inure to the benefit of the Owners and their successors and assigns.

The undersigned hereby warrants that all owners of any legal interest in the Property have signed this Proffer Statement, that no signature from any additional party is necessary for these Proffers to be binding and enforceable in accordance with their terms, that it, together with the others signing this document, has full authority to bind the Property to these conditions, that the officers and/or managers of the Owner signing these Proffers are authorized to act on behalf of the Owner; and that the Proffers are entered into voluntarily.

[SIGNATURES ON NEXT PAGE]

OWNER OF Loudoun County PIN 154-45-5373 (Tax Map #/78/////////3/), and Loudoun County PIN 154-45-1833 (Tax Map #/78/////////3A)

By: _____
William J. Hennessy

STATE OF _____)
COUNTY/CITY OF _____) to-wit:

The foregoing Proffer Statement was acknowledged before me this ____ day of _____, 2021, by William J. Hennessy, owner of PIN Nos. 154-45-5373 and 154-45-1833.

Notary Public

My Commission Expires: _____

Notary Registration # _____

[SIGNATURES CONTINUE NEXT PAGE]

OWNER OF Loudoun County PIN 154-45-5373 (Tax Map #/78/////////3/), and Loudoun County PIN 154-45-1833 (Tax Map #/78/////////3A)

By: _____
Arezou K. Hennessy

STATE OF _____)
COUNTY/CITY OF _____) to-wit:

The foregoing Proffer Statement was acknowledged before me this ____ day of _____, 2021, by Arezou K. Hennessy, owner of PIN Nos. 154-45-5373 and 154-45-1833.

Notary Public

My Commission Expires: _____

Notary Registration # _____

[SIGNATURES CONTINUE NEXT PAGE]

OWNER OF Loudoun County PIN 154-45-3829 (Tax Map
#/78/////////2/)

THE CAROL A. O'NEIL TRUST

By: _____
Carol A. O'Neil, Trustee

STATE OF _____)
COUNTY/CITY OF _____) to-wit:

The foregoing Proffer Statement was acknowledged before me this ____ day of _____, 2021, by Carol A. O'Neil, Trustee of The Carol A. O'Neil Trust, who acknowledged that he/she executed the foregoing Proffer Statement with the full power and authority to do so.

Notary Public

My Commission Expires: _____

Notary Registration # _____

[SIGNATURES CONTINUE NEXT PAGE]

OWNER OF Loudoun County PIN 154-45-9680 (Tax Map
#/78/////////5B)

By: _____
Katherine Parry

STATE OF _____)
COUNTY/CITY OF _____) to-wit:

The foregoing Proffer Statement was acknowledged before me this ____ day of _____, 2021, by Katherine Parry, owner of Loudoun County PIN 154-45-9680.

Notary Public

My Commission Expires: _____

Notary Registration # _____

[SIGNATURES CONTINUE NEXT PAGE]

OWNER OF Loudoun County PIN 154-35-8154 (Tax Map
#/78/////////6/)

By: _____
Judith Knoop

STATE OF _____)
COUNTY/CITY OF _____) to-wit:

The foregoing Proffer Statement was acknowledged before me this ____ day of _____, 2021, by Judith Knoop, owner of Loudoun County PIN 154-35-8154.

Notary Public

My Commission Expires: _____

Notary Registration # _____

[SIGNATURES CONTINUE NEXT PAGE]

OWNER OF PIN 154-45-5980 (Tax Map #78/////////5A)

GC PROPERTY, LLC

By: _____

Name: _____

Title: _____

STATE OF _____)
COUNTY/CITY OF _____) to-wit:

The foregoing Proffer Statement was acknowledged before me this ____ day of _____, 2021, by _____, as _____ of GC Property, LLC, who acknowledged that he/she executed the foregoing Proffer Statement with the full power and authority to do so.

Notary Public

My Commission Expires: _____
Notary Registration # _____

[SIGNATURES CONTINUE NEXT PAGE]

IN WITNESS WHEREOF, the County has caused these Proffers to be executed, under seal, in its behalf, and its seal affixed.

OWNER OF Loudoun County PIN
153-16-3488 (Tax Map #/78//88////D/)

APPROVED AS TO LEGAL FORM:

BOARD OF SUPERVISORS OF
LOUDOUN COUNTY, VIRGINIA

Assistant County Attorney

By: _____
Name: _____
Title: _____

COMMONWEALTH OF VIRGINIA,
COUNTY OF LOUDOUN, to-wit:

I, the undersigned Notary Public, in and for the jurisdiction aforesaid, do hereby certify that _____, as _____ of Board of Supervisors of Loudoun County, Virginia, whose name is signed to the affixed Proffers, appeared before me and personally acknowledged the same in my jurisdiction aforesaid.

GIVEN under my hand and seal this _____ day of _____, 2021.

Notary Public

My Commission Expires: _____

Notary Registration # _____

[SIGNATURES END]

Exhibit A

Design Guidelines

Exhibit B

Proposed Canoe/Kayak Landing

Exhibit C

Shared Use Trail Extension Exhibit

DESIGN GUIDELINES

GOOSE CREEK OVERLOOK

Residential Community & Park



EXHIBIT A

Bowman
CONSULTING

INTRODUCTION

The Goose Creek Overlook Residential Design Guidelines (the "Guidelines") will serve as a tool to direct design and architecture associated with the Project. These Guidelines are intended to allow for innovative design and response to the real estate market, while creating a visually interesting and compatible sense of place through building forms, materials, color, and architectural variety. While these Guidelines are established to set the design standards for the Project, they do not supersede or otherwise limit the application of adopted zoning regulations, ordinances, building codes, proffers, or any other design standards or regulations administered by Loudoun County. Any images contained in these Guidelines are for illustrative purposes only and are used as conceptual representations of how the Project may be developed.



BUILDING ORIENTATION

The design of the Project is meant to provide a compact development and place emphasis on building architecture and orientation of residential units toward the Project's internal street alignment and Goose Creek. Open space in the form of active and passive recreation areas has been integrated into the overall project design. "Green" linkages throughout the Project are provided to allow convenient access by residents to these various open space areas.

PARKING AND VEHICULAR CIRCULATION

The proposed internal street system has been designed to provide for safe and efficient flow of traffic. Drawing upon elements of neo traditional design, proposed residential units will feature rear-loaded garages and driveways served by alleys, except for those residential units adjacent to Sycolin Road. On-street parking is also provided which enhances to overall sense of place of the Project. The proposed affordable dwelling unit multi-family building features surface lot and podium parking, but has been situated within the overall project design to take advantage of grades for the podium parking thus reducing the visual and environmental impact of parking.

LANDSCAPE DESIGN

Landscaping is an important design feature that helps soften the edges of the built environment, while also providing natural wayfinding measures to direct pedestrian circulation through and around the developed areas of the Project. The Project is adjacent to Goose Creek and an expansive area that will be dedicated and used for a public passive park (Goose Creek Park). Landscaped areas will be designed to be respectful of the scale of both the built environment as well as those areas devoted to human activity. A mix of canopy trees, ornamental trees, and shrubs will be used in the developed areas of the Project in order to provide effective color and textural contrast. More dense plantings are planned along portions of the western and northern borders of the developed area to provide a physical and visual screen between the residential community and Goose Creek passive park. All plant material will be native species, will conform to the American Standard for Nursery Stock and will be professionally installed and maintained.

DEVELOPMENT STANDARDS

The architectural design and visual impression of a proposed development should be complementary to the surrounding area, as well as provide an element of uniqueness to the overall image of the Project by incorporating colors, facade materials, and architectural elements from today's building market. The following standards are presented in these Guidelines to define a general concept of the principle factors of exterior design, architectural treatment, and facade material and colors for the residential units of the Project. In this regard, a visually balanced and appealing development will be achieved.

Design Style

Residential units in the Projects will include townhouses, stacked multi-family dwelling units (2 over 2s), and multi-family dwelling units. Townhouse and stacked multi-family units will be reflective of an architectural style that is a modern interpretation of colonial revival. The architectural style of the multi-family dwelling units may reflect a more "urban feel" as it relates to its facade. These design styles will be achieved through a variety of architectural features. Roof styles may include gabled, hip, gambrel, or flat. Roofing materials may include asphalt shingles and / or standing seam metal. Flat roof structures shall use quality building materials consistent with their architectural design. Wall elevations of residential units that are visible for any streets shall incorporate the use of offsets, indentations, fenestrations, variations in rooflines, materials and colors, cornices, and / or other trim materials so as to provide visual interest. Windows are to be incorporated into all front, side, and rear elevations and may include the use of dormers where appropriate.

Maximum building heights for all proposed residential buildings shall be 45' for Townhouses and 55' for Stacked Townhouse units and the Multi-Family AHU Building. The Multi-Family AHU Building shall be designed to "step down" the slope and to maintain a maximum building height not to exceed 55' as permitted by the Zoning Ordinance. Maximum stories for Townhouse and Stacked Multi-Family dwelling units shall be 4 stories, and 4 stories of residential over podium for the Multi-Family AHU Building. Rooftop terraces may be permitted for all unit types.



Illustrative Townhouse Front Elevation

Building Massing

A compact building arrangement has been utilized in the overall site design of the Project. This design feature allows for the preservation of on-site natural areas. Further, by fronting buildings close to internal streets and sidewalks, the internal circulation network can be framed to provide a more attractive pedestrian environment. The use of alleys, where feasible, eliminates excessive curb cuts on the internal streets, reducing conflicts with vehicles and pedestrians.

Side and Rear Facade Treatments

Side walls for all residential buildings shall not be a flat, one-material surface facade. End unit facades shall utilize either indentations or offsets if only one permitted building material is utilized in the facade or a minimum of two permitted building materials if a flat wall condition is utilized. Rear elevations may consist of one permitted building material but may include balconies and/ or garage overhangs to provide articulation.

EXHIBIT A
Goose Creek Overlook - *Residential Community & Park*



Left Elevation

Clifton



Right Elevation

Clifton



Rear Elevation

Clifton

Aldridge

Aldridge

Aldridge

Aldridge

Aldridge

Clifton

Screening

Rooftop and building mounted equipment, including but not limited to mechanical, electrical, electronic, telecommunication, satellite dishes shall be screened from view from any adjacent street or pedestrian pathway. Screening may include permanent structures, but not limited to parapet walls, that are comprised of building materials consistent with the underlying structure to which they are attached. Ground mounted HVAC equipment must be carefully placed, screened, or landscaped in order to reduce their visual impact on adjacent areas. Dumpster pads and other trash collection areas shall be screened with any of the permitted building façade materials.

Building Materials and Colors

Quality building materials shall be used for all proposed residential buildings and associated structures in the Project to enhance the architectural quality of the development. Building façade materials should be chosen for durability and performance, as well as for harmony with the natural environment. Acceptable building faced materials that may be used include the following:

- Masonry (Brick, Stone, faux Stone)
- Architectural precast cladding panel systems (i.e. faux stone)
- Concrete
- Glass
- Glass block
- Wood
- Architectural steel
- Cement-fiber board (Hardie board)
- EIFS
- PVC
- Stucco
- Split-face CMU

- Granite
- Ceramic tile
- Vinyl siding

Building façade materials not permitted shall include plain concrete (cinder) block, corrugated steel, plywood, and aluminum siding. A minimum of 20% of the front and side elevations of the building shall be masonry (brick, stone or faux stone). Vinyl shall not be used for facades facing Sycolin Road. The color palette for the Project shall be earth-toned. Primary colors may be utilized as accent colors for architectural effect but may not be used as dominant colors on walls or roof surfaces.



Stacked Town House Units



Affordable Housing Building (AHU)

Site Lighting and Site Elements

All lighting for the Project shall be provided in such manner as to ensure safety, security, and efficiency for vehicles and pedestrians while also limiting impact to the night sky. Lighting for streets and alleys within the Project will be of a single style so as provide consistency throughout the development. This lighting shall be full cut-off outdoor fixtures with light field directed downward. Multi-head light fixtures may be used where appropriate but shall not be used in areas where increased light intensity will create a nuisance. Pedestrian level bollard-style lighting or other ground mounted lighting may be used to illuminate pedestrian pathways. Ground-mounted, wall-mounted, and other forms of ambient lighting may be utilized in the Project for accent as long as it is used in a subtle manner and does not create glare.

Site elements, such as benches and trash receptacles, shall be uniform in design, materials and color, and shall be placed as to not obstruct paths of travel.

Design Review

The implementation of the Goose Creek Overlook Residential Design Guidelines will be formally adopted into any applicable Covenants, Conditions, and Restrictions, (CC&Rs). The external design of all buildings, landscaping, and site lighting shall be reviewed and approved by the appropriate entity identified in the CC&Rs, and a letter of approval by said entity is to be included in any submission to Loudoun County for any site/ and or building plans, as needed.





Photo by Caroline Wolf

Restored bank with rock outcrops

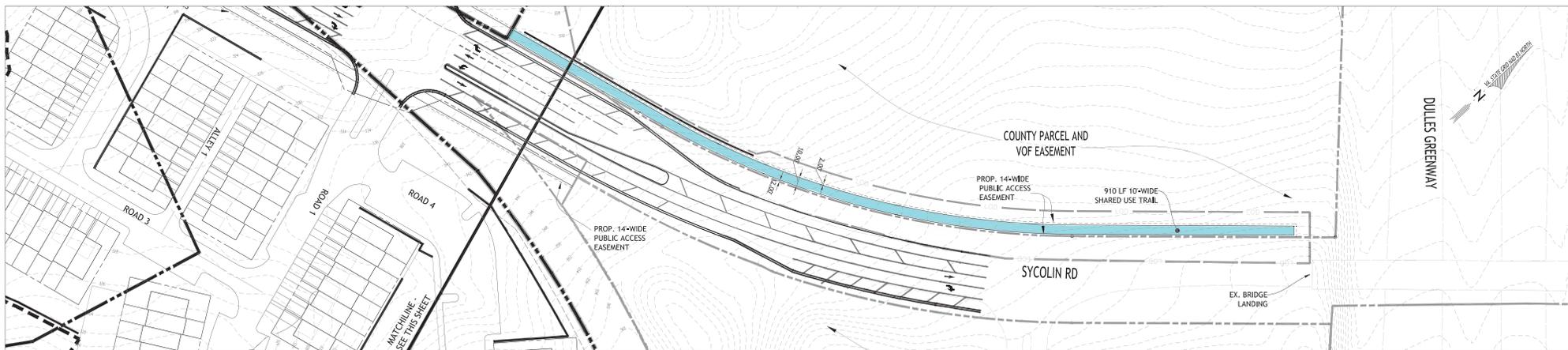
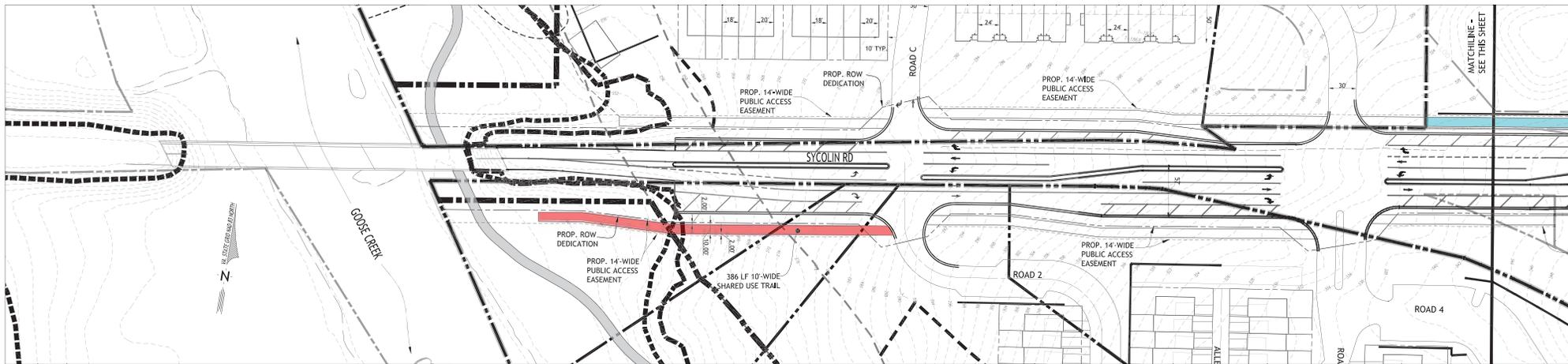
Goose Creek Overlook

EXHIBIT B - Proposed Canoe/Kayak Landing

9-18-2020

Bowman
CONSULTING

PROPOSED EXTENSION OF SHARED USE TRAIL



LEGEND

- CONTINUATION OF PROPOSED 10-WIDE SHARED USE TRAIL WITHIN APPLICATION AREA
- CONTINUATION OF PROPOSED 10-WIDE SHARED USE TRAIL WITHIN COUNTY OWNED PROPERTY

EXHIBIT C - Shared Use Trail Extension Exhibit



J2 Engineers, Inc.
4800 Lafayette Center Drive
Suite 330
Charlottesville, VA 22915
703.361.1550 (office)
703.956.4845 (fax)
www.j2engineers.com

GOOSE CREEK OVERLOOK
SHARED USE TRAIL EXTENSION EXHIBIT
LOUDOUN COUNTY, VIRGINIA

SCALE: 1"=50'

NOVEMBER 20, 2020

J2 Engineers - X:\VIRAW\2020\ACTIVE\Goose Creek Overlook\2020-11-18 - final\Contributions\Map Exhibit\Exhibit C - Shared Use Trail Extension Exhibit.dwg (December 14, 2020 - 9:23am) gphdhr

PROFFER STATEMENT

ZCPA-2020-0008

GOOSE CREEK VILLAGE SOUTH – LANDBAY E

(REVISION TO ZMAP-2003-0009)

August 19, 2020

September 18, 2020

December 30, 2020

January 20, 2021

The Board of Supervisors of Loudoun County, Virginia (hereinafter, the "Owner" or "County"), as the owner of certain property described as a portion of property identified as PIN 153-16-3488 (Tax Map #/78//88/////D/ and, hereinafter, the "Property"), as identified on the Concept Development Plan defined in Proffer I.1. below, has filed this zoning concept plan amendment application ZCPA-2020-0008 (the "Application"). The Property is subject to proffered conditions dated June 3, 2004 accepted by the County in conjunction with the approval of ZMAP-2003-0009 (the "Existing Proffers"). This Application is submitted together with applications for a rezoning and zoning modifications as proposed in ZMAP-2020-0005, ZMOD-2020-0020, and ZMOD-2020-0026.

Pursuant to Section 15.2-2303 of the Code of Virginia (1950), as amended, and Section 6-1209 of the Revised 1993 Loudoun County Zoning Ordinance (the "Zoning Ordinance"), the Owner for itself and its successors and/or assigns, hereby voluntarily proffers that in the event the County approves this Application, the proffers identified below, if accepted, shall supersede and replace the Existing Proffers only with respect to the Property as amended herein, with all other Existing Proffers accepted in ZMAP-2003-0009 remaining in full force and effect. In the event this ZCPA-2020-0009 is denied by the County, these proffers will immediately be null and void and all Existing Proffers accepted in ZMAP-2003-0009 will remain in full force and effect.

Proffer I.1. Concept Development Plan of the Existing Proffers is superceded and replaced, only with respect to the Property, as follows:

Development of the Property shall be in substantial conformance with the two sheet plan set titled "GOOSE CREEK VILLAGE SOUTH ZONING CONCEPT PLAN AMENDMENT ZCPA-2020-0008 ASHBURN ELECTION DISTRICT LOUDOUN COUNTY, VIRGINIA" dated March, 2020, revised through January 20, 2021, and prepared by J2 Engineers, Inc. The CDP shall control the general layout and configuration of development of the Property. Adjustments to the location of proposed features shown on the CDP will be permitted during site plan review as reasonably necessary to address grading, drainage, environmental, cultural and natural features, development ordinance requirements, and other final engineering considerations, and to accommodate the recommendations of archaeological studies, if any, provided that any such minor adjustments will be in accordance with Section 6-1209 of the Zoning Ordinance.

ZCPA-2020-0008
January 20, 2021

[SIGNATURES LOCATED ON FOLLOWING PAGE]

ZCPA-2020-0008
January 20, 2021

OWNER OF Loudoun County PIN 153-16-3488 (Tax Map
#/78//88////D)

THE BOARD OF SUPERVISORS OF LOUDOUN
COUNTY, VIRGINIA

By: _____
Name: _____
Title: _____

STATE OF _____)
COUNTY/CITY OF _____) to-wit:

The foregoing Proffer Statement was acknowledged before me this ____ day of _____, 2021, by _____, as _____ of The Board of Supervisors of Loudoun County, Virginia., who acknowledged that he/she executed the foregoing Proffer Statement with the full power and authority to do so.

Notary Public

My Commission Expires: _____
Notary Registration # _____

[SIGNATURES END]

CONDITIONS OF APPROVAL

Goose Creek Overlook, ZMOD-2020-0020

January 28, 2021

(Parking Reduction)

1. **Substantial Conformance.** The development of the Zoning Modification described in Condition 2 below, shall be in substantial conformance with Sheets 01, 02, 06, 07, 08, 08.1, 09, 10, 11, and 12 (jointly, the “CDP”) of the 13-sheet plan set titled “GOOSE CREEK OVERLOOK REZONING APPLICATION ZMAP-2020-0005, ZMOD-2020-0020, ZMOD-2020-0026 ASHBURN/BLUE RIDGE ELECTION DISTRICT LOUDOUN COUNTY, VIRGINIA”, dated March, 2020 and revised through January 20, 2021, and prepared by J2 Engineers, Inc., and the Revised 1993 Loudoun County Zoning Ordinance (the “Zoning Ordinance), and with the conditions contained herein. Approval of this application for parcels identified as PINs: 154-45-5373, 154-45-1833, 154-45-3829, 154-45-9680, 154-35-8154, 153-16-3488 (portion of), and 154-45-5980 (the “Property”) in accordance with Zoning Ordinance Modification (ZMOD) 2020-0020 is contingent upon the approval by the Board of Supervisors of ZMAP-2020-0005 and ZCPA-2020-0008.

2. **Zoning Modification:**

Zoning Ordinance Section	Proposed Modification
Table 5-1102 of §5-1102, Off-Street Parking and Loading Requirements, Number of Parking and Loading Spaces Required.	To reduce the parking spaces required for 2- and 3-bedroom Multi Family Dwelling Units from 2 spaces per dwelling unit to 1.5 spaces per dwelling unit.

3. **Exercised in association with Affordable Housing Units.** The proposed modification described in Condition 2 shall apply only to the development of the Affordable Housing Units (AHUs), as described in Proffer 2.f of the Proffer Statement associated with ZMAP-2020-0005.

CONDITIONS OF APPROVAL

Goose Creek Overlook, ZMOD-2020-0026

January 28, 2021

(Lot frontage requirements)

- 1. Substantial Conformance.** The development of the Zoning Modification described in Condition 2 below, shall be in substantial conformance with Sheets 01, 02, 06, 07, 08, 08.1, 09, 10, 11, and 12 (jointly, the “CDP”) of the 13-sheet plan set titled “GOOSE CREEK OVERLOOK REZONING APPLICATION ZMAP-2020-0005, ZMOD-2020-0020, ZMOD-2020-0026 ASHBURN/BLUE RIDGE ELECTION DISTRICT LOUDOUN COUNTY, VIRGINIA”, dated March, 2020 and revised through January 20, 2021, and prepared by J2 Engineers, Inc., and the Revised 1993 Loudoun County Zoning Ordinance (the “Zoning Ordinance), and with the conditions contained herein. Approval of this application for parcels identified as PINs: 154-45-5373, 154-45-1833, 154-45-3829, 154-45-9680, 154-35-8154, 153-16-3488 (portion of), and 154-45-5980 (the “Property”) in accordance with Zoning Ordinance Modification (ZMOD) 2020-0026 is contingent upon the approval by the Board of Supervisors of ZMAP-2020-0005 and ZCPA-2020-0008.
- 2. Zoning Modification:**

Zoning Ordinance Section	Proposed Modification
§1-205(A), Interpretation of Ordinance, Limitations and Methods for Measurements of Lots, Yards and Related Terms, Lot Access Requirements.	To permit single family attached and multifamily dwellings to be erected on lots that do not have frontage on a Class I, Class II, Class III road, or private access easement as specified in the individual district regulations.

FINDINGS FOR APPROVAL

ZMAP-2020-0005, ZCPA-2020-0008, ZMOD-2020-0020, & ZMOD-2020-0026, GOOSE CREEK OVERLOOK

1. The proposed Zoning Map Amendment (ZMAP), which would permit development of up to 251 dwelling units on the property, is generally consistent with the policies of the Suburban Neighborhood Place Type, as described in the *Loudoun County 2019 General Plan* (2019 GP).
2. The proposed Zoning Concept Plan Amendment (ZCPA), which permits a transfer of open space from a the previously approved ZMAP-2003-0009, Goose Creek Village South to the subject property, is consistent with the Loudoun County Revised 1993 Zoning Ordinance (Zoning Ordinance).
3. Proffered roadway improvements to Sycolin Road are generally consistent with the planned ultimate condition and multimodal facilities anticipated by the Loudoun County 2019 Countywide Transportation Plan (2019 CTP).
4. The proposed Zoning Modification (ZMOD) to reduce parking space requirements for 2- and 3-bedroom multifamily units associated with the 75-unit Affordable Housing Unit (AHU) Building is consistent with the Zoning Ordinance criteria for ZMOD approval. The modification improves on existing regulations by providing for a reduction in overall impervious surface while continuing to meet anticipated demand for parking spaces.
5. The proposed ZMOD to eliminate the requirement for dwelling units to have frontage on a Class I, Class II, Class III road, or private access easement is consistent with the criteria for ZMOD approval. The modification improves on existing regulations by providing for an innovative design.

GOOSE CREEK OVERLOOK ZONING MAP AMENDMENT AND ZONING MODIFICATIONS

ZMAP-2020-0005, ZMOD-2020-0020, ZMOD-2020-0026

ASHBURN/BLUE RIDGE ELECTION DISTRICT LOUDOUN COUNTY, VIRGINIA

GENERAL NOTES

1. THE SUBJECT PROPERTY SHOWN HEREON IS ZONED R-1 AND PD-H4. SOURCE OF TITLE CAN BE FOUND AT THE INSTRUMENT NUMBERS BELOW:

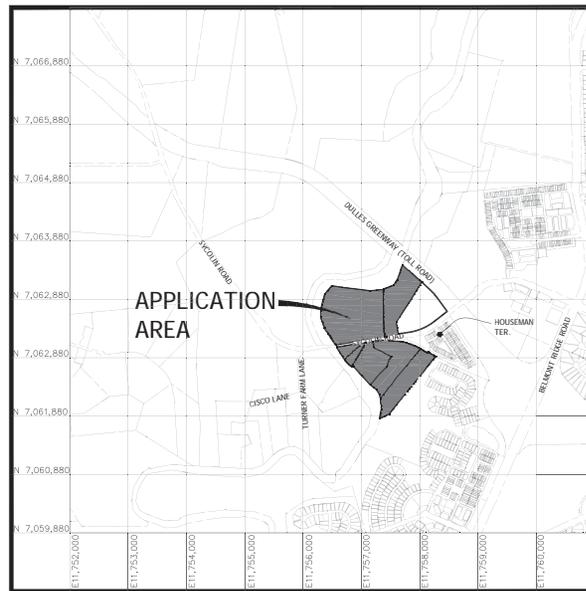
MCP#	INSTRUMENT # / DB, PG. #	ZONING	ACRES
154-45-5373	DB: 1797 PG. 808	R-1	20.923
153-16-3488(PART)	20080702040915	PD-H4	9.198 (18.594 TOTAL)
154-45-1853	DB: 1797 PG. 808	R-1	1.209
154-45-3829	200508110089613	R-1	1.104
154-45-1680	20181102004294	R-1	8.494
154-35-8154	20181102004294	R-1	8.306
154-45-5980	20181102004294	R-1	6.024

2. THE FOLLOWING LAND DEVELOPMENT APPLICATIONS ARE ASSOCIATED WITH THIS PROJECT:

- ZMAP-2020-0009, APPROVED 07/23/2020.
- STPL-2008-0036, APPROVED 08/26/2008.
- SPAM-2008-0093, APPROVED 11/07/2008.
- SPAM-2012-0114, APPROVED 11/13/2012.
- SPAM-2013-0133, APPROVED 11/26/2013.
- FST-2016-0007, APPROVED 01/31/2019.

- THIS PROPERTY WILL HAVE A PROPOSED ZONING OF PD-H4, PER REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE, ADMINISTERED AS R-8 ADU AND R-16 ADU.
- THE PROPOSED USE WILL BE SINGLE-FAMILY ATTACHED RESIDENTIAL UNITS AND MULTIFAMILY RESIDENTIAL UNITS.
- BOUNDARY DATA SHOWN HEREON IS BASED ON FIELD SURVEY BY J2 ENGINEERS.
- TOPOGRAPHIC INFORMATION SHOWN HEREON WAS OBTAINED FROM A COMBINATION OF AERIAL SURVEY AND LOUDOUN COUNTY GIS. THE CONTOUR INTERVAL EQUALS TWO (2) FEET ON VERTICAL DATUM NAVD 25. MODERATELY OR VERY STEEP SLOPES DO EXIST ON THE SUBJECT PROPERTY.
- THIS PROJECT IS LOCATED WITHIN THE GOOSE CREEK RESERVOIR PROTECTION AREA AND IS SUBJECT TO REQUIREMENTS SET FORTH IN THE LOUDOUN COUNTY FSM SECTION 5.230.B.4. ADDITIONALLY, ANY DEVELOPMENT WITHIN THE RESERVOIR PROTECTION AREA MUST BE APPROVED THROUGH A WAIVER THROUGH THE DEPARTMENT OF BUILDING AND ZONING.
- THIS PROJECT IS LOCATED WITHIN THE SCENIC CREEK VALLEY BUFFER AND IS SUBJECT TO THE REQUIREMENTS SET FORTH IN THE REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE SECTION 5-1000.
- SOILS INFORMATION SHOWN HEREON IS TAKEN FROM DIGITAL MAPS PROVIDED BY LOUDOUN COUNTY.
- THERE IS FLOODPLAIN ON THE PROPERTY THAT IS THE SUBJECT OF THIS APPLICATION. THE CURRENT FLOOD INSURANCE RATE MAP (FIRM) OF LOUDOUN COUNTY COMMUNITY PANEL NUMBERS FOR THE PROPERTY THAT IS THE SUBJECT OF THIS APPLICATION ARE 51107C0245E AND 51107C0242E EFFECTIVE FEBRUARY 17, 2017. THE DEPICTED BOUNDARY OF THE EXISTING FLOODPLAIN IS BASED ON THE FIRM.
- JURISDICTIONAL WETLANDS EXIST WITHIN THE SITE. WETLANDS DELINEATION PERFORMED BY TNT ENVIRONMENTAL, INC. IN 2019 AND 2020 AND FIELD LOCATED BY J2 ENGINEERS, INC. JURISDICTIONAL DETERMINATION WILL BE SUBMITTED AND PROVIDED AT THE PERMIT DRAWING PHASE.
- THE LOCATION OF THE ARCHEOLOGICAL SITES ARE BASED ON THE "PHASE 1 CULTURAL RESOURCES INVESTIGATION" COMPLETED BY THUNDERBIRD ARCHEOLOGY, WSS, MARCH 2020, REVISED JUNE 2020.
- ALL APPLICABLE STATE AND FEDERAL PERMITS SHALL BE OBTAINED PRIOR TO DISTURBANCES WITHIN JURISDICTIONAL WATERS AND WETLANDS.
- PRIVATE STREETS SHALL BE DESIGNED TO THE STANDARDS OF THE LOUDOUN COUNTY FACILITIES STANDARDS MANUAL. ALL PRIVATE STREETS SHOWN SHALL BE CONTAINED WITHIN AN INGRESS/EGRESS EASEMENT.
- ALL UNDERGROUND UTILITIES WITHIN STREET RIGHT-OF-WAYS SHALL BE INSTALLED TO THE REQUIRED DISTANCE BEYOND RIGHT-OF-WAY LINE PRIOR TO THE INSTALLATION OF ANY SUBBASE MATERIAL, CURB AND GUTTER, OR SIDEWALK.
- STORM WATER MANAGEMENT WILL BE PROVIDED IN ACCORDANCE WITH CHAPTER 1096 OF THE CODIFIED ORDINANCES OF LOUDOUN COUNTY. LOW IMPACT DEVELOPMENT TECHNIQUES WILL BE IMPLEMENTED WHERE FEASIBLE.
- ALL DEDICATED OPEN SPACE MUST BE PERMANENTLY RESERVED AND MAINTAINED AS OPEN SPACE BY A MEANS ACCEPTABLE TO THE BOARD OF SUPERVISORS.
- ALL CONSTRUCTION SHALL CONFORM TO CURRENT LOUDOUN COUNTY, VDOT, AND LOUDOUN COUNTY SANITATION AUTHORITY STANDARDS AND SPECIFICATIONS.
- THE APPROVAL OF THESE PLANS SHALL IN NO WAY RELIEVE THE DEVELOPER OR HIS AGENT OF ANY LEGAL RESPONSIBILITY WHICH MAY BE REQUIRED BY APPLICABLE LOCAL, STATE AND FEDERAL REQUIREMENTS OR ANY OTHER ORDINANCE ENACTED BY THE COUNTY OF LOUDOUN.
- ALL FUTURE DEVELOPMENT MUST COMPLY WITH SECTION 4-1500 OF THE REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE.
- REQUESTS FOR FIELD ASSISTANCE FROM THE DEPARTMENT OF BUILDING AND DEVELOPMENT FOR LOCATION OF PROPOSED ENTRANCES OR SPECIFIC AREAS OF PROPOSED DEVELOPMENT AS RELATED TO EXISTING SITE CONDITIONS CAN BE OBTAINED FROM:

ERIC ERICKSON
J2 ENGINEERS, INC.
602 S KING STREET
SUITE 330
LEESBURG, VA 20175
(571) 291-9167



VICINITY MAP

SCALE: 1"=1000'

Sheet List Table

- COVER SHEET
- CONTEXT & ZONING MAP
- ILLUSTRATIVE PLAN - GOOSE CREEK OVERLOOK NORTH
- ILLUSTRATIVE PLAN - GOOSE CREEK OVERLOOK SOUTH
- EXISTING CONDITIONS
- CENTERED PLAT
- CONCEPT DEVELOPMENT PLAN
- OPEN SPACE, CIVIC USE & LANDSCAPE REQUIREMENTS
- CIVIC USE AND ACTIVE RECREATION AREA ILLUSTRATIVE PLANS
- VEHICULAR & PEDESTRIAN CIRCULATION PLAN
- ENVIRONMENTAL FEATURES OVERLAY PLAN
- SYCOLIN ROAD - INTERIM CONDITION
- EXISTING VEGETATION MAP



J2 Engineers, Inc.
800 Lafayette Center Drive
Suite 330
Chantilly, VA 20151
703.361.1550 (office)
703.956.6845 (fax)
www.j2engineers.com

PLAN# 1061201
DATE: MARCH 2020
CONTOUR INT. = N/A
SCALE: AS NOTED

PLAN DATE
04/26/2020
04/26/2020
04/26/2020
04/26/2020
04/26/2020
04/26/2020
04/26/2020
04/26/2020

COVER SHEET
ZONING MAP AMENDMENT AND ZONING MODIFICATIONS
GOOSE CREEK OVERLOOK
ASHBURN/BLUE RIDGE ELECTION DISTRICT
LOUDOUN COUNTY, VIRGINIA

NO.	DATE	DESCRIPTION	REVISIONS

OWNER
HENNESSY, WILLIAM J JR & AREZOU
20776 SYCOLIN ROAD
ASHBURN, VA 20148-4312

OWNER
LOUDOUN COUNTY BOARD OF SUPERVISORS
PO BOX 7000 MSC 01
LEESBURG, VA 20177-7000

OWNER
THE CAROL A O'NEIL TRUST,
CAROL A. O'NEIL, TRUSTEE
819 25TH STREET
ARLINGTON, VA 22202-2430

OWNER
KATHERINE PARRY
1060 WEAVER DR
OVIEDO, FL 32765-7030

OWNER
GC PROPERTY LLC
2604 AMANDA CT
VIENNA, VA 22180-6800

OWNER
JUDITH KNOOP
1820 SPRUCE ST., APT. 4F
PHILADELPHIA, PA 19103-6689

DEVELOPER/APPLICANT
GOOD WORKS DEVELOPMENT LP
P.O. BOX 1258
MIDDLEBURG, VA 20118
540.687.5866

PROJECT MANAGER
TERRA DOMINION GROUP
15670 HUNTON LANE
HAYMARKET, VA 20169

ATTORNEY
WALSH, COLUCCI, LUBELEY & WALSH, P.C.
1 EAST MARKET STREET
THIRD FLOOR
LEESBURG, VA 20176
571.209.5775

ENGINEER
J2 ENGINEERS
4800 LAFAYETTE CENTER DRIVE
SUITE 330
CHANTILLY, VA 20151
703.361.1550

PLANNER
BOWMAN CONSULTING GROUP, LTD.
101 SOUTH STREET, S.E.
LEESBURG, VA. 20175
703.443.2425

TRANSPORTATION PLANNER
GOROVE/SLADE ASSOCIATES, INC
3914 CENTREVILLE ROAD
SUITE 330
CHANTILLY, VA 20151
703.787.9595 EXT. 109

DEVELOPER/APPLICANT
GOOSE CREEK OVERLOOK LLC
11790 SUNRISE VALLEY DRIVE
SUITE 225
RESTON, VA 20191

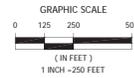
SHEET
01
OF
12

CONTEXT MAP

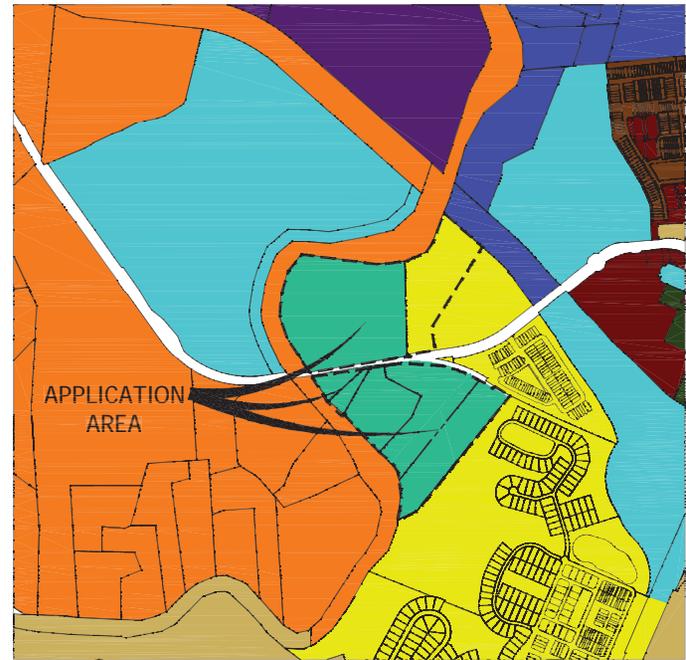


LEGEND

- APPLICATION AREA
- INTERNAL LOT LINES



ZONING MAP



ZONING

- R-1
- PD-H4
- TR-10
- PD-OP
- PD-IP
- MR-HI
- R-24
- PD-MUB
- PD-CC(CC)
- R-16
- PD-H3
- PD-GI

SITE INFORMATION:

MCPI NUMBERS:	145-45-5373 153-16-3488 154-16-1833 154-45-3829 154-45-9680 154-35-8154 154-45-5980
TOTAL SITE AREA:	64.6547 AC
APPLICATION AREA:	55.2587 AC
EXISTING ZONING:	46.0603 AC (ZONED R-1) 9.1984 AC (ZONED PD-H4)
PROPOSED ZONING:	55.2587 AC PD-H4 ADMINISTERED AS R-8 ADU AND R-16 ADU

A. S. STEELES ROAD BY MAPS



J2 Engineers, Inc.
4802 Lafayette Center Drive
Suite 330
Charlottesville, Va. 20151
703.361.1550 (office)
703.956.0845 (fax)
www.j2engineers.com

PLAN# 12061201
DATE: MARCH, 2020
CONTOUR INT. = 4'
SCALE: AS NOTED

PLAN DATE
1/26/2020
1/26/2020
1/26/2020
1/26/2020
1/26/2020
1/26/2020
1/26/2020
1/26/2020

**ZONING MAP AMENDMENT AND ZONING MODIFICATIONS
GOOSE CREEK OVERLOOK
ASHBURN/VLUE RIDGE ELECTION DISTRICT
LOUDOUN COUNTY, VIRGINIA**

NO.	DATE	DESCRIPTION	REVISIONS

SHEET
02
OF
12

J2 Engineers - X:\WORK\ACTIVE\GOOSE CREEK OVERLOOK\CDP - ASHURVAULT\CDP\01\ILLUSTRATIVE PLAN.dwg [NORTH] January 21, 2021 - 1:46pm gfbvzw



J2 Engineers, Inc.
4300 Lafayette Center Drive
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Chantilly, Va. 20151
703.341.1550 (office)
703.956.6845 (fax)
www.j2engineers.com

PLAN# 1261201
DATE: MARCH 2020
CONTOUR INT. = 4'
SCALE: 1/4"

PLAN DATE
1/26/2020
2/4/2020
2/10/2020
2/17/2020
2/24/2020
3/2/2020
3/9/2020
3/16/2020
3/23/2020

ILLUSTRATIVE PLAN - GOOSE CREEK OVERLOOK NORTH
ZONING MAP AMENDMENT AND ZONING MODIFICATIONS
GOOSE CREEK OVERLOOK
ASHURVAULT RIDGE ELECTION DISTRICT
LOUDOUN COUNTY, VIRGINIA



THIS SHEET FOR ILLUSTRATIVE PURPOSES ONLY

NO.	DATE	DESCRIPTION	REVISIONS

SHEET
03
OF
12

JZ Engineers - X:\WORK\ACTIVE\GOOSE CREEK OVERLOOK CDP - Illustrative\CD\01\01\ILLUSTRATIVE PLAN.dwg [D:\JZ] January 21, 2021 - 1:10pm gggshw



jz
engineers
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3/16/2020

ILLUSTRATIVE PLAN - GOOSE CREEK OVERLOOK SOUTH
ZONING MAP AMENDMENT AND ZONING MODIFICATIONS
GOOSE CREEK OVERLOOK
ASHBURN/VBLUE RIDGE ELECTION DISTRICT
LOUDOUN COUNTY, VIRGINIA



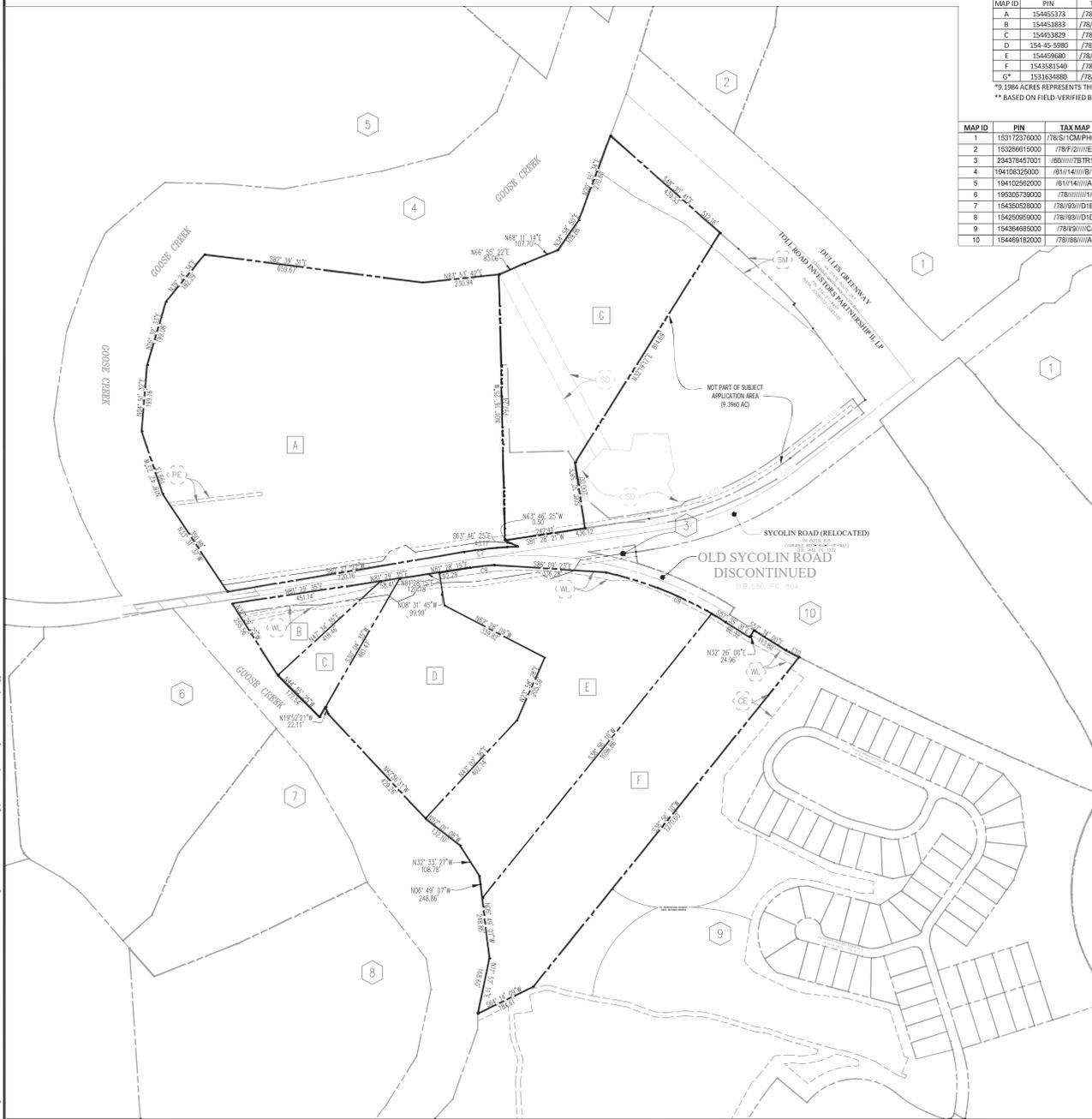
KEY MAP

THIS SHEET FOR ILLUSTRATIVE PURPOSES ONLY

NO.	DATE	DESCRIPTION	REVISIONS

SHEET
04
OF
12

CERTIFIED PLAT



OWNER INFORMATION FOR PARCELS INCLUDED IN APPLICATION

MAP ID	PIN	TAX MAP	OWNER	ADDRESS	AREA (Ac.)	USE
A	15445373	778/111111/1FV	WILLIAM J. HENNESSY, JR. AND AREZOU K. HENNESSY	20776 SYCOLIN RD., ASHBURN VA 20148-431	20.9227	SINGLE FAMILY
B	154451883	778/111111/3A	WILLIAM J. HENNESSY, JR. AND AREZOU K. HENNESSY	20776 SYCOLIN RD., ASHBURN VA 20148-431	1.2091	VACANT LAND
C	154453829	778/111111/2I	CAROL A. O'NEIL, TRUSTEE	819 25TH ST S, ARLINGTON VA 22202-2430	1.1043**	VACANT LAND
D	154-45-5980	778/111111/1SA	GC PROPERTY LLC	2604 AMANDA CT, VIENNA VA 22180-6800	6.0238	VACANT LAND
E	154496889	778/111111/196	KATHERINE PARTSH	1860 WEAVER DR., DIVISDO FL 32765-7030	8.4944	VACANT LAND
F	1543581540	778/111111/16I	KNOOP, JUDITH	1820 SPRUCE ST APT 45, PHILADELPHIA PA 19103-6689	8.3060	VACANT LAND
G*	1531634880	778/188/111/DV	LOUDOUN COUNTY BOARD OF SUPERVISORS	PO BOX 7000 MSC 01, LEESBURG VA 20177-7000	9.1984	VACANT LAND

*9.1984 ACRES REPRESENTS THE AREA OF THIS PARCEL NOT PREVIOUSLY USED FOR THE REQUIRED OPEN SPACE OF GOOSE CREEK SOUTH
 ** BASED ON FIELD-VERIFIED BOUNDARY SURVEY

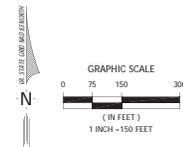
ADJACENT OWNER INFORMATION

MAP ID	PIN	TAX MAP	OWNER	MAILING ADDRESS	USE
1	1161172010000	778/S1/COM/PHW	GOOSE CREEK COMMERCIAL LLC	42785 GENERATION DR APT 714, ASHBURN VA, 20147	VACANT LAND
2	153286915000	778/F2/011/E	LOUDOUN COUNTY BOARD OF SUPERVISORS	PO BOX 7000 MSC 01, LEESBURG VA 20177-7000	VACANT LAND
3	234378457001	860/000/7B/TR1	TOLL ROAD INVESTORS PARTSHIP II LP	45305 CATALINA CT STE 102, STERLING VA 20166-2337	VACANT LAND
4	194108326000	181/114/01/B	LOUDOUN COUNTY BOARD OF SUPERVISORS	PO BOX 7000 MSC 01, LEESBURG VA 20177-7000	VACANT LAND
5	194102562000	181/114/01/A	COMPASS DATACENTERS IAD I LLC	14555 DALLAS PKWY # 125, TX, 75254-4300	COMPASS DATA CENTER
6	165505738000	778/010/01/F	ROMANO, JOSEPH SCOTT & CATHERINE DOWNING	21572 GLEBE VIEW DR, ASHBURN VA 20148-3625	SINGLE FAMILY DETACHED
7	154505050000	778/193/01/D/E	NEUBERGER, SAMUEL M	20711 SYCOLIN RD., LEESBURG VA 20175-4637	SINGLE FAMILY DETACHED
8	154250950000	778/193/01/D1V	LEWIS, TADEUSZ WILLIAM & VIVIAN H	22984 TURNER FARM LN, LEESBURG VA 20175-4644	SINGLE FAMILY DETACHED
9	154384689000	778/188/01/C	GOOSE CREEK ESTATES MASTER ASSOCIATION	2200 CLARENDON BLVD STE 1300, ARLINGTON VA 22201-3359	HOA/ OPEN SPACE
10	154489182000	778/188/01/A	GOOSE CREEK VILLAGE HOMEOWNERS ASSOCN	3301 JERMANTOWN RD STE 600, FAIRFAX VA 22030-2879	HOA/ OPEN SPACE

LEGEND

- APPLICATION AREA
- (PE) NOVEC/POWER EASEMENT
- (CE) CONSERVATION EASEMENT
- (WL) WATERMAIN EASEMENT
- (SM) SLOPE MAINTENANCE EASEMENT
- (SD) STORM DRAIN EASEMENT
- 3 ADJACENT OWNER
- A PARCEL OWNER WITHIN APPLICATION AREA

Curve #	Radius	Delta Angle	Tangent Length	Chord Bearing	Chord Length	Arc Length
C7	1170.91'	758°52'	81.68'	S84° 26' 48"W	162.97'	163.10'
C8	1120.82'	944°39'	36.64'	S83° 20' 37"W	73.23'	73.25'
C9	1120.82'	19°56'12"	196.99'	N67° 33' 36"W	388.04'	390.00'
C10	12728.02'	0°1'54"	22.03'	S83° 09' 51"E	44.05'	44.05'



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PLAN# 1261201
 DATE: MARCH 2020
 CONTOUR INT. = 1/4"
 SCALE: AS NOTED

PLAN DATE
 1/20/2020
 2/20/2020
 3/20/2020
 4/20/2020
 5/20/2020
 6/20/2020
 7/20/2020
 8/20/2020
 9/20/2020
 10/20/2020
 11/20/2020
 12/20/2020

CERTIFIED PLAT
 ZONING MAP AMENDMENT AND ZONING MODIFICATIONS
 GOOSE CREEK OVERLOOK
 ASHBURN/VILLAGE RIDGE ELECTION DISTRICT
 LOUDOUN COUNTY, VIRGINIA

NO.	DATE	DESCRIPTION	REVISIONS

SHEET
 OF
 12

OPEN SPACE, CIVIC USE & LANDSCAPE REQUIREMENTS



LEGEND

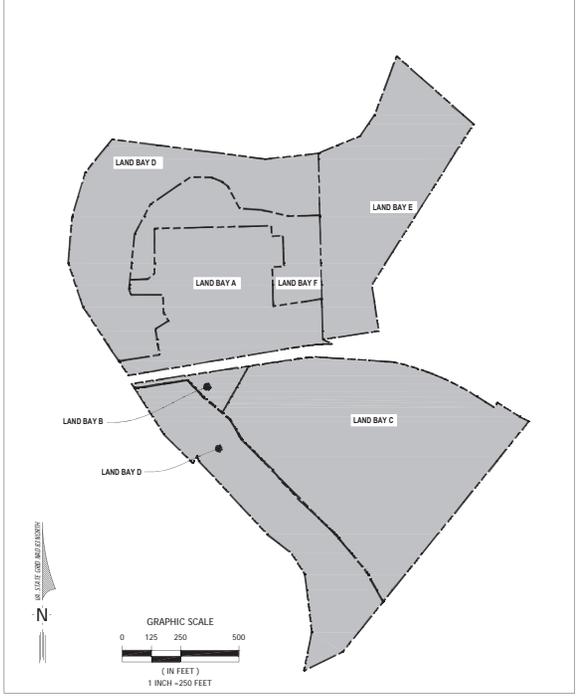


BUFFER YARD REQUIREMENTS

Buffer Segment	Location	Proposed Use		Adjacent Use		Buffer Type
		Land Use	Group	Land Use	Group	
NORTH SECTION						
D-D1	South	SFA	2	Sycolin Road	n/a	Roadway Corridor Buffer Type 2
D1-D2	South	SFA	2	Sycolin Road	n/a	Roadway Corridor Buffer Type 2
D2-E	West	SFA	2	Data Center	8	Type B
E-A	North	SFA	2	Data Center	8	Type B
SOUTH SECTION						
F2-F1	North	SFA	2	Sycolin Road	n/a	Type C*
F1-F	North	SFA	2	Sycolin Road	n/a	Roadway Corridor Buffer Type 2
F-G	East	SFA	2	SFA	2	NONE
G-H	Southeast	SFA	2	SFD	1	Type B
H-I	Southwest	SFA	2	SFD	1	Type B
I-E2	North	SFA	2	Sycolin Road	n/a	Roadway Corridor Buffer Type 2

* TYPE C BUFFER PROPOSED PER R5320 5-621(B)(1) TO SCREEN SANITARY SEWER PUMP STATION.

LAND BAY KEY MAP



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PLAN# 1261201
 DATE: MARCH 2020
 CONTOUR INT. = 1/4"
 SCALE: AS NOTED

PLAN DATE: 1/26/2020
 1/26/2020
 1/26/2020
 1/26/2020
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 1/26/2020

OPEN SPACE, CIVIC USE & LANDSCAPE REQUIREMENTS
 ZONING MAP AMENDMENT AND ZONING MODIFICATIONS
 GOOSE CREEK OVERLOOK
 ASHBURN/BLUE RIDGE ELECTION DISTRICT
 LOUDOUN COUNTY, VIRGINIA

NO.	DATE	DESCRIPTION	REVISIONS

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 12

ILLUSTRATIVE PLANS



1 COMMUNITY ACTIVE RECREATION IN FLOODPLAIN



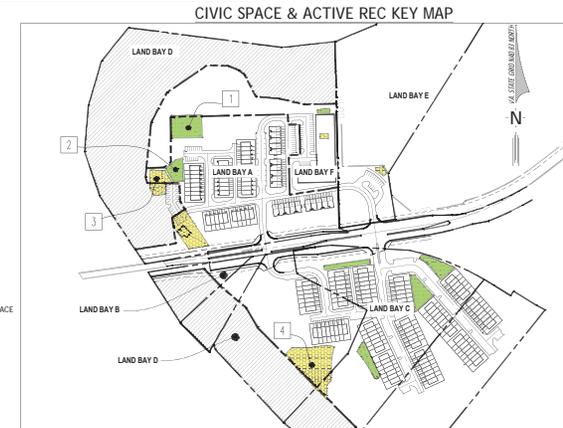
2 COMMUNITY ACTIVE RECREATION AREA WITH PUBLIC ACCESS EASEMENT



3 GOOSE CREEK STREAM VALLEY CIVIC AREA



4 SOUTHERN OVERLOOK CIVIC USE



J2 Engineers - X:\WORK\ACTIVE\Goose Creek Overlook\CDP - Assembly\DO\101- OPEN SPACE.dwg [ILLUSTRATED] January 21, 2021 - 1:14 pm gpbhcr

THE EXHIBITS ARE PROVIDED FOR ILLUSTRATIVE PURPOSES. THE ELEMENTS DEPICTED ON THE ILLUSTRATIVE PLAN WILL BE FINALIZED AT SUBDIVISION/SITE PLAN STATE OF DEVELOPMENT AND PROVIDED PER THE PROFFERS.



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 Suite 330
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PLAN# 12061201
 DATE: MARCH 2020
 CONTOUR INT. = '14
 SCALE: AS NOTED

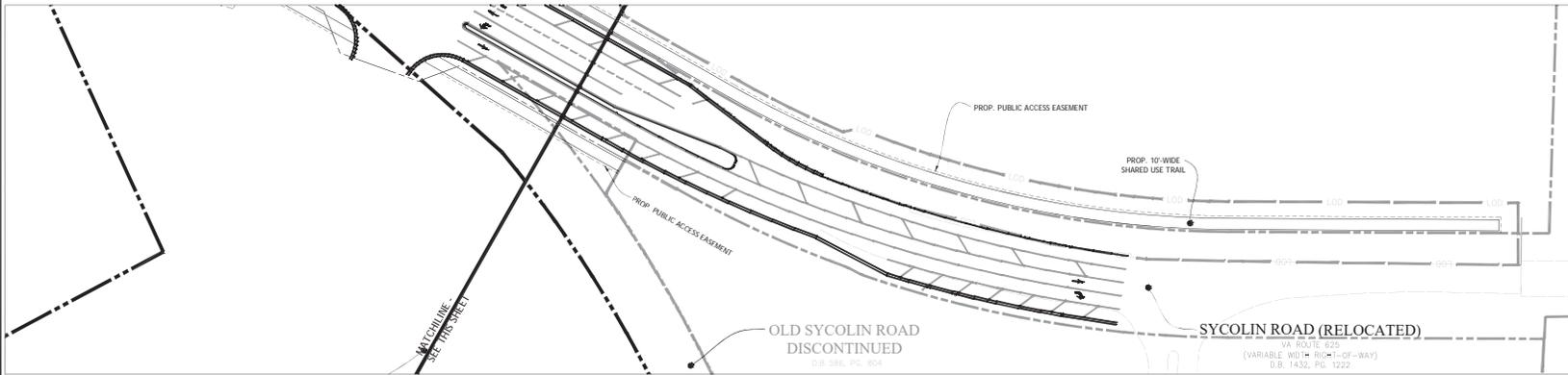
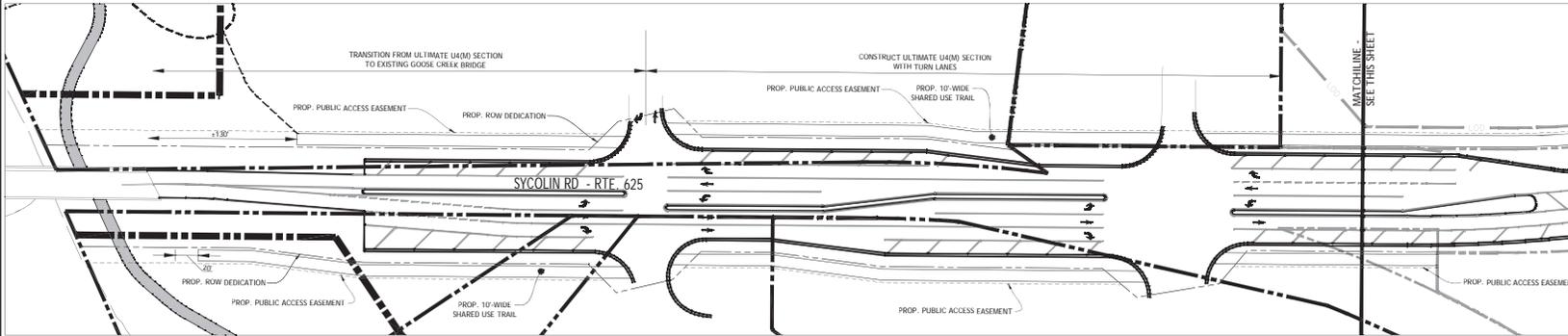
PLAN DATE
 1/26/2020
 2/4/2020
 2/10/2020
 2/17/2020
 2/24/2020
 3/2/2020
 3/9/2020
 3/16/2020
 3/23/2020

CIVIC USE AND ACTIVE RECREATION AREA ILLUSTRATIVE PLANS
 ZONING MAP AMENDMENT AND ZONING MODIFICATIONS
 GOOSE CREEK OVERLOOK
 ASHBURN/BLUE RIDGE ELECTION DISTRICT
 LOUDOUN COUNTY, VIRGINIA

NO.	DATE	DESCRIPTION	REVISIONS

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 08.1
 OF
 12

SYCOLIN ROAD - INTERIM CONDITION



NOTES:

1. THE ULTIMATE CONDITIONS SHOWN ON THIS SHEET REPRESENT TWO THRU LANES IN EITHER DIRECTION OF SYCOLIN ROAD AS WELL AS A PEDESTRIAN ASPHALT TRAIL. THE INTERIM CONDITIONS ASSUME A TRANSITION FROM THE WESTERN ENTRANCE TO THE EXISTING GOOSE CREEK BRIDGE, WHICH IS 2-LANE. EAST OF THE EASTERN ENTRANCE AND SUBJECT TO AVAILABLE RIGHT-OF-WAY THE 4-LANES WILL TRANSITION INTO 2 LANES AND WILL TIE INTO THE EXISTING PAVEMENT PREVIOUSLY CONSTRUCTED WITH GOOSE CREEK VILLAGE SOUTH.
2. THE PROPOSED 10'-WIDE SHARED USE TRAIL SHALL BE LOCATED IN A 14'-WIDE PUBLIC ACCESS EASEMENT.



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703.956.0845 (fax)
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PLAN# 12061201
DATE: MARCH 2020
CONTOUR INT. = 4'
SCALE: 1" = 50'

PLAN DATE
1/24/2020
2/10/2020
2/10/2020
2/10/2020
2/10/2020
2/10/2020
2/10/2020
2/10/2020

SYCOLIN ROAD - INTERIM CONDITION
ZONING MAP AMENDMENT AND ZONING MODIFICATIONS
GOOSE CREEK OVERLOOK
ASHBURN/BLUE RIDGE ELECTION DISTRICT
LOUDOUN COUNTY, VIRGINIA

NO.	DATE	DESCRIPTION	REVISIONS

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GOOSE CREEK VILLAGE SOUTH ZONING CONCEPT PLAN AMENDMENT

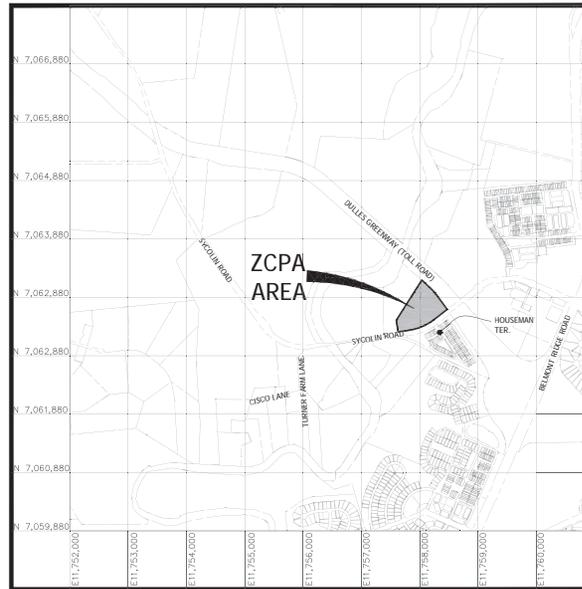
ZCPA-2020-0008

ASHBURN ELECTION DISTRICT
LOUDOUN COUNTY, VIRGINIA

GENERAL NOTES

1. THE SUBJECT PROPERTY SHOWN HEREON IS ZONED PD-14 PER APPROVED ZMAP-2003-0009. SOURCE OF TITLE CAN BE FOUND AT THE INSTRUMENT NUMBERS BELOW:

MCP#	INSTRUMENT #/ DB. PG. #	ZONING	ACREAGE
153-15-3488(PART)	200807040075	PS-14	9.399 (18.594 TOTAL)
2. THE FOLLOWING LAND DEVELOPMENT APPLICATION IS ASSOCIATED WITH THIS PROJECT:
 - ZMAP-2003-0009, APPROVED 07/23/2003.
 - ZMAP-2020-0005, PENDING APPROVAL.
3. THIS ZCPA APPLICATION IS PROPOSED IN CONJUNCTION WITH A REZONING PROPOSAL, ZMAP-2020-0005, WHICH INCLUDES WITHIN ITS APPLICATION AREA THE +9.2 ACRES OF LAND THAT IS NOT INCLUDED WITHIN THE ZCPA APPLICATION AREA AS SHOWN ON SHEET 02.
4. THIS APPLICATION PROPOSES TO REMOVE +/- 9.2 ACRES FROM THE TOTAL OPEN SPACE PROVIDED CALCULATION SHOWN ON THE CONCEPT DEVELOPMENT PLAN FOR REZONING APPLICATION ZMAP-2003-0009. THE +/- 9.2 ACRES WILL BE INCLUDED AS PART OF THE APPLICATION AREA WITH REZONING PLAN ZMAP-2020-0005.
5. THIS PROPERTY WILL HAVE A PROPOSED ZONING OF PD-14, PER REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE.
6. BOUNDARY DATA SHOWN HEREON IS BASED ON FIELD SURVEY BY J2 ENGINEERS.
7. THIS PROJECT IS LOCATED WITHIN THE GOOSE CREEK RESERVOIR PROTECTION AREA AND IS SUBJECT TO RE REQUIREMENTS SET FORTH IN THE LOUDOUN COUNTY FSM SECTION 5.230 B.4.
8. THIS PROJECT IS LOCATED WITHIN THE SCENIC CREEK VALLEY BUFFER AND IS SUBJECT TO THE REQUIREMENTS SET FORTH IN THE 1993 REVISED LOUDOUN COUNTY ZONING ORDINANCE SECTION 5-1000.
9. ALL DEDICATED OPEN SPACE MUST BE PERMANENTLY RESERVED AND MAINTAINED AS OPEN SPACE BY A MEANS ACCEPTABLE TO THE BOARD OF SUPERVISORS.



VICINITY MAP

SCALE : 1"=1000'

OWNER

LOUDOUN COUNTY BOARD OF SUPERVISORS
PO BOX 7000 MSC 01
LEESBURG, VA 20177-7000

DEVELOPER/APPLICANT

GOOD WORKS DEVELOPMENT LP
P. O. BOX 1258
MIDDLEBURG, VA 20118
540.687.5866

DEVELOPER/APPLICANT

GOOSE CREEK OVERLOOK LLC
11790 SUNRISE VALLEY DRIVE
SUITE 225
RESTON, VA 20191

Sheet List Table

01	COVER SHEET
02	CERTIFIED PLAT



J2 Engineers, Inc.
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PLAN# 1021301
DATE: 6/4/2020
CONTOUR INT. = 1/4"
SCALE: AS NOTED

PLAN DATE
08/19/2020
07/14/2020
07/14/2020
07/14/2020

COVER SHEET
ZONING CONCEPT PLAN AMENDMENT
GOOSE CREEK VILLAGE SOUTH
ASHBURN ELECTION DISTRICT
LOUDOUN COUNTY, VIRGINIA

NO.	DATE	DESCRIPTION	REVISIONS

SHEET
01
OF
02

STATEMENT OF JUSTIFICATION

GOOSE CREEK OVERLOOK

ZMAP-2020-0005, ZCPA-2020-0008, ZMOD-2020-0020, ZMOD-2020-0026

September 21, 2020

I. INTRODUCTION

Goose Creek Overlook LLC (“GCO”) and **Good Works Development LP (“Good Works”)**, with Good Works and GCO being hereinafter collectively referred to as the “Applicant”) request a rezoning, zoning concept plan amendment and a zoning modification to establish a new suburban residential neighborhood and passive public park in the Suburban Policy Area of Loudoun County (the “County”). The proposed project will include a substantial number of housing units to address the deficit of attainable housing in the County, as well as the preservation of open space and creation of a passive park along Goose Creek, and the installation of approximately one mile of the planned Emerald Ribbon Trail and canoe/kayak launch along Goose Creek (collectively the “Project”).

The proposed Project site area is comprised of all or a portion of seven parcels collectively totally approximately 55.26 acres of land (collectively the “Property”) as follows:

Parcel Number	Identification	Owner	Acreage/Existing Zoning
154-45-5373		William J. & Arezou K. Hennessy	20.9227 acres/R-1
154-45-1833		William J. & Arezou K. Hennessy	1.2091 acres/R-1
154-45-3829		Carol A O’Neil, Trustee	1.1043 acres*/R-1
154-45-9680		Katherine Parry	8.4948 acres/R-1
154-35-8154		Judith Knoop	8.3059 acres/R-1
153-16-3488 (portion)		Loudoun County Board of Supervisors	9.2 acres of 18.59-acre parcel PD-H4 (Admin R-16 ADU)
154-45-5980		GC Property LLC	6.023 acres/R-1

* Land area based on updated boundary survey recorded in 2014.

The Property is bordered by Goose Creek to the north and west, and to the east by the Dulles Greenway (Route 267). The single-family attached residential subdivisions of Goose Creek Village South (zoned to the PD-H4 zoning district and administered as R-16 ADU) and Goose Creek Preserve (zoned to the PD-H4 zoning district) are located to the south and east of the Property, respectively. Sycolin Road bisects the Property. The parcels included in the Property located north of Sycolin Road are located in the Ashburn Election District, and the parcels included in the Property located south of Sycolin Road are located in the Blue Ridge Election District.

The 2019 Loudoun County General Plan (the “2019 Plan”) includes the Property within the Suburban Policy Area and recommends development pursuant to the Suburban Neighborhood place type. The Suburban Policy Area envisions self-sustaining communities where one can live, work, learn and play. The Suburban Policy Area design guidelines encourage the creation of visually interesting and compatible site designs which offer inviting spaces, varied activity, and a sense of place and uniqueness. The 2019 Plan specifically encourages the use of a design process that conserves and protects key natural, environmental, and heritage resources such as areas adjacent to Goose Creek and incorporates any such features into the site design.

The Suburban Neighborhood place type provides for development of residential communities at a maximum density of 4.0 dwelling units per acre. Single family attached residential units are designated as “Core” uses in the Suburban Neighborhood place type and multi-family residential units are permitted as complementary uses. The preferred mix of uses for the Suburban Neighborhood place type includes between 75 and 90 percent residential uses, a minimum of 10 percent public/civic uses, and zero to 15 percent non-residential uses.

II. PROPOSAL

As depicted on the Concept Development Plan (the “CDP”) prepared by J2 Engineers, Inc., dated September 18, 2020, the Applicant proposes to rezone the portions of the Property currently zoned R-1 to the Planned Development Housing 4 (“PD-H4”) zoning district pursuant to § 4-100 *et seq.* of the Revised 1993 Loudoun County Zoning Ordinance (the “Zoning Ordinance”). Land Bays B and C, are proposed to be administered under the R-8 Single Family Residential zoning district pursuant to §§ 3-500 and 7-800 (ADU) of the Zoning Ordinance in order to develop 99 single family attached units and a public sanitary sewer pump station. Land Bays A and F are proposed to be administered in accordance with the provisions of the R-16 Townhouse/Multi-family Residential (“R-16 ADU”) zoning district pursuant to §§ 3-600 and 7-900 (ADU) of the Zoning Ordinance in order to develop up to 37 market rate single family attached units, 40 market rate Stacked Multi-Family units and 75 Multi-Family affordable dwelling units (ADU) that are to be developed in accordance with the Affordable Housing Unit provisions (§7-109) of the Zoning Ordinance.

The Project provides a unique opportunity to implement key goals of the 2019 Plan including:

- Providing a minimum of 42.6 percent (75 units) Affordable Dwelling Units (“ADUs/AHUs”);
- The utilization of County-owned land for the development of ADUs/AHUs;
- Dedication of approximately 16.7 acres of land along Goose Creek to the County for passive recreation purposes;
- Subjecting the dedicated approximately 16.7 acre area to an open space/conservation easement to the benefit of the Virginia Outdoors Foundation (“VOF”);

- Constructing approximately 5,500+ linear feet (over one mile) of the Emerald Ribbon Trail along Goose Creek;
- Providing a passive public park along Goose Creek inclusive of two public trailheads/parking areas, a canoe/kayak launch and connections to the Emerald Ribbon Trails and access to Goose Creek; and
- Providing a permanent sanitary sewer pump station to service the residential neighborhood development envisioned for this area by the 2019 General Plan.

The proposed multi-family ADUs will be one-, two-, and three-bedroom units developed by Good Works as rental AHUs as that term is defined in the Zoning Ordinance. The units will be located in one four story over podium building (the “AHU Building”). The 2019 Plan calls for a continuum of housing choices in order to attract and retain employees and to create a resilient, inclusive, and diverse community, which these units will help provide.

The proposed ADUs directly address the housing affordability goals of the 2019 Plan by proposing to provide units affordable from 30 percent Area Median Income (“AMI”) to 60 percent AMI and, if VHDA guidelines on Income Averaging can be used, units affordable up to 80 percent AMI. Good Works will seek County rental assistance through project-based vouchers for those below the 30 percent AMI tier who might be handicapped. Good Works will also provide units reserved for veterans and the developmentally disabled. The proposed ADUs will make use of the adjacent underutilized (and currently inaccessible) County-owned land by utilizing 9.2 acres of the County Parcel for density calculation purposes for the Project. This will unlock the value of the County Parcel for a financially sound and attainable housing project that will result in the construction of 42.6% of the Project as ADUs, without actually constructing the ADUs on the County Parcel

Similar to other Good Works projects elsewhere in the County, the AHU Building will include green building commitments, universal design elements, low-impact and sustainable design features, and amenities including fitness and children’s play areas. The AHU Building will be marketed to all age ranges, including young professionals, single mothers, teachers, retail workers, empty nesters and seniors, all of whom will take advantage of the Project’s proximity to existing commercial and retail uses, child care uses, and commuter transportation facilities at nearby Goose Creek Village.

The market rate units provided in this Project will be developed at a density of 3.19 units/acre – well below the 4.0 units per acre density recommended for the Suburban Neighborhood place type. The Applicant is proposing a bonus density as provided for in Article VII of the Zoning Ordinance to increase the overall Project density to 4.54 dwelling units per acre, which will permit the provision of 75 ADUs (42.6 percent of all units in the Project).

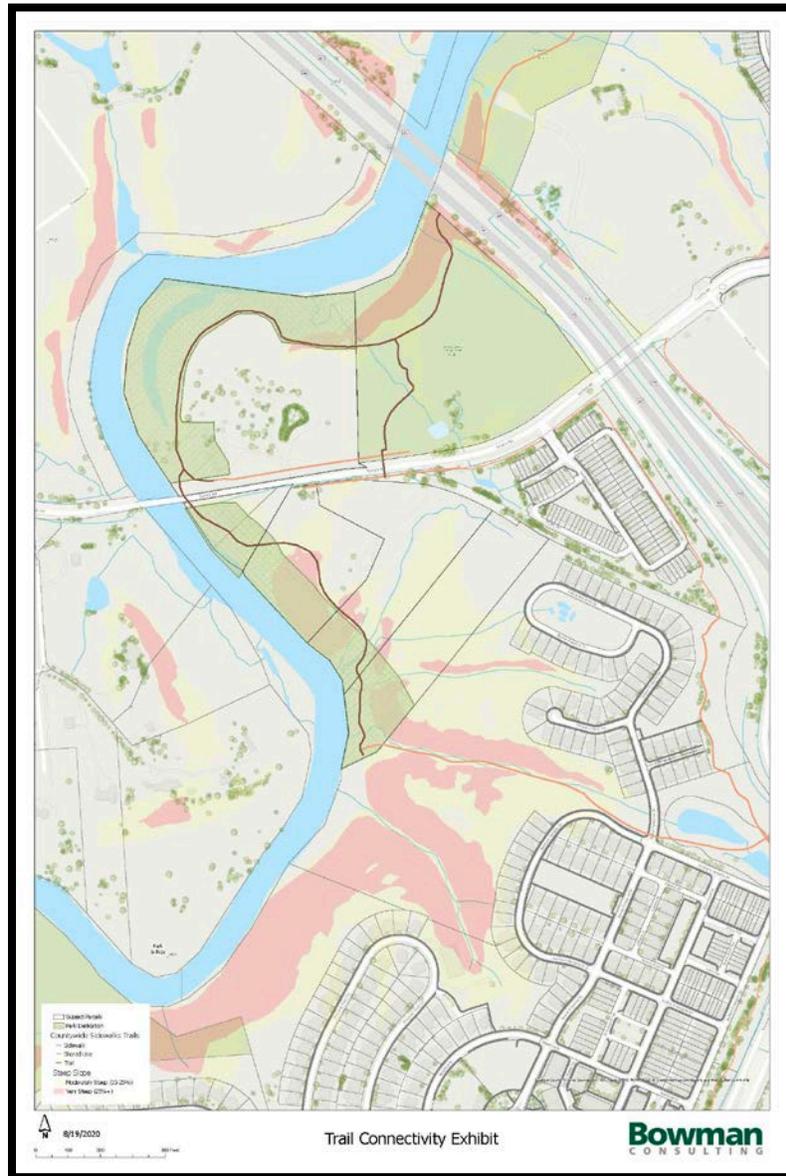
The Applicant will also commit to the construction of a new permanent sanitary sewer pump station on a portion of the Property located south of Sycolin Road. While approximately 66 percent of the capacity of this new pumping station is required to serve the Applicant’s proposed townhomes and Good Work’s proposed AHUs, the balance of the station’s capacity (34 percent) would replace the existing temporary pumping station and service provided to the existing 92

townhomes in Goose Creek Village South. The new sewer pump station will be designed to meet current Loudoun Water and Virginia Department of Environmental Quality requirements.

The Project will not affect the previously approved density or subdivision open space calculations for Goose Creek Village South (ZMAP-2003-0009). As noted on Sheets 1 and 5 of the approved Goose Creek Village South rezoning plat, 9.2 acres of the County parcel was used to support the R-16 density (92 units) for Goose Creek Village South and 9.7 acres of Goose Creek Village South's required subdivision open space was provided from the County Parcel. As a result, there is approximately 9.4 acres of excess, unused density and open space on the County Parcel which may be utilized for the proposed Project.

III. COUNTY DEDICATION/CONSERVATION EASEMENT

Subsequent to submission of the application, the Applicants met with the VOF to further discuss the proposal to swap 9.2 acres of the existing VOF easement area on the County parcel with 14.4 acres of land located within the project along Goose Creek. The VOF staff advised that they did not think such a land swap was advisable. Also, subsequent to submission of the application, the 6.023-acre parcel owned by GC Property LLC located south of Sycolin Road has been added to the application. Therefore, the fundamental and integral components of this Project to: (1) dedicate and preserve a major expanse of property along the Goose Creek, (2) construct a significant segment of the Emerald Ribbons Trail and (3) construct a significant number of ADUs in the Suburban Policy Area, remains unchanged. And, in fact, the addition of the outstanding 6.023 acre parcel provides for an increase in the amount of land that may be dedicated and placed under conservation easement resulting in the preservation of 35+ acres along this segment of Goose Creek (inclusive of the County/VOF easement area). The below exhibit depicts the area to be dedicated and preserved along Goose Creek. The exhibit also depicts the network of trails and sidewalks that can be provided/connected with the construction of the Emerald Ribbons Trail proposed with the Goose Creek Overlook project.



While the exchange of easements with VOF is no longer requested and construction of ADUs on the County parcel is no longer proposed, 9.2 acres of the County land is still included in the application to provide for density to support the increased number of ADUs for the project. This approach will permit the utilization of County-owned land to advance the 2019 Plan's goals of increasing access to attainable housing for families who cannot currently afford to live in the County, as well as to provide housing for employees needed to support a diverse economy. It will permit construction of the proposed 75 ADUs, which, when added to the 176 market-rate units proposed to be developed on the Project, will generate the capital required to construct the new permanent sanitary sewer pumping station required to implement the 2019 Plan land use and density recommendations of the Suburban Neighborhood place type. Without the density proposed by the Project, construction of public sanitary sewer to serve this critical sewer shed will not be

possible and, by extension, the County's 2019 Plan housing, parks and recreation, economic development, and environmental goals for this area of Loudoun County cannot be realized.

IV. LAYOUT & OPEN SPACE

In terms of layout, and as shown on the *Goose Creek Overlook Illustrative Plan* below, the Project has been designed to preserve significant amounts of environmental areas and open space.



The design characteristics for the Suburban Neighborhood place type recommend a minimum of 30 percent of the Project to be comprised of open space which may include active and passive recreation, community, and/or natural, environmental, and heritage resources. As depicted on the

CDP, the Applicant is proposing to provide at least 30 percent open space, which will be comprised of 16.7 acres of dedicated open space, inclusive of approximately 42,000 square feet of active recreation space.

The 2019 Plan promotes preserving the character and resources of open space areas; however, it must be acknowledged that the 9.2-acres of the County Parcel comprises upland ground which is currently fenced and subject to an open space easement. The public enjoys no access to the County Parcel or access to Goose Creek from the County Parcel, nor any other benefit other than by sight from surrounding roads. It is, therefore, important to note that the 2019 Plan places equal importance on addressing housing affordability and the creation of linear open space networks and trails, as it does to the preservation of open space. Given that the public receives no benefit from the County parcel today (other than by sight), the proposed Project provides an opportunity to address several of the 2019 Plan's goals and more effectively addresses policies related to preserving open space and waterway resources, and permitting public access to those resources.

The Applicant has also reviewed the County's 2021-2030 Capital Needs Assessment which states that parks may include either active or passive recreational uses. The 2019 Plan's recommendations specifically highlight the need for networks of publicly accessible green spaces in areas such as Goose Creek. Additionally, Goose Creek is called out in the 2019 Plan as a priority open space area. Strategies 1.4 and 3.1 of the 2019 Plan's Fiscal Management & Public Infrastructure chapter (Chapter 6) specifically recommend creation of continuous linear parks, connected trails, and natural open space corridors to improve public access to open space and encourage healthy lifestyles through proffers, easements, and land dedications. This is also consistent with the County's Department of Parks, Recreation & Community Services' Policy 3 which encourages the development of contiguous regional linear parks, trail, and natural open space corridors.

In consideration of the 2019 Plan's stated goals and policies regarding open space and Goose Creek, a series of amenities are proposed for both Project residents and County residents. In addition to the dedication of open space described above (the "Park Area"), the Applicant is proffering to design, engineer, and install a field-located natural surface trail approximately 5,500 feet in length along the Goose Creek frontage of the Property, as slopes permit, within the Park Area. Where steep slopes will not permit construction on the trail, the trail will be constructed in areas to provide a continuous trail connection that will meander through the area and connect back to the Goose Creek frontage as quickly as possible.

The Applicant is also proffering to design and construct two separate pervious surface public trailhead parking lots to accommodate approximately 47 parking spaces in aggregate and a canoe/kayak launch on Goose Creek. The proposed Park Area and amenities as described will provide accessible passive recreation parkland for nearby Eastern Loudoun communities, as well as future residents of the proposed Project. Additionally, the proposed Park Area and amenities along the Goose Creek will help the County realize the concept of a publicly-accessible linear trail network for the benefit of all Loudoun County residents.

V. LANDSCAPING & ENVIRONMENTAL CONSIDERATIONS

Outside of the direct vicinity of the structures currently present on the Hennessy parcels, the Property largely consists of evergreen trees, grasslands, and shrub thickets. Major floodplain and steep slopes are also present throughout the Property. As depicted on the CDP, the Applicant is proposing to install landscaping in accordance with the buffer and landscaping provisions of the Zoning Ordinance. Additionally, landscaping will be installed to appropriately frame proposed development and separate the public and private realms of the project while preserving the natural areas along the Goose Creek and a significant portion of Sycolin Road. Landscape elements will include a variety of canopy, ornamental, and evergreen trees, as well as additional shrubs and groundcover.

The Applicant will meet all stormwater regulations pursuant to the latest edition of the Facilities Standards Manual (the “FSM”) and other applicable regulations. Best management practices will also be designed and implemented for the development in accordance with all County and state requirements.

VI. TRANSPORTATION

The proposed development will enhance existing transportation connections for the Property and surrounding communities and will emphasize mobility through convenient access to various transportation modes. The Applicant has designed an internal roadway network to provide full vehicular and pedestrian circulation throughout the Property. Primary access to the Project from Sycolin Road will be provided by a four-legged full movement intersection, including left and right turn lanes, located equidistant between Goose Creek and The Dulles Greenway (“Site Entrance”).

One additional site entrance will be provided to the land bays between the primary site entrance and Goose Creek. This entrance will provide right-in/right-out access only on both sides of Sycolin. On the south side of Sycolin Road, this entrance will provide secondary access to the residential units and access for Loudoun Water maintenance vehicles, which are anticipated to visit the proposed permanent sewer pump station once or twice a month. The Applicant will provide for dedication of additional land that will be required to provide the ultimate 90-foot right-of-way along Sycolin Road and proposes to upgrade Sycolin Road consistent with the recommendations of the 2019 Countywide Transportation Plan (“CTP”).

In addition to the trail being provided along the Goose Creek, the Applicant believes it is critical that the proposed development provide additional safe, pleasant linkages for pedestrians. A vehicular and pedestrian circulation plan is provided on Sheet 10 of the CDP depicting a network that proposes connections into and throughout the Property. The proposed pedestrian facilities include a ten-foot wide shared use path along the Sycolin Road frontages of the property, except for the section south of the secondary site entrance which contains steep slopes. Sidewalks will also be constructed along internal streets (excluding alleys) throughout the Project.

Trip generation estimates and a Traffic Impact Analysis were prepared by Gorove Slade Associates, Inc. based upon both the Institute of Transportation Engineers’ *Trip Generation 10th Edition* and a scoping meeting conducted with Department of Transportation and Capital

Infrastructure (“DTCI”) staff on February 5, 2020, respectively. As indicated in the Traffic Impact Study for Goose Creek Overlook revised August 18, 2020, the proposed development will generate approximately 85 trips during the AM peak hour, 108 trips during the PM peak hour, and 1,367 trips during an entire weekday. While this is an increase over the trips that would be generated by by-right development, the Applicant is proffering improvements to Sycolin Road as well as providing cash contributions to the County to offset the Project’s traffic impacts.

VIII. ZONING CONCEPT PLAN AMENDMENT

As discussed in the above sections, the Applicants are proposing to leverage underutilized County-owned land to facilitate the development of an increased number of ADUs in the Project. The Applicants are proposing to incorporate and utilize 9.2 acres of the County-owned land for density calculations in the Goose Creek Overlook rezoning application. Inclusion of 9.2 acres of the County parcel in the Goose Creek Overlook rezoning application also requires adjustment to the open space calculations for ZCPA-203-0009. Open space was provided in excess of the 9.7 acres that was required to meet the 30% requirement for ZCPA2003-0009. Twenty-six acres (26.1 acres) was provided because of the inclusion of the County-owned parcel in ZCPA-2003-0009. This equated to 80% of the overall project provided as open space. This proposed request to amend the Concept Plan for ZCPA-2003-0009 to reduce the open space from 26.1 acres to 16.9 acres (52.2%) will not reduce the amount of open space required to meet County requirements for ZCPA-2003-0009 (i.e. 9.7 acres/30%). It will, however, permit development of much needed affordable dwelling units in excess of the number of units that would otherwise be required by the County’s ADU Ordinance.

VIII. ZONING MAP/ZONING CONCEPT PLAN AMENDMENT CRITERIA

Section 6-1210 (E) of the Zoning Ordinance contains application evaluation criteria for approval of rezoning applications and, in considering a rezoning application, the following enumerated factors shall be given reasonable consideration. The Zoning Ordinance specifies that an applicant is to address each factor in its statement of justification unless such criteria are deemed inapplicable to the application. The following represents the Applicant’s response to these issues:

- 1. Appropriateness of the proposed uses based on the Comprehensive Plan, trends in growth and development, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies and the encouragement of the most appropriate use of land throughout the locality.**

The proposed rezoning and ZCPA will provide for a development that conforms to the Suburban Neighborhood place type under the 2019 Plan. The proposed residential zoning is complementary to the adjacent residential communities, as well as the nearby retail, office, commercial, and institutional land uses, which will provide services for new residents. The proposed development also provides a core use of single family attached units and complementary multifamily dwelling units. The proposed development adheres to the 2019 Plan’s Design Guidelines, and provides amenities called for in the Suburban

Neighborhood place type. The proposal also meets the building height and density standards set forth in the Suburban Neighborhood place type. The proposed development will provide 42.6 percent AHUs, which far exceeds the Zoning Ordinance's requirements for Affordable Dwelling Units, and supports the County's goals for addressing unmet housing needs in the Suburban Policy Area, where residential development has been deemed appropriate by the County.

2. The existing character and use of the subject property and suitability for various uses, compatibility with uses permitted and existing on other property in the immediate vicinity, and conservation of land values.

The existing character of the area is predominantly residential. A mix of residential, retail, commercial, and institutional uses is located in the Goose Creek Village development located less than one quarter mile from the Property. The Project's proposed residential uses will be compatible with the existing uses on neighboring properties. The proposed residential types and densities will provide a logical transition between the residential (Goose Creek Village South and Goose Creek Preserve), commercial (Goose Creek Village), and industrial (True North Data) land uses on neighboring and nearby properties.

3. Adequacy of sewer and water, transportation, and other infrastructure to serve the uses that would be permitted on the property if it were reclassified to a different zoning district.

The Property will be served by public water and sanitary sewer which will be extended at no cost to the County to serve the residential uses. Stormwater facilities will be provided in accordance with the FSM. The Property will have direct access to Sycolin Road and the Applicant proposes to provide an extensive pedestrian infrastructure throughout the Property and along Goose Creek. The proposed development will generate approximately 85 trips during the AM peak hour, 108 trips during the PM peak hour, and 1,367 trips during an entire weekday. While this is an increase over the trips that would be generated by the by-right residential units, the Applicant is anticipating making improvements to Sycolin Road as well as cash contributions to the County to offset these impacts.

4. The requirements for airports, housing, schools, parks, playgrounds, recreational areas and other public services.

The Applicant will provide proffer contributions consistent with anticipated capital facility, regional road, transit, and fire and rescue contribution rates.

Over 42 percent of the total housing proposed to be developed will be ADUs. This percentage far exceeds the County's requirement to provide 12.5 percent of single family units as ADUs and 6.25% of multi-family units as ADUs, which equates to a total of 20 required ADUs. These additional units will promote diverse housing options for County residents, including teachers, police officers, firefighters, other County employees, seniors, as well as the County's entry-level workforce.

On-site recreational amenities for the residents will include landscaped and hardscaped areas and active and passive recreational amenities. More importantly, the Applicant is proposing to dedicate approximately 16.7 acres of land along Goose Creek and construct public park improvements within the dedicated area including trailhead parking, a canoe/kayak launch on Goose Creek and, most importantly, approximately one-mile of the Emerald Ribbon Trail.

5. Potential impacts on the environment or natural features including but not limited to wildlife habitat, wetlands, vegetation, water quality (including groundwater), topographic features, air quality, scenic, archaeological, and historic features, and agricultural and forestal lands and any proposed mitigation of those impacts.

A “Phase I Cultural Resources Investigation” (“CRI”) prepared by Thunderbird Archeology, dated June 2020, identified two sites on the Property south of Sycolin Road as potential sites of significance and for which avoidance or a Phase II analysis is recommended. The location of the sites is shown on the Existing Conditions plan of the CDP. The Property will be served by public water and sanitary sewer which will prevent adverse impacts to the groundwater.

(a) For applications for rezoning or amendment to a zoning map subject to the provisions of Virginia Code Section 15.2-2303.4, any proposed on-site mitigation of those potential impacts.

This application is not subject to the provisions of Va. Code Ann. § 15.2-2303.4. Therefore, this criterion is inapplicable.

(b) For applications for rezoning or amendment to a zoning map not subject to the provisions of Virginia Code Section 15.2-2303.4, any proposed mitigation of those potential impacts.

The Applicant will provide commitments commensurate with the improvements included on the concept development plan.

6. The protection of life and property from impounding structure failures.

This criterion is inapplicable as there are no existing structures on the Property.

IX. ZONING MODIFICATION CRITERIA

Section 6-1217 of the Zoning Ordinance permits the Board of Supervisors to approve modifications to standard zoning regulations if said modification will improve on an existing regulation. The Applicant requests modification of the parking requirements for the Project’s multi-family ADUs in order to better align the number of parking spaces provided with the actual number of parking spaces required to serve residents of the ADUs. The following table more specifically outlines the requested modification:

Zoning Ordinance Section Reference	Zoning Regulation/Off-Street Parking Spaces Required	Requested Modification/Off-Street Parking Spaces Provided
<p>5-1102 Off-Street Parking</p>	<p>1 Bedroom – 1.5/DU 2 or 3 Bedroom – 2.0/DU</p> <p>Bedroom Mix Proposed: 20% 1-BR/15 units = 23 spaces 60%-2 BR/45 units = 90 spaces 20%- 3 BR/15 units = 30 spaces</p> <p>Total Required = 143</p>	<p>1.5/DU (regardless of number of bedrooms)</p> <p>75 units = 113 parking spaces</p> <p>Total Provided = 113</p>

Justification: Empirical data derived from existing ADU projects in the County indicates that the majority of residents of ADUs own one vehicle. This reduced amount of vehicle ownership is directly attributable to both the number of ADU households headed by a single person and the household income of ADU residents. Below is a table that provides the current number of vehicles for existing ADU projects in the County.

Parking Ratios for Loudoun County AHUs*
Required vs Actual

Project	Dwelling Units DU	Spaces Required by Zoning Ordinance		Actual Usage	
		Parking Spaces	Spaces / DU (Area)	Spaces Used ¹	Spaces / DU
Stone Springs Apartments	128 units	269 Spaces	2.1 / DU	173 Spaces	1.35 / DU
Shreveport Ridge Apartments	98 units	222 Spaces	2.27 / DU	140 Spaces	1.43 / DU
Heronview Apartments	96 units	193 Spaces	2.01 / DU	128 Spaces	1.33 / DU
Area			2.13 Spaces / DU		1.37 Spaces / DU

* Count of spaces actually used occurred on Sunday morning, April 19, 2020, between 9:00 a.m. and 10:00 a.m.

A “Parking Demand Study” prepared by Gorove Slade and Associates, dated May 8, 2020, as revised August 19, 2020, substantiates the requested parking space reduction. In summary, the Parking Demand Study concludes:

- The Applicant is proposing to reduce the parking ratio to 1.5 spaces/dwelling unit for the multi-family units (AHUs), which would result in 113 required parking spaces.
- Parking occupancy data that was collected on two days at 3 similar AHU sites in Loudoun County observed a peak demand of 1.2 spaces/dwelling unit.
- ITE’s Parking Generation Rate for Affordable Housing (ITE Code 223) is 0.99 spaces/dwelling unit.
- The proposed modified parking ratio, 1.5 spaces/dwelling unit (113 spaces), provides adequate parking available to accommodate the parking demand for this type of site.

See the Parking Demand Study for the complete analysis.

A reduction in the number of parking spaces required for ADUs will address two key goals of the Plan. First, eliminating unneeded parking spaces reduces project costs, thus making it possible to charge lower rents and provide more ADUs. Second, it will result in a reduction of impervious surface thus advancing the County’s goal of developing environmentally sensitive projects.

As documented in the Parking Demand Study, three existing ADU (AHU) tax credit properties in Loudoun County are overparked by an average of 0.60 parking spaces per dwelling unit. That equates to 60 empty parking spaces in a 100-unit project. At \$5,000-\$10,000 required to build one parking space (including land cost, grading, and construction), the excess parking spaces result in

adding \$300,000-\$600,000 in unnecessary project cost. Since the empty parking spaces will primarily be located in a structured parking facility, the wasted funds would be two or three times that cost. Thus, the cost savings resulting from a reduction in the number of parking spaces to meet actual demand will provide funds that would better be used to lower rents or add ADUs.

Typically the County requires the owner to place a covenant on the property for 20 years agreeing to add back parking spaces at any time, if the Zoning Administrator determines that more spaces are needed. While this requirement may be acceptable for market rate projects, such a covenant will not be acceptable either to the Virginia Housing Development Authority (“VHDA”) or to tax credit investors for AHU projects. The underwriters at VHDA and investors will classify such a covenant as a “contingent liability” or added project cost. Because it is a possible cost (liability) that might (contingent) happen in the future, the underwriters must assume the worst case and will require a set-aside of funds (basically an escrow) for this possible event in the future. This requirement wipes out the savings discussed above. Instead of an unused parking space, unused funds will sit in an escrow account. In either case, these wasted funds can’t be used to reduce rents or add units. Further, because of the complexity of negotiating and documenting a covenant and the risk of administering it over a long period of time, VHDA typically will not agree to parking covenants. Therefore, the Applicant also requests relief from the requirement for a covenant to be imposed on the Project.

The Applicant also requests modification of the lot access requirements for the Project’s single family attached units and Stacked Multi-Family units to allow some of these units to front on open space as defined in Article 8 of the Zoning Ordinance. The following table more specifically outlines the requested modification:

Zoning Ordinance Section Reference	Zoning Regulation	Requested Modification
<p>1-205(A) Lot Access Requirements</p>	<p>No structure requiring a building permit shall be erected upon any lot which does not have frontage on a Class I, Class II, Class III road, or private access easement as specified in the individual district regulations, except as specifically provided for herein and the Land Subdivision and Development Ordinance (LSDO).</p>	<p>Allow single family attached units and Stacked Multi-Family units to have frontage on to Open Space as defined in Article 8 of the Zoning Ordinance.</p>

Justification: The Project’s use of rear loaded units is consistent with the 2019 Plan’s design guidelines and the number of units that will have frontage on to open space is limited to a very low percentage of the overall unit count. The Project looks to maximize open space wherever possible

in line with the 2019 Plan's goals for open space. By allowing these units to have frontage on to open space, the Project is able to maximize the amount of open space preserved in those areas that would otherwise be taken up by private access ways.

X. CONCLUSION

The Applicant is proposing a creative land development project that will leverage underutilized County-owned land to address unmet housing needs, provide a public park along Goose Creek, construct more than one mile of linear trail along Goose Creek, and construct a permanent sanitary sewer pumping station in an area of the County designated in the 2019 Plan for residential development. The proposed development will implement key land use, density, housing, parks and recreation, environmental, and transportation policies of the 2019 Plan.

The Project has been designed in accordance with the Suburban Neighborhood place type and the appropriate sections of the Zoning Ordinance. The Applicant is also seeking a Zoning Modification to reduce and right-size the number of parking spaces to serve the multi-family AHUs in order to better align the Project's parking requirements with the actual needs for affordable housing units, provide for increased affordable units and reduce the environmental impact of the multi-family development to the surrounding area. Accordingly, the Applicant requests favorable review and recommendation of the Project by Staff and Planning Commission and approval by the Board of Supervisors.

MEMORANDUM

To: Josh Peters, Project Manager, Land Use Review
From: Marie Genovese, AICP, Planner III, Community Planning
Date: July 6, 2020
Re: ZMAP 2020-0005 & SPEX 2020-0012, Goose Creek Overlook
Community Planning 1st Referral

BACKGROUND

Goose Creek Overlook LLC and Good Works Development LP (the applicant) are requesting to rezone approximately 49.62 acres from the R-1 (Residential) and PD-H4 (Planned Development – Housing) zoning districts to the PD-H4 zoning district to develop up to 142 single-family attached (SFA) dwelling units, 96 multi-family attached (MFA) dwelling units, and a sanitary sewer pump station. A portion of the property (approximately 9.2 acres) was rezoned to the PD-H4 zoning district and designated as open space with the Goose Creek Village South development (ZMAP 2003-0009). The applicant is requesting to vacate the open space easement and replace it with approximately 14.4 acres of land along Goose Creek. The applicant is also requesting a Special Exception (SPEX) to reduce the number of required parking spaces for the MF dwelling units.



The property is located both north and south of Sycolin Road, west of the Dulles Greenway, and south and east of Goose Creek (see Site Map).

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The subject site is governed by the *Loudoun County 2019 Comprehensive Plan*, which comprises the *Loudoun County 2019 General Plan (2019 GP)* and the *Loudoun County 2019 Countywide Transportation Plan (2019 CTP)*. The property is located within the Suburban Policy Area and is designated as appropriate for the Suburban Neighborhood Place Type (*2019 GP, Chapter 2, Suburban Policy Areas Place Types Map*). As part of this first submission, Community Planning Staff has reviewed the following for consistency with 2019 GP policy: the applicant's Statement of Justification (SOJ) dated May 14, 2020 and the ZMAP and SPEX plat dated May 11, 2020.

ANALYSIS

Land Use

The 2019 GP recognizes that most of the land within the Suburban Policy Area is either developed or planned for development and seeks to focus efforts on fostering and maintaining community identity (*2019 GP, Suburban Policy Area, Development Approach*). The Suburban Neighborhood Place Type is envisioned to develop with densities up to 4 dwelling units per acre (*2019 GP, Suburban Neighborhood Place Type*). Residential uses are primarily single-family detached (SFD) and SFA integrated in a walkable street pattern (*2019 GP, Suburban Neighborhood Place*

Type). The applicant is proposing 142 SFA units, 96 MFA units, and a permanent sanitary sewer pump station on approximately 49.62 acres for a residential density of 4.8 dwelling units per acre. The Zoning Ordinance permits up to a 20% density bonus for developments that provide affordable housing. The 2019 GP housing policies further support incentivizing developments that address unmet housing needs. Development surrounding the site consists of the residential communities of Goose Creek Village South (ZMAP 2003-0009) to the northeast and Goose Creek Preserve (ZMAP 2002-0009) to the southeast. These residential communities comprise a mix of SFD, SFA, and MF units. Goose Creek runs along the western and northern boundaries of the subject property.

Analysis

Community Planning Staff finds the density and the unit type is compatible with the surrounding developments. Additional details and commitments are needed to ensure the design of the site meets the intent of the 2019 GP, as discussed further below.

Parks/Open Space & Public/Civic

The 2019 GP calls for Suburban Neighborhoods to consist of at least 30 percent open space uses (14.89 acres) and at least 10 percent civic uses (4.96 acres). Open space can comprise any mix of active, passive, community, and/or natural open space areas (2019 GP, Chapter 2, Suburban Neighborhood Place Type). Civic space will be comprised of public buildings or outdoor spaces constructed to accommodate gatherings (2019 GP, Appendix A, Glossary).

As stated above, the applicant is proposing to remove approximately 9.2 acres of previously designated open space from the Goose Creek Village South development (ZMAP 2003-0009) and replace it with 14.4 acres of land along the Goose Creek. The existing 9.2 acres of open space is part of a larger 18.59-acre conservation easement. Since the 9.2 acres was proffered with Goose Creek Village South in order to fulfill density and open space policies in place at the time of approval, it is important that the proposed development and the Goose Creek Village South development together still maintain the land use mix envisioned. The overall density and open space for the Goose Creek Village South residential community appears to still be consistent with the 2019 GP policies. However, Community Planning Staff is unable to determine if the development is providing the 30 percent open space and 10 percent civic space as envisioned by the 2019 GP.

Sheet 9 (Open Space & Landscape Requirements) shows approximately 14.4 acres of open space adjacent to Goose Creek including a 10-foot wide trail. Trailhead parking is proposed within Land Bay F. Areas adjacent to the Goose Creek are designated as priority open space areas (2019 GP, Chapter 6, Fiscal Action 3.1.K.iii). Several active recreation areas are also shown throughout the project. No information

has been provided regarding the intended use or amenities envisioned for these areas. Further, Community Planning Staff has concerns over the function of these areas as they do not appear to be centrally located. It does not appear that public/civic uses have been proposed.

Analysis

Community Planning Staff recommends the applicant provide active recreation areas internal to Land Bays A, E (E1 and E2), and F. The applicant should consider providing open space amenities between Land Bays A and F linking these two land bays. If active recreation areas are not relocated, detailed drawings should be provided showing internal site access as well as how each of these areas will function on the periphery of the land bay. Amenities intended for each of these active recreation areas should also be provided. The CDP should be updated to show 10 percent public/civic uses.

Housing

The 2019 GP features broad support for projects that help fulfill the County's continuum of housing needs, including units that are varied in type and price to meet diverse socioeconomic needs (*2019 GP, Chapter 4, Housing, text*). The 2019 GP includes specific support for the provision of residential units that help address unmet housing needs, defined as the lack of housing options for households earning up to 100 percent of the Washington Metropolitan Area Median Income (AMI)¹. Article 7 of the *Revised 1993 Zoning Ordinance* (Zoning Ordinance) establishes the County's Affordable Dwelling Unit (ADU) program, which address the needs of households earning from 30 to 70 percent AMI. ADU rental units are designed to serve residents earning 30 percent to 50 percent AMI, while ADU for-sale units are designed to serve residents with incomes of 50 percent to 70 percent AMI.

The applicant is proposing to provide all 92 MFA units as Affordable Housing Units (AHUs). The SOJ states that units will be one-, two-, and three-bedroom rental units affordable for households earning between 30 to 60 percent AMI. The SOJ further states that if the VHDA guidelines for income averaging can be used, units will be available for households earning up to 80 percent AMI. The developer will also seek County rental assistance through project-based vouchers for handicapped households earning below 30 percent AMI. Units will also be reserved for veterans and the developmentally disabled.

The SOJ asserts that the applicant will include green building commitments, universal design elements, low-impact and sustainable design features, and amenities including fitness and children's play areas for the AHU buildings.

¹ The current AMI for 2019 is \$121,300.

Analysis

Community Planning Staff recommends that subsequent submissions include commitments to a variety of unit sizes, green building, universal design, low-impact and sustainable design features, and other amenities intended for the AHU buildings as indicated in the SOJ.

Site Design

The 2019 GP includes numerous policies and provisions applicable to this proposal intended to achieve quality design at all levels of development, including the countywide Quality Development policies in Chapter 2; the Suburban Policy Area Design Guidelines in Appendix A; and the standards of the applicable place type provided in Chapter 2.

The 2019 GP SPA design policies speak to the design of individual structures and spaces, the spatial relationship among structures, the relationship of buildings to the streetscape and other public places, and transitions between areas of differing densities or intensities. The 2019 GP encourages innovation and appropriate architectural, site, and landscape design in all development (*2019 GP, Chapter 2, QD Policy 1*). Design elements should promote an overall sense of place in part through circulation and connectivity, streetscape, building form, orientation, articulation, open spaces, landscaping, and sustainability, giving a high quality form to the built environment (*2019 GP, Chapter 2, QD Action 1.1.A*). Amenities should include sidewalks, street trees, lighting, street furniture bike racks, and crosswalks (*2019 GP, Chapter 2, Suburban Compact Neighborhood Place Type*). Site development and architectural guidelines are encouraged (*2019 GP, Chapter 2, QD Strategy 1.2*).

No information has been provided regarding building design or onsite amenities. Sheet 10 of the CDP shows sidewalks and trails throughout the development; however, the development is separated by Sycolin Road, a planned major collector roadway. No information has been provided regarding how the development north of Sycolin Road will be connected to the development south of Sycolin Road. The proposed 10-foot trail along Sycolin Road does not appear to extend all the way across Land Bay F or along Land Bays B and C. Lastly, no information has been provided regarding screening the proposed sanitary sewer pump station from Sycolin Road.

Analysis

Community Planning Staff recommends including design guidelines or illustrative details of the units proposed to ensure the intent of the 2019 GP is being met. If illustrative details are provided, specific commitments to those details should be provided as well as a review for conformance by the Department of Planning and Zoning. Commitments to specific building materials should also be included. Community Planning Staff further

requests details regarding how the proposed development north and south of Sycolin Road will be integrated. Community Planning Staff recommends updating Sheet 10 to include the proposed 10-foot trail along all of the property's Sycolin Road frontage. Information should be provided regarding screening the proposed sanitary sewer pump station from Sycolin Road.

Parking

The applicant is requesting a SPEX to reduce the required number of parking spaces for the MFA AHUs. The applicant seeks to reduce the number of parking spaces from 1.5 spaces for 1 bedroom units and 2 spaces for 2 or 3 bedroom units to 1.4 spaces per unit regardless of bedrooms. Community Planning Staff has no issue with the SPEX request.

Capital Facilities

Under the 2019 GP, all residential rezoning requests will be evaluated in accordance with the Capital Facility guidelines and policies of the Plan (*2019 GP, Chapter 6, Fiscal Management, Strategy 8.3*). A central objective of the 2019 GP is to balance land uses to promote an effective fiscal policy (*2019 GP, Chapter 6, Fiscal Management, Strategy 8.2*). The current capital intensity factor (CIF) is \$33,733.40 per SFA dwelling unit and \$25,016.56 per MFA dwelling unit in the Eastern CIF region. The total capital facility impact (minus the proposed AHUs) of this project is estimated at \$4,790,412.80 (See Attachment 1). Based on the existing zoning of the site, the proposal could apply a base density credit equivalent to the capital facility impact of 40 dwelling units, or \$1,902,170.80, for a total anticipated capital facility contribution of \$2,887,972.

Analysis

The anticipated capital facility impacts of the proposed development should be mitigated according to 2019 GP fiscal policies.

Environmental/Existing Conditions

The 2019 GP calls for a design process to protect and enhance the county's natural, environmental, and heritage resources by incorporating such features into the design of the site (*2019 GP, Chapter 3, Introduction*). The subject properties contain river and stream corridor resources (RSCR), steep slopes, wetlands, and forest cover.

River and Stream Corridor Resources

The subject property is bound on the west and north by the Goose Creek. Within the Goose Creek Reservoir, immediately north of the project area, Goose Creek is listed as impaired by the Virginia Department of Environmental Quality (DEQ) for fish consumption. Immediately outside of the Goose Creek Reservoir, Goose Creek is listed as impaired by DEQ for recreational use, aquatic life and fish consumption until the confluence of Goose Creek with the Potomac River. In addition, the County's 2009 Stream Assessment Project shows a data point at the project site indicating the Goose

Creek is “suboptimal” for habitat and two data points downstream that show the Goose Creek is optimal for habitat but “severely stressed” for aquatic life and “suboptimal” for habitat and “stressed” for aquatic life.

RSCR on the subject property consists of Goose Creek, associated floodplain, adjacent steep slopes (slopes 25% or greater, extending no farther than 100-feet beyond the floodplain), and a 50-foot management buffer surrounding the floodplains and adjacent steep slopes (*2019 GP, Chapter 3, Water Resources*). The 50-foot management buffer helps to promote river and stream health (streambank/streambed stability, temperature moderation nutrient removal, sediment removal, flood control, and aquatic food and habitat) (*2019 GP, Chapter 3, RSCR Strategy 2.2*). The 2019 GP also establishes a 300-foot no-build buffer or the other elements of the RSCR, whichever is greater in an effort to protect Scenic Rivers, such as Goose Creek (*2019 GP, Chapter 3, RSCR Action 2.5.A*). The 50-foot management buffer has been delineated on the submitted plats; however, it does not appear to be accurately delineated. The 300-foot no-build buffer has not been delineated on the submitted plats. As currently proposed, it appears development of the site will impact the RSCR.

Analysis

The submitted plats should be updated identifying all the elements of the RSCR as well as the 300-foot no-build buffer. Community Planning Staff recommends committing to protection and preservation of the RSCR or the 300-foot no-build buffer, whichever affords the greatest protection in its entirety.

The applicant is proposing a 10-foot trail throughout the RSCR adjacent to Goose Creek. The 2019 GP permits trails within the RSCR when they are of a permeable material only (*2019 GP, Chapter 3, Permitted Uses in the RSCR, call-out box*).

Analysis

Community Planning Staff recommends commitments to the use of permeable materials for trails proposed within the RSCR.

Stormwater Management

The County seeks to improve stream quality and watershed health by decreasing the amount of stormwater runoff and pollutants from reaching streams (*2019 GP, Chapter 3, River and Stream Corridor Resources, Strategy 2.3*). The County also promotes the use of low-impact development (LID) techniques (*2019 GP, Chapter 3, River and Stream Corridor Resources Action 2.3.E*). LID uses natural vegetation and small-scale treatment systems to treat and infiltrate rainfall close to the source. LID's goal is to mimic a site's predevelopment hydrology by using design techniques that

infiltrate, filter, store, evaporate, and detain stormwater runoff. LID locates water quality measures at the closest possible proximity to proposed impervious areas.

Note 14 on the Cover Sheet states that stormwater management (SWM) will be provided in accordance with the Loudoun County Facilities Standards Manual (FSM) and that low impact development (LID) techniques will be implemented where feasible. Potential SWM facilities are shown on the CDP within Land Bays A, E1, E2, and F. Community Planning Staff notes the potential SWM facility within Land Bay F is labeled as a Trailhead Park on the Illustrative Plan (Sheet 3).

Analysis

Community Planning Staff requests more information regarding stormwater management. If the applicant wishes to use SWM facilities as an open space feature, information needs to be provided regarding how these facilities will be an amenity for the community. Given the subject site's location within the Reservoir Protection Area, Community Planning Staff recommends the applicant commit to at least two LID techniques onsite consistent with the LID Proffer Template (see Attachment 2).

Wetlands

Wetlands perform several functions: they trap sediment, reduce nutrient loads, provide wildlife habitat, replenish groundwater, and attenuate flood waters. Note 9 on the Cover Sheet states that jurisdictional wetlands exist within the site; however, wetlands have not been delineated on the CDP. The County supports the mitigation of stream and wetland impacts to help offset additional water quality impacts (2019 GP, Chapter 3, RSCR Action 2.1.I).

Analysis

Community Planning Staff recommends updating the CDP to show wetlands. Development should avoid existing wetlands to the greatest extent practicable.

Forests, Trees, and Vegetation

The 2019 GP calls for the preservation, protection, and management of forest resources for their economic and environmental benefits (2019 GP, Chapter 3, Forests, Trees, and Vegetation, Strategy 4.1). The applicant has provided a Forest Stand Delineation Map (Sheet 14 of the CDP) that outlines existing vegetation onsite as well as the identification of 74 specimen trees. While it appears there are areas of existing vegetation that will not be disturbed, these areas have not been delineated as Tree Conservation Areas (TCAs). The preservation of existing trees within required landscape buffer areas and to screen uses is also encouraged (2019 GP, Chapter 3, Forests, Trees, and Vegetation, Action 4.1.B).

Analysis

Community Planning Staff recommends the applicant designate TCAs on the CDP with a preference for existing vegetation within the RSCR. Commitments to the preservation and management of the TCAs should be included consistent with the Tree Conservation Proffer Template (see Attachment 3).

Steep Slopes

Improper use and disturbance of steep slope areas could cause erosion, building and/or road failure, downstream flooding, and other hazards (2019 GP, Chapter 3, Mountainside and Steep Slope Text). Steep slopes, areas with slopes of greater than 25 percent and moderately steep slopes, areas with a 15 to 25 percent grade are located on the subject site. Plan policies prohibit land disturbances on natural occurring steep slopes and call for the protection of moderately steep slopes (2019 GP, Chapter 3, SGR Actions 3.3.B and 3.3.C). The 2019 GP identifies strategies to achieve protection of moderately steep slopes to include BMPs and locational clearances for clearing and grading (2019 GP, Chapter 3, SGR Action 3.3.C). No information has been provided regarding potential impacts to steep slopes.

Analysis

Community Planning Staff recommends locating development outside of steep and moderately steep slopes. Information should be provided regarding any unavoidable impacts to moderately steep slopes including strategies to offset these impacts.

Natural Heritage Resources

The 2019 GP calls for the conservation and protection of natural heritage resources including rare, threatened, and endangered plant and animal species; exemplary natural communities, habitats, and ecosystems; and significant geologic formations (2019 GP, Chapter 3, Natural Heritage Resources, Strategy 6.1). Development applications with the likelihood of impacting one or more natural heritage resources will conduct a species assessment and develop a plan for impact avoidance if the presence of a natural heritage resource is identified (2019 GP, Chapter 3, Natural Heritage Resources, Action 6.1.B). The applicant has provided a Threatened and Endangered Species Review dated March 16, 2020. The review found that the subject property has potential habitat for the green floater and the wood turtle, both state listed threatened species. The review also found that the dwarf wedgemussel, a federally listed endangered species may occur on site and that a study may be required if impacts to streams are proposed.

Analysis

Community Planning Staff recommends conducting a habitat survey to determine potential impacts to the green floater and wood turtle. Preservation of existing forest cover within the RSCR as well as avoidance

of wetlands onsite, as recommended above, will help to offset any potential impacts to the dwarf wedgemussel.

Historic, Archeologic, and Scenic Resources

The 2019 GP calls for the conservation and preservation of the County's cultural and scenic resources. Land development applications are expected to provide an archaeological and historic resources survey to identify resources and, if warranted, measures for preservation, mitigation, and adaptive reuse (*2019 GP, Chapter 3, Historic, Archeologic, and Scenic Resources, Action 5.1.C*). The applicant has provided a Phase 1 survey dated March 2020. A review of the survey will be provided under separate cover.

Highway Noise

The 2019 GP and 2019 CTP call for residential projects proposed adjacent to arterial and major collector roadways, such as the Dulles Greenway and Sycolin Road, to conduct a noise study to ensure that forecasted noise levels fall within acceptable levels or can be abated to meet County standards (*2019 GP, Chapter 3, CE, Action 7.2.G & 2019 CTP, Chapter 7, Noise Policies, Policy 7-3.1*). The primary means to protect noise sensitive uses is through proper design. When required noise reductions cannot be reached by other means, passive noise abatement measures, such as adequate setbacks, earthen berms, wooden fences, and dense vegetation are preferred (*2019 CTP, Chapter 7, Noise Policies, Policy 7-3.5*).

Analysis

Community Planning Staff recommends a commitment to a noise study to evaluate and, if necessary, mitigate highway noise impacts along the Dulles Greenway and Sycolin Road consistent with the Noise Study Proffer Template (see Attachment 4).

RECOMMENDATIONS

While the proposed residential use is consistent with the Suburban Neighborhood Place Type, subsequent submissions should address issues regarding site design, open space, environmental resources, and capital facility impacts, as cited in this referral memo.

Staff is available to meet with the applicant to discuss this referral and answer any questions.

ATTACHMENTS

- Attachment 1: Capital Facility Impact Worksheet
- Attachment 2: LID Proffer Template
- Attachment 3: Tree Conservation Proffer Template
- Attachment 4: Noise Study Proffer Template

cc: Alaina Ray, AICP, Planning and Zoning Director (via e-mail)
Dan Galindo, AICP, Community Planning Program Manager (via e-mail)

**Attachment 1- Capital Facilities Impact Analysis (Eastern Region-includes Ashburn, Potomac, and Sterling)
ZMAP 2020-0005 & SPEX 2020-0012, Goose Creek Overlook**

TOTAL PROJECTED CAPITAL FACILITIES IMPACT

The total projected capital facilities impact of the proposed development is calculated using the approved capital intensity factors for the proposed unit mix. Revised Capital Intensity Factors (CIFs) were adopted by the Board of Supervisors on March 14, 2018.

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Capital Intensity Factors</i>	<i>Projected Capital Facilities Impact</i>
Single-Family Detached (SFD)	0	\$47,554.27	\$0.00
Single-Family Attached (SFA)	142	\$33,733.40	\$4,790,142.80
Multi-Family (MF)	0	\$15,664.11	\$0.00
Multi-Family Stacked (MF Stacked)	96	\$25,016.56	\$2,401,589.76
TOTAL	238		\$7,191,732.56

238 Total Units \$7,191,733 Total Projected Capital Facilities Impact

ANTICIPATED CAPITAL FACILITIES CONTRIBUTION

The anticipated capital facilities contribution of the proposed development takes into account Affordable Dwelling Units (ADUs) and the number of units permitted by the base density.

1. Number of Market Rate Units Subject to Capital Facilities Proffer Guidelines

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Number of Proposed ADUs</i>	<i>Number of Market Rate Units</i>
Single-Family Detached (SFD)	0	0	0
Single-Family Attached (SFA)	142	0	142
Multi-Family (MF)	0	0	0
Multi-Family Stacked (MF Stacked)	96	96	0
TOTAL	238	96	142

2. Capital Facilities Calculations for Market Rate Units

<i>Housing Type</i>	<i>Total Number of Market Rate Units</i>	<i>Capital Intensity Factors</i>	<i>Capital Facilities Calculations for Market Rate Units</i>
Single-Family Detached (SFD)	0	\$47,554.27	\$0.00
Single-Family Attached (SFA)	142	\$33,733.40	\$4,790,142.80
Multi-Family (MF)	0	\$15,664.11	\$0.00
Multi-Family Stacked (MF Stacked)	0	\$25,016.56	\$0.00
TOTAL	142		\$4,790,142.80

3. Capital Facility Credit for Base Density Units assuming Single Family Detached Dwellings

<i>Zoning District</i>	<i>Acres</i>	<i>Density Permitted By-right (du/acre)</i>	<i>Base Density Units*</i>	<i>Capital Intensity Factor</i>	<i>Capital Facility Credit for Base Density Units</i>
R-1	40.42	1	40	\$47,554.27	\$1,902,170.80
0	9.20	0	0	\$47,554.27	\$0.00
0	0.00	0	0	\$47,554.27	\$0.00
TOTAL			40		\$1,902,170.80

* Based density units shall not exceed 1 du per acre pursuant to Loudoun County 2019 General Plan, Chapter 10.1

4. Anticipated Capital Facilities Contribution

$$\$4,790,142.80 - \$1,902,170.80 = \$2,887,972.00$$

\$2,887,972 Anticipated Capital Facilities Contribution

Low-Impact Development (LID) Proffer Template

Rjb-012918

The Applicant shall provide a minimum of one (1) Low-Impact Development (LID) Best Management Practice to treat stormwater from the Property. Such LID practice may include, but shall not be limited to, water quality swales, bioretention facilities/rain gardens, sheet flow to vegetated buffers, permeable pavement for parking spaces, or any alternative LID practice proposed by the applicant and deemed by the Department of Building and Development to be acceptable. The location of the LID practice(s) shall be shown on the first Site Plan or Construction Plans and Profiles, whichever is first in time, for the Property.

SAMPLE

Tree Conservation Area Proffer Template

Tree Conservation Areas. Within the areas identified on the Concept Development Plan (CDP) as “Tree Conservation Areas,” the Owner shall preserve healthy trees provided, however, that trees may be removed to the extent necessary for the construction of trails[, passive recreation] and stormwater management facilities that are required pursuant to the proffers and/or shown on the approved construction plans and profiles as lying within such Tree Conservation Areas and for the construction of utilities necessary for development of the Property. Notwithstanding the previous sentence, a minimum of eighty (80) percent of the canopy within the cumulative Tree Conservation Area depicted on the CDP will be preserved, exclusive of stands of Virginia Pine over 25 years in age. In the event that the eighty (80) percent canopy threshold cannot be achieved within the designated Tree Conservation Areas, such lost canopy will be recaptured elsewhere onsite in locations to be designated at the discretion of the Owner in consultation with the County. Boundaries of all Tree Conservation Areas shall be clearly marked in the field prior to land disturbing activities and shall be delineated on each record plat or site plan containing any portion of a Tree Conservation Area..

If, during construction on the Property, it is determined by the Owner’s certified arborist and/or the County that any healthy tree located within the boundaries of any of the Tree Conservation Areas described in this proffer has been damaged during construction and will not survive, then, prior to bond release on any section containing or immediately adjacent to a Tree Conservation Area, the Owner shall remove each such tree and replace each such tree with two (2) 3 inch caliper native, non-invasive deciduous trees. The species of such replacement trees shall be determined by the Owner’s certified arborist or landscape architect in consultation with the County Urban Forester or Zoning Administrator. The placement of the replacement trees shall be proximate to the area of each such damaged tree so removed, or in another area as requested by the County.

The HOA documents shall include a provision that prohibits removal of trees in Tree Conservation Areas, as shown on the record plat, after construction has been completed by the Owner without specific permission of the County Urban Forester or Zoning Administrator except as necessary to accommodate Forest Management Techniques, performed by or recommended by a professional forester or certified arborist, that are necessary to protect or enhance the viability of the canopy. Such Management Techniques may include such actions as, without limitation, pruning and the removal of vines, invasive species, trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased, insect-infested, dead, or are considered a hazard to life or property. The HOA documents shall clearly state that such provisions prohibiting tree removal shall not be amended by the Owner or the HOA without written approval from the County Zoning Administrator. The record plat for each portion of the Property containing a Tree Conservation Area shall contain a note stating that the removal of trees within a Tree Conservation Area is prohibited except in accordance with the Declaration of Covenants.

Option B: Tree Conservation Easement Text (to be substituted for last paragraph above when there is no Homeowners or Property Owners Association.)

The Tree Conservation Area shall be protected by a Tree Conservation Easement granted to the County and recorded with the applicable record plat(s). A Deed of Easement, running to the benefit of the County, shall be recorded prior to or concurrently with each record plat, or prior to the approval of each site plan, for the Property containing any portion of the Tree Conservation Area. Such deed shall include a provision that prohibits removal of trees within such Tree Conservation Easement as shown on the record plat or site plan after construction has been completed by the Owner without specific permission of the County except as necessary to accommodate Forest Management Techniques, performed by or recommended by a professional forester or certified arborist, that are necessary to protect or enhance the viability of the canopy. Such Management Techniques may include, without limitation, such actions as pruning and the removal of vines, invasive species, trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased, insect-infested, dead, or are considered a hazard to life or property. The record plat or site plan for each portion of the Property containing a Tree Conservation Easement shall contain a note stating that the removal of trees within a Tree Conservation Easement is prohibited except in accordance with the Deed of Easement for the Tree Conservation Area.

Noise Study Proffer Template

The applicant will provide a noise impact study to the County that will determine the need for any additional buffering and noise attenuation measures along _____ and _____. The noise impact study shall be based upon traffic volumes for these roadways at a time 10 to 20 years from the start of construction based upon the most recent, applicable forecast available from the Department of Transportation and Capital Infrastructure, the ultimate road configuration as defined in the 2010 Countywide Transportation Plan (“CTP”), and the ultimate design speed, pavement type and proposed topography. This noise impact study will be conducted by a [certified professional engineer][professional acoustical consultant] and submitted to the County concurrently with the submission of the first site plan or construction plan, whichever is first in time. The noise impact study will be prepared using the latest version of the Federal Highway Administration's Traffic Noise Prediction Model. Noise impacts shall be deemed to occur if predicted highway noise levels substantially exceed the existing noise levels (a 10 decibel increase over existing levels) or approach (one decibel less than), meet, or exceed the Noise Abatement Criteria identified in the CTP. For all uses deemed to be subject to such noise impacts, noise attenuation measures shall be provided along the specified roadways sufficient to mitigate the anticipated noise impacts prior to the issuance of any occupancy permits for any impacted structures. Such noise attenuation measures shall be shown on the applicable site plan or construction plan. Noise attenuation measures shall result in noise levels less than impact levels (2 decibels less than the Noise Abatement Criteria) and shall result in a noise reduction of at least 5 decibels below predicted highway noise levels. Where noise attenuation measures are determined to be required, priority shall be given to passive measures (to include adequate setbacks, earthen berms, wooden fences, and vegetation). Structural noise attenuation measures (e.g., noise walls) shall be used only if adequate noise attenuation cannot otherwise be achieved. [Notwithstanding the previous sentence, structural noise attenuation measures may be incorporated into the construction of impacted structures to achieve interior noise standards.] The first occupancy permit for any dwelling unit or other noise-sensitive use adjacent to the specified roadways shall not be issued until the Owner/Applicant has provided written documentation from County Building and Development staff or the Zoning Administrator that such required attenuation measures have been constructed or installed or are not required. All such noise attenuation measures [(other than those incorporated into the construction of impacted structures to achieve interior noise standards)] shall be located on HOA owned property, and the HOA Covenants shall clearly state that all required noise attenuation measures shall be maintained by the HOA and shall not be removed without written approval from the County.

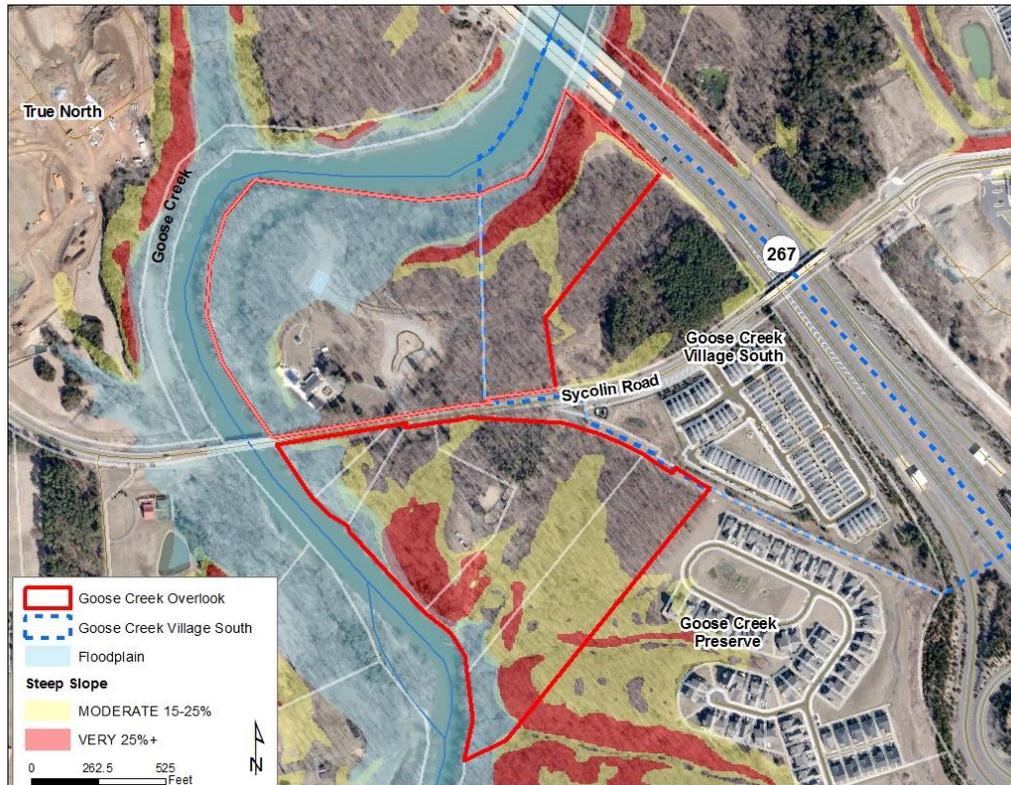
MEMORANDUM

To: Josh Peters, Project Manager, Land Use Review
From: Marie Genovese, AICP, Planner III, Community Planning
Date: September 8, 2020
Re: ZMAP 2020-0005, ZCPA 2020-0008, & ZMOD 2020-0020, Goose Creek
Overlook – Community Planning 2nd Referral

BACKGROUND

Goose Creek Overlook LLC and Good Works Development LP (the applicant) has responded to Community Planning's first referral dated July 6, 2020. The applicant is requesting to rezone approximately 55.26 acres from the R-1 (Residential) and PD-H4 (Planned Development – Housing) zoning districts to the PD-H4 zoning district to develop up to 136 single-family attached (SFA) dwelling units, 40 multi-family stacked (MF Stacked) dwelling units, 75 multi-family attached (MFA) dwelling units, and a sanitary sewer pump station. A portion of the property (approximately 9.2 acres) was rezoned to the PD-H4 zoning district and designated as open space with the Goose Creek Village South development (ZMAP 2003-0009). The applicant is no longer proposing to develop the open space parcel; however, the area is still part of the application for density purposes. A Zoning Concept Plan Amendment (ZCPA) has been added to the application materials to remove the 9.2 acres of land from the open space calculation for the Goose Creek Village South development (ZMAP 2003-0009). The applicant is also requesting a Zoning Ordinance Modification (ZMOD) to reduce the number of required parking spaces for the MF dwelling units. The applicant has added an additional 6 acres of land and changed the number and mix of unit types since the first submission.

Site Map



As part of the second submission, Community Planning Staff has reviewed the following for consistency with the *Loudoun County 2019 General Plan* (2019 GP) policy: the applicant’s Statement of Justification (SOJ) dated August 19, 2020, the ZMAP plat dated August 19, 2020, the ZCPA plat dated August 19, 2020, the ZMAP proffers dated August 19, 2020, and the ZCPA proffers dated August 19, 2020. This referral memo supplements Community Planning Staff’s first referral memo dated July 6, 2020.

OUTSTANDING ISSUES

Parks/Open Space & Public/Civic

The 2019 GP calls for Suburban Neighborhoods to consist of at least 30 percent open space uses (16.58 acres) and at least 10 percent civic uses (5.53 acres). Open space can comprise any mix of active, passive, community, and/or natural open space areas (2019 GP, Chapter 2, Suburban Neighborhood Place Type). Civic space will be comprised of public buildings or outdoor spaces constructed to accommodate gatherings (2019 GP, Appendix A, Glossary).

The applicant is proposing to remove 9.2 acres of land previously designated as open space from the Goose Creek Village South development (ZMAP 2003-0009) open space tabulation and include it within the subject application. The existing 9.2 acres of open space is part of a larger 18.59-acre conservation easement. The applicant is

also proposing to dedicate approximately 16.7 acres of land adjacent to the Goose Creek to the County for a passive park and approximately 41,450 square feet¹ of active recreation space. The passive park will consist of a 10-foot wide natural surface trail (Emerald Ribbons Trail), trailhead improvements (pervious parking lot, a parking/traffic control gate, trash and recycling cans, and a 10-foot-wide natural surface trail linking the parking with the Emerald Ribbons Trail), and a canoe/kayak launch. Proffer 9 provides that the portion of the Emerald Ribbons Trail north of Sycolin Road and within the Sycolin Road right-of-way, the trailhead improvements, and the canoe/kayak launch will be constructed and available for use prior to the issuance of the 152nd residential occupancy permit in Land Bay A. Community Planning Staff notes Land Bay A only has 77 dwelling units, therefore it is unclear if the proffers provide an enforceable commitment to provide these amenities as currently written.

Proffer 8 states that the active recreation spaces shown in Land Bays A and C will be constructed and available for use prior to the issuance of the 75th residential occupancy permit within each Land Bay. With only a maximum of 77 dwelling units within Land Bay A and a maximum of 99 dwelling units Land Bay B active recreation spaces will not be available until the project has completely built out. Additionally, the active recreation space in Land Bay A and the most western active recreation space in Land Bay C are located within the River and Stream Corridor Resource (RSCR). Active recreation is not a permitted use within the major floodplain RSCR and should be relocated to an area outside of this environmental resource (*2019 GP, Chapter 3, Permitted Uses in the RSCR call out box*). In addition, the proposed Emerald Ribbons Trail, trailhead improvements, and canoe/kayak launch are located within the RSCR. Community Planning Staff has concerns regarding proposed impacts to the Goose Creek stream corridor (see further discussion below).

Since the 9.2 acres was proffered with Goose Creek Village South in order to fulfill density and open space policies in place at the time of approval, it is important that the proposed development and the Goose Creek Village South development together still maintain the land use mix envisioned. The overall density and open space for the Goose Creek Village South residential community appears to still be consistent with the 2019 GP policies. In the first referral, Community Planning Staff requested the CDP be updated to show a minimum of 10 percent public/civic uses. As currently proposed, the development is not meeting the minimum public/civic component of the land use mix.

¹ Proffer 8 provides that a minimum of 41,200 square feet of active recreation space will be provided; however, the CDP shows 41,450 square feet.

Analysis

Community Planning Staff recommends the following revisions to the application materials to address issues with open space and public/civic uses:

- ***The CDP should be updated to show 10 percent public/civic uses.***
- ***Active recreation uses should be relocated outside of the RSCR.***
- ***Proffer 8 and/or the CDP should be updated to accurately show the amount of active recreation space provided. Proffer 8 should also be updated committing to providing active recreation uses earlier in the development of the project.***
- ***Proffer 9 should be revised to include a trigger for the passive park improvements that is achievable and early in the development of the project.***

Housing

The applicant is proposing to provide all 75 MFA units as one-, two-, and three-bedroom rental Affordable Housing Units (AHUs). The SOJ asserts that the AHU building will include green building commitments, universal design elements, low-impact and sustainable design features, and amenities including fitness and children's play areas. While the proffers commit to the building being certified and designed in accordance with a third-party green building program none of the other design elements and amenities are included.

Analysis

Community Planning Staff recommends the applicant update the proffers to include to a commitment to universal design, low-impact and sustainable design features, and other amenities intended for the AHU building as indicated in the SOJ.

Community Planning Staff notes that the proffers do not include a total unit count for the AHUs.

Analysis

Proffer 2f should be updated to include the total number of AHUs proposed.

Site Design

The 2019 GP includes numerous policies and provisions applicable to this proposal intended to achieve quality design at all levels of development, including the countywide Quality Development policies in Chapter 2; the Suburban Policy Area Design Guidelines in Appendix A; and the standards of the applicable place type provided in Chapter 2.

The applicant has provided Design Guidelines with this submission. The Design Guidelines include design elements envisioned for elevations visible from any streets. Community Planning Staff notes the wording states "for any visible streets" rather

than “from any visible streets”. In addition, to be consistent with the 2019 GP elevations visible from adjacent properties should include similar design elements to ensure visual interest. Similarly, side and rear façade treatments should include more than one building material and design elements to be consistent with the 2019 GP. As currently proposed, the text and the illustratives appear to permit a blank wall appearance. Lastly, the applicant is proposing a 4-story maximum for SFA and MF Stacked and 4-stories over podium for the MFA building. The 2019 GP calls for a maximum height of 4-stories for development within the Suburban Neighborhood Place Type (*2019 GP, Chapter 2, Suburban Neighborhood Place Type*). As multi-family residential is a complementary use within the Suburban Neighborhood Place Type and the proximity of the subject property to the Transition Policy Area, it is important to maintain the height limitations as called for in the 2019 GP.

The proposed 10-foot trail along Sycolin Road does not extend all the way across Land Bay A or along Land Bay B. The response to Staff’s comments states the applicant will provide screening as required in the Zoning Ordinance to screen the proposed sanitary sewer pump station from Sycolin Road.

Analysis

Community Planning Staff recommends the following revisions to address outstanding issues regarding site design:

- ***The Design Guidelines should be revised as recommended above.***
- ***The height of all structures should be limited to a maximum of 4-stories consistent with the Suburban Neighborhood Place Type.***
- ***Sheet 9 should be updated to include the proposed 10-foot trail along all of the property’s Sycolin Road frontage.***
- ***The applicant should commit to additional evergreen plantings in addition to the Type 2 buffer required along Sycolin Road to help screen the proposed sanitary sanitary sewer pump station from the roadway.***

Parking

The applicant is requesting a ZMOD to reduce the required number of parking spaces for the MFA AHUs. The applicant seeks to reduce the number of parking spaces from 1.5 spaces for 1-bedroom units and 2 spaces for 2- or 3-bedroom units to 1.5 spaces per unit regardless of bedrooms. Community Planning Staff has no issue with the ZMOD request.

Capital Facilities

Under the 2019 GP, all residential rezoning requests will be evaluated in accordance with the Capital Facility guidelines and policies of the Plan (*2019 GP, Chapter 6, Fiscal Management, Strategy 8.3*). A central objective of the 2019 GP is to balance land uses to promote an effective fiscal policy (*2019 GP, Chapter 6, Fiscal Management, Strategy 8.2*). The current capital intensity factor (CIF) is \$33,733.40 per SFA

dwelling unit, \$25,016.56 per MF Stacked dwelling unit, and \$15,664.11 per MFA dwelling unit in the Eastern CIF region. The total capital facility impact (minus the proposed AHUs) of this project is estimated at \$5,588,404.80 (See Attachment 1). Based on the existing zoning of the site, the proposal could apply a base density credit equivalent to the capital facility impact of 46 dwelling units, or \$2,187,496.42, for a total anticipated capital facility contribution of \$3,400,908. Proffer 10 provides for a capital facility contribution of \$16,891.59 per market-rate dwelling unit for a total of \$2,972,919.95. The proffers should be updated to include a contribution of \$19,323.34 per market-rate dwelling unit to ensure capital facility impacts are being mitigated with the proposed development.

Analysis

The anticipated capital facility impacts of the proposed development should be mitigated according to 2019 GP fiscal policies.

Environmental/Existing Conditions

River and Stream Corridor Resources

RSCR on the subject property consists of Goose Creek (an impaired stream), associated floodplain, adjacent steep slopes (slopes 25% or greater, extending no farther than 100-feet beyond the floodplain), and a 50-foot management buffer surrounding the floodplains and adjacent steep slopes (2019 GP, Chapter 3, Water Resources). The 50-foot management buffer helps to promote river and stream health (streambank/streambed stability, temperature moderation nutrient removal, sediment removal, flood control, and aquatic food and habitat) (2019 GP, Chapter 3, RSCR Strategy 2.2). The 2019 GP also establishes a 300-foot no-build buffer or the other elements of the RSCR, whichever is greater in an effort to protect Scenic Rivers, such as Goose Creek (2019 GP, Chapter 3, RSCR Action 2.5.A). The 50-foot management buffer is not accurately delineated on the submitted plats. Residential uses, active recreation space, the Emerald Ribbons Trail, trailhead improvements, and a canoe/kayak launch are all currently proposed within the RSCR and/or the 300-foot no-build buffer. Community Planning Staff understands that an existing house is located in the area where the trailhead parking is proposed and that the applicant is proposing permeable parking. No information has been provided regarding mitigation of impacts to the RSCR to offset the proposed trailhead improvements. As currently proposed, the development is not consistent with the County's goals of protecting and improving stream quality and watershed health.

Analysis

The submitted plats should be updated identifying all the elements of the RSCR as well as the 300-foot no-build buffer.

Community Planning Staff recommends reconfiguring development of the site (residential uses and active recreation uses) outside the RSCR or the 300-foot no-build buffer, whichever affords the greatest protection in its

entirety. Further, mitigation for impacts associated with the trailhead permeable parking within the RSCR should be provided.

Steep Slopes

In the first referral, Community Planning Staff requested information regarding any unavoidable impacts to moderately steep slopes, which the 2019 GP defines as areas with a vertical incline of 15 percent to 25 percent, including strategies to offset any impacts. The response to Staff's comments states that development is prohibited on moderately steep slopes. Staff notes that the Zoning Ordinance does not prohibit development activities in moderately steep slope areas. Further, it does not appear that development has been located outside of moderately steep slope areas.

Analysis

Community Planning Staff continues to request information regarding any unavoidable impacts to moderately steep slopes including strategies to offset these impacts.

Natural Heritage Resources

The Threatened and Endangered Species Review dated March 16, 2020 found that the subject property has potential habitat for the green floater and the wood turtle, both state-listed threatened species. The review also found that the dwarf wedgemussel, a federally listed endangered species, may occur on site and that a study may be required if impacts to streams are proposed. In the first referral, Community Planning Staff recommended conducting a habitat survey to determine potential impacts to the green floater and the wood turtle and preservation of the RSCR and wetlands to offset potential impacts to the dwarf wedgemussel.

Proffer 23 states that a freshwater mussel and/or wood turtle habitat study will be conducted for impacted onsite streams and will be submitted to the Virginia Department of Game and Inland Fisheries (DGIF) and/or U.S. Fish & Wildlife Service (FWS), with copy also provided to the Department of Building and Development, at which time DGIF and/or FWS will determine if a species-specific survey is warranted. The proffer goes on to state that if the habitat study or the species-specific survey are deemed not necessary by DGIF and/or FWS through the wetland permitting process then the habitat study and the species-specific survey shall not be required. The 2019 GP calls for development applications with the likelihood of impacting one or more natural heritage resources to conduct a species assessment and develop a plan for impact avoidance if the presence of a natural heritage resource is identified (*2019 GP, Chapter 3, Natural Heritage Resources, Action 6.1.B*). DGIF and FWS have different requirements through the wetland permitting process and should not be tied to the development of a habitat study and species-specific survey.

Analysis

Community Planning Staff recommends revising Proffer 23 to state that a habitat survey will be conducted and provided to the Department of Planning and Zoning for review. If it is determined at that time that a species-specific survey is warranted, the applicant should commit to providing such a survey to the Department of Planning and Zoning for review. If the green floater or the wood turtle is identified within an area identified for land disturbing activities, the applicant should further commit to a plan for impact avoidance. Preservation of the RSCR, as recommended above, will help to offset potential impacts to the dwarf wedgemussel.

RECOMMENDATIONS

While the proposed residential use is consistent with the Suburban Neighborhood Place Type, subsequent submissions should address issues regarding site design, open space, environmental resources, and capital facility impacts, as cited in this referral memo.

Staff is available to meet with the applicant to discuss this referral and answer any questions.

ATTACHMENTS

Attachment 1: Capital Facility Impact Worksheet

cc: Alaina Ray, AICP, Planning and Zoning Director (via e-mail)
Dan Galindo, AICP, Community Planning Program Manager (via e-mail)

**Attachment 1- Capital Facilities Impact Analysis (Eastern Region-includes Ashburn, Potomac, and Sterling)
ZMAP 2020-0005 & SPEX 2020-0012, Goose Creek Overlook**

TOTAL PROJECTED CAPITAL FACILITIES IMPACT

The total projected capital facilities impact of the proposed development is calculated using the approved capital intensity factors for the proposed unit mix. Revised Capital Intensity Factors (CIFs) were adopted by the Board of Supervisors on March 14, 2018.

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Capital Intensity Factors</i>	<i>Projected Capital Facilities Impact</i>
Single-Family Detached (SFD)	0	\$47,554.27	\$0.00
Single-Family Attached (SFA)	136	\$33,733.40	\$4,587,742.40
Multi-Family (MF)	75	\$15,664.11	\$1,174,808.25
Multi-Family Stacked (MF Stacked)	40	\$25,016.56	\$1,000,662.40
TOTAL	251		\$6,763,213.05

251 Total Units \$6,763,213 Total Projected Capital Facilities Impact

ANTICIPATED CAPITAL FACILITIES CONTRIBUTION

The anticipated capital facilities contribution of the proposed development takes into account Affordable Dwelling Units (ADUs) and the number of units permitted by the base density.

1. Number of Market Rate Units Subject to Capital Facilities Proffer Guidelines

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Number of Proposed ADUs</i>	<i>Number of Market Rate Units</i>
Single-Family Detached (SFD)	0	0	0
Single-Family Attached (SFA)	136	0	136
Multi-Family (MF)	75	75	0
Multi-Family Stacked (MF Stacked)	40	0	40
TOTAL	251	75	176

2. Capital Facilities Calculations for Market Rate Units

<i>Housing Type</i>	<i>Total Number of Market Rate Units</i>	<i>Capital Intensity Factors</i>	<i>Capital Facilities Calculations for Market Rate Units</i>
Single-Family Detached (SFD)	0	\$47,554.27	\$0.00
Single-Family Attached (SFA)	136	\$33,733.40	\$4,587,742.40
Multi-Family (MF)	0	\$15,664.11	\$0.00
Multi-Family Stacked (MF Stacked)	40	\$25,016.56	\$1,000,662.40
TOTAL	176		\$5,588,404.80

3. Capital Facility Credit for Base Density Units assuming Single Family Detached Dwellings

<i>Zoning District</i>	<i>Acres</i>	<i>Density Permitted By-right (du/acre)</i>	<i>Base Density Units*</i>	<i>Capital Intensity Factor</i>	<i>Capital Facility Credit for Base Density Units</i>
R-1	46.06	1	46	\$47,554.27	\$2,187,496.42
0	9.20	0	0	\$47,554.27	\$0.00
0	0.00	0	0	\$47,554.27	\$0.00
TOTAL			46		\$2,187,496.42

* Based density units shall not exceed 1 du per acre pursuant to Loudoun County 2019 General Plan, Cha

4. Anticipated Capital Facilities Contribution

\$5,588,404.80 - \$2,187,496.42 = \$3,400,908.38

\$3,400,908 Anticipated Capital Facilities Contribution

MEMORANDUM

To: Josh Peters, AICP, Project Manager, Land Use Review
From: Marie Genovese, AICP, Planner III, Community Planning
Date: October 15, 2020
Re: ZMAP 2020-0005, ZCPA 2020-0008, & ZMOD 2020-0020, Goose Creek
Overlook – Community Planning 3rd Referral

BACKGROUND

Goose Creek Overlook LLC and Good Works Development LP (the applicant) has responded to Community Planning's second referral dated September 8, 2020. The applicant is requesting to rezone approximately 55.26 acres from the R-1 (Residential) and PD-H4 (Planned Development – Housing) zoning districts to the PD-H4 zoning district to develop up to 136 single-family attached (SFA) dwelling units, 40 multi-family stacked (MF Stacked) dwelling units, 75 multi-family attached (MFA) dwelling units, and a sanitary sewer pump station. A portion of the property (approximately 9.2 acres) was rezoned to the PD-H4 zoning district and designated as open space with the Goose Creek Village South development (ZMAP 2003-0009). The applicant is no longer proposing to develop the open space parcel; however, this area is still part of the application and included in the proposal's allowable density calculations. A Zoning Concept Plan Amendment (ZCPA) has been added to the application materials to remove this 9.2-acre area from the open space calculation for the Goose Creek Village South development (ZMAP 2003-0009). The applicant is also requesting a Zoning Ordinance Modification (ZMOD) to reduce the number of required parking spaces for the MF dwelling units.

As part of this submission, Community Planning Staff has reviewed the following for consistency with the *Loudoun County 2019 General Plan* (2019 GP) policy: the applicant's Statement of Justification (SOJ) dated September 21, 2020, the ZMAP plat dated September 18, 2020, the ZCPA plat dated September 18, 2020, the ZMAP proffers dated September 22, 2020, and the ZCPA proffers dated September 18, 2020. This referral is intended to supplement, and, where noted, update Community Planning Staff's 1st referral comments dated July 6, 2020 and 2nd referral comments dated September 8, 2020.

OUTSTANDING ISSUES

Parks/Open Space & Public/Civic

The 2019 GP calls for Suburban Neighborhoods to consist of at least 30 percent open space uses (16.58 acres) and at least 10 percent civic uses (5.53 acres). Open space can comprise any mix of active, passive, community, and/or natural open space areas (2019 GP, Chapter 2, Suburban Neighborhood Place Type). Civic space will be

comprised of public buildings or outdoor spaces constructed to accommodate gatherings (*2019 GP, Appendix A, Glossary*).

The applicant is proposing to dedicate approximately 16.7 acres of land adjacent to the Goose Creek to the County for a passive park (Goose Creek Stream Valley Park) and approximately 41,450 square feet¹ of active recreation space. The Goose Creek Stream Valley Park will consist of a 10-foot-wide natural surface trail (Goose Creek Stream Valley Trail), trailhead improvements (pervious parking lot, a parking/traffic control gate, trash and recycling cans, and a 10-foot-wide natural surface trail linking the parking with the Goose Creek Stream Valley Trail), and a canoe/kayak launch. Proffer 11c states that the canoe/kayak launch will be made available for public use no earlier than the issuance of an occupancy permit for the 152nd residential unit in Land Bays A and F. As Land Bays A and F only account for 152 residential units, Community Planning Staff is unsure why public use is tied to all of the units being developed. Similarly, Proffer 11d states public use of the trailhead improvements shall not be made available earlier than the 152nd residential occupancy permit for Land Bay A. However, Land Bay A only permits 77 dwelling units, therefore it is unclear if or when the trailhead improvements would be available for public use as currently written.

The active recreation space in Land Bay A is located within the River and Stream Corridor Resource (RSCR). Active recreation is not a permitted use within the major floodplain RSCR and should be relocated to an area outside of this environmental resource (*2019 GP, Chapter 3, Permitted Uses in the RSCR call out box*). In addition, parking, residential lots, travelways, the proposed Goose Creek Stream Valley Trail, trailhead improvements, and canoe/kayak launch are all located within the RSCR. Community Planning Staff has concerns regarding proposed impacts to the Goose Creek stream corridor (see further discussion below).

Community Planning Staff continues to request the CDP be updated to show a minimum of 10 percent public/civic uses. As currently proposed, the development is not meeting the minimum public/civic component of the land use mix. Please note that the 10 percent public/civic component is in addition to the 30 percent open space component. Areas can either be dedicated for public/civic or open space but cannot count towards meeting both components of the land use mix.

¹ Proffer 10 states that a minimum of 41,400 square feet of active recreation space will be provided, consisting of a minimum of 22,800 square feet within Land Bay A and a minimum of 18,600 square feet within Land Bay C. However, the CDP shows a total of 41,200 square feet, consisting of 18,600 square feet within Land Bay A and 22,600 square feet within Land Bay C.

Analysis

Community Planning Staff continues to recommend the following revisions to the application materials to address issues with open space and public/civic uses:

- ***The CDP should be updated to show 10 percent public/civic uses.***
- ***Active recreation uses should be relocated outside of the RSCR.***
- ***Proffer 10 and/or the CDP should be updated to accurately show the amount of active recreation space provided.***
- ***Proffer 11 should be revised to include a trigger for the passive park to be open to the public earlier in the development of the project to expedite public access and provide better assurances that the proffer will be fulfilled. Proffer 11d should be revised to clarify the public access trigger for trailhead improvements as the current trigger of 152 units in Land Bay A exceeds the total number of units proposed for that land bay.***

Housing

The applicant is proposing to provide all 75 MFA units as one-, two-, and three-bedroom rental Affordable Housing Units (AHUs) within one building in Land Bay F. Proffer 3 states that if the 75 units satisfy the ADU or AHU requirements of the Zoning Ordinance then these units shall count towards meeting the ADU requirements for those units provided within Land Bays A and C. However, if funding is not available to provide such AHUs in a single building within Land Bay F, then the required ADUs must be provided in each Land Bay in accordance with the Zoning Ordinance. As the applicant is using County land to achieve the proposed density as well as being evaluated as helping to achieve the County's housing goals, the applicant should commit to affordable units beyond what is required in the Zoning Ordinance if funding is not available to provide the AHUs in a single building.

Analysis

Community Planning Staff recommends the applicant update Proffer 3 to state that if funding is not available to provide AHUs in a single building in Land Bay F, the applicant will provide 15 percent of the total units as ADUs.

Site Design

As noted in previous referrals, the 2019 GP includes numerous policies and provisions applicable to this proposal intended to achieve quality design at all levels of development. The applicant has provided revised Design Guidelines with this submission. To be consistent with the 2019 GP, elevations visible from adjacent properties should include similar design elements as those visible from streets (offsets, indentations, fenestrations, variations in rooflines, materials, and colors, cornices and/or other trim materials) to ensure visual interest. While the left elevation as shown in the Design Guidelines exhibits a slight offset, it does not exhibit sufficient articulation to break up the massing of the flat wall in keeping with the intent and

purpose of the 2019 GP. The Design Guidelines should be updated to incorporate more substantial architectural features such as those shown on the right elevation. Lastly, the applicant is proposing a 4-story maximum for SFA and MF Stacked and 4-stories over podium parking for the MFA building. The 4-story-over-podium MFA structure will functionally appear to be a 5-story structure on the downslope side and a 4-story structure on the upslope side. The 2019 GP calls for a maximum height of 4-stories for development within the Suburban Neighborhood Place Type (*2019 GP, Chapter 2, Suburban Neighborhood Place Type*). As multi-family residential is a complementary use within the Suburban Neighborhood Place Type and the proximity of the subject property to the Transition Policy Area, it is important to maintain the height limitations as called for in the 2019 GP to provide a transition and ensure visual compatibility with the surrounding uses.

The response to Staff's comments states the applicant has proposed an enhanced buffer along the Sycolin Road frontage of the pump station. Sheet 8 shows an enhanced roadway corridor type 2 buffer, which will include the installation of evergreen trees or an opaque fence. However, no information has been provided regarding the number of evergreen trees intended for the enhanced buffer.

Analysis

Community Planning Staff recommends the following revisions to address outstanding issues regarding site design:

- ***The Design Guidelines should be revised as recommended above.***
- ***The height of all structures should be limited to a maximum of 4-stories consistent with the Suburban Neighborhood Place Type.***
- ***The applicant should provide information regarding the number of additional evergreen plantings proposed in addition to the Type 2 buffer required along Sycolin Road to help screen the proposed sanitary sewer pump station from the roadway.***

Environmental/Existing Conditions

River and Stream Corridor Resources

RSCR on the subject property consists of Goose Creek (an impaired stream), associated floodplain, adjacent steep slopes (slopes 25% or greater, extending no farther than 100-feet beyond the floodplain), and a 50-foot management buffer surrounding the floodplains and adjacent steep slopes (*2019 GP, Chapter 3, Water Resources*). The 2019 GP also establishes a 300-foot no-build buffer or the RSCR elements, whichever is greater, to protect Scenic Rivers such as Goose Creek (*2019 GP, Chapter 3, RSCR Action 2.5.A*). The CDP should be updated to show the RSCR including the 50-foot management buffer or the 300-foot no-build buffer whichever affords the greater protection. As currently proposed, residential uses, travelways, active recreation space, the Goose Creek Stream Valley Trail, trailhead improvements, and the canoe/kayak launch are all currently proposed within the RSCR and/or the 300-foot no-build buffer. Community Planning Staff understands

that existing impervious cover is located within the RSCR and the 300-foot no-build buffer that the applicant is proposing to remove; however Proffer 26 states that the applicant will remove approximately 60% of the existing impervious surfaces from the Goose Creek environmental buffers and floodplain. The Environmental Features Overlay Plan (Sheet 10) shows the existing impervious area to be removed from the RSCR and 300' no-build buffer and the proposed impervious area to be located within the RSCR 50-foot management buffer; however, it is unclear what impervious surfaces will be retained.

Additionally, Community Planning Staff notes that the applicant is proposing impervious cover within the floodplain, not just within the 50-foot management buffer, which should also be included in the total proposed impervious cover. The 2019 GP only supports passive uses within the RSCR and does not support any uses within the 300-foot no-build buffer. Proffer 26 states that only passive recreational uses will be located within the 50-foot RSCR Management Buffer; however, active recreation, parking, travelways, and residential lots are all proposed within the RSCR. Proffer 26 states that the applicant shall mitigate impacts to the RSCR 50-foot Management Buffer by reforesting an approximately 11,000-square-foot area designated as "Reforestation Area" on Sheet 8. Community Planning Staff notes the Tree Reforestation Area is shown on Sheet 10. As stated above, the amount of impervious cover proposed is not accurately calculated and impacts within the entire RSCR and 300-foot no-build buffer should be identified in order to accurately quantify the impacts. Community Planning Staff prefers relocating these unpermitted uses outside of the RSCR and the 300-foot no-build buffer, consistent with the 2019 GP. However, if these uses are not relocated, all impacts to the RSCR and the 300-foot no-build buffer should be mitigated. Community Planning Staff notes that while the applicant is removing some of the existing impervious cover from the RSCR and 300-foot no-build buffer, the remainder of the site will be developed, which increases stormwater runoff to the Goose Creek. The current proposal is not consistent with the County's goals of protecting and improving stream quality and watershed health.

Analysis

The submitted plan sheets should be updated identifying the RSCR or the 300-foot no-build buffer, whichever affords the greatest protection.

Community Planning Staff continues to recommend reconfiguring the site to locate development (residential uses, travelways, parking, and active recreation uses) outside the RSCR or the 300-foot no-build buffer, whichever affords the greatest protection in its entirety.

The location of the trailhead improvements within the 300-foot no-build buffer is not consistent with the 2019 GP; however, Community Planning Staff could support these improvements provided they use permeable materials and all impacts are mitigated. Community Planning Staff defers to

the Natural Resource Team (NRT) regarding appropriate mitigation measures.

Natural Heritage Resources

The Threatened and Endangered Species Review dated March 16, 2020 found that the subject property has potential habitat for the green floater and the wood turtle, both state-listed threatened species. The review also found that the dwarf wedgemussel, a federally listed endangered species, may occur on site and that a study may be required if impacts to streams are proposed. As stated above, the development would impact the RSCR and the 300-foot no-build buffer. Community Planning Staff continues to recommend conducting a habitat survey to determine potential impacts to the green floater and the wood turtle and preservation of the RSCR and wetlands to offset potential impacts to the dwarf wedgemussel, consistent with the 2019 GP.

Proffer 25 states that a freshwater mussel and/or wood turtle habitat study will be conducted for impacted onsite streams and will be submitted to the Virginia Department of Conservation and Recreation (DCR), the Virginia Department of Game and Inland Fisheries (DGIF) and/or U.S. Fish & Wildlife Service (FWS), with copy also provided to the Department of Building and Development, unless deemed not necessary as part of the Section 401/404 wetland permitting. Further, the proffers call for any protective measures from a species-specific survey to be implemented prior to the approval of the first zoning permit; however, if documented seasonal constraints require additional review the implementation of the protective measures may be delayed beyond the approval of the first grading permit, but no later than the issuance of the first occupancy permit. As currently proposed, protective measures are too late in the process and would not be effective in impact avoidance. Further, as it is unclear if wetland permitting will be triggered with the proposed development, Community Planning Staff continues to recommend the applicant commit to conducting a species survey prior to site plan approval to ensure avoidance of natural heritage resources.

Analysis

Community Planning Staff recommends revising Proffer 25 to state that a species survey will be conducted and provided to the Department of Planning and Zoning prior to site plan approval. If the green floater or the wood turtle is identified within an area identified for land disturbing activities, the applicant should further commit to a plan for impact avoidance prior to any land disturbance. Preservation of the RSCR and 300-foot no-build buffer, as recommended above, will help to offset potential impacts to the dwarf wedgemussel.

RECOMMENDATIONS

While the proposed residential use is consistent with the Suburban Neighborhood Place Type, subsequent submissions should address issues regarding public/civic space, affordable housing site design, and environmental resources, as cited in this referral memo.

Staff is available to meet with the applicant to discuss this referral and answer any questions.

cc: Alaina Ray, AICP, Planning and Zoning Director (via e-mail)
Dan Galindo, AICP, Community Planning Program Manager (via e-mail)

County of Loudoun

Department of Transportation and Capital Infrastructure

MEMORANDUM

DATE: July 15, 2020

TO: Joshua Peters, Project Manager
Department of Planning & Zoning

THROUGH: Lou Mosurak, AICP, Senior Coordinator *LM*
DTCI, Transportation Planning & Traffic Engineering Division

FROM: Mark Phillips, P.E., Transportation Planner *MP*
DTCI, Transportation Planning & Traffic Engineering Division

SUBJECT: ZMAP 2020-0005 & SPEX 2020-0012 – Goose Creek Overlook
First Referral

Background

These zoning map amendment (ZMAP), and special exception (SPEX) applications propose the following:

1. ZMAP (rezone) approximately 49.62 acres from the Single Family Residential (R-1) zoning districts under the Loudoun County Revised 1993 Zoning Ordinance to the Planned Development Housing 4 (PD-H4), administered as Single Family Residential (R-8) & Townhouse/Multi-Family Residential (R-16 ADU) for the development of up to 142 single family attached and 96 multi-family units.
2. SPEX to modify parking requirements pursuant to Section 5-1102(F) of the Loudoun County Revised 1993 Zoning Ordinance.

The subject property (PIN #s 154-45-5373, 154-45-1833, 154-45-3829, 154-45-9680, and 154-35-8154) is located north and south of Sycolin Road (VA Route 625), east of Goose Creek and West of the Dulles Greenway (VA Route 267). Site access is proposed off of Sycolin Road. A vicinity map is provided as **Attachment 1**.

Department of Transportation and Capital Infrastructure (DTCI) review of these applications is based on materials received from the Department of Planning and Zoning on May 22, 2020, including (1) an Information Sheet, dated May 21, 2020; (2) a Statement of Justification prepared by the Applicant, dated May 14, 2020; (3) a Traffic Impact Study prepared by Gorove/Slade, dated April 9, 2020 and (4) a ZMAP and SPEX Plat prepared by J2 Engineers, Inc., dated May 11, 2020.

Executive Summary

Based on review of the applications as submitted, DTCI is unable to provide a recommendation at this time. DTCI may have additional comments based on the Applicant's responses to the comments provided and is available to meet with the Applicant upon request to discuss the proposal.

DTCI has the following general concerns regarding this application. Detailed discussion of these issues are provided in the comment section, below:

- The proposal should clarify the number of dwelling units proposed with this application.
- The proposal does not provide the existing trips generated by the site and should clarify the LOS analysis at Intersection #1.
- The proposal does not provide the bicycle and pedestrian facilities consistent with the 2019 CTP for Sycolin Road.
- The proposal does not commit to providing the ultimate roadway improvements for Sycolin Road per the 2019 CTP of a U4M (TT) section.
- The proposal does not commit to provide regional road or regional transit contributions.
- The proposal does not commit to provide a highway noise study and mitigate highway noise impacts on residential uses.

Countywide Transportation Plan Arterial and Collector Roadways

The existing and planned transportation network is subject to the policies of the Loudoun County 2019 Countywide Transportation Plan (2019 CTP). Arterial and collector roadways in the vicinity of the proposed development are described below.

Sycolin Road – VA Route 625

Crosstrail Boulevard to Dulles Greenway (East Crossing)

	Existing Condition	Ultimate Condition
<i>Functional Classification (CTP)</i>	Major Collector	Major Collector
<i>Section/Lanes</i>	R2 / 2 lanes	U4M (TT) / 4 Lanes
<i>Bicycle and Pedestrian Facilities</i>	N/A	10' Shared Use Path on both sides of the roadway
<i>Speed Limit</i>	35-50 mph	–
<i>VDOT Traffic Counts</i>	13,000 (2019)	–
<i>Ultimate Improvements</i>	<i>Construct Ultimate U4M (TT) section per <u>2019 CTP</u></i>	

Dulles Greenway – VA Route 267
Battlefield Parkway to Main Toll Plaza

	Existing Condition	Ultimate Condition
<i>Functional Classification (CTP)</i>	Principal Arterial (Freeway)	Principal Arterial (Freeway)
<i>Section/Lanes</i>	U6F	U8F / 8 Lanes
<i>Bicycle and Pedestrian Facilities</i>	N/A	N/A
<i>Speed Limit</i>	65 mph	–
<i>VDOT Traffic Counts</i>	31,000 (2019)	–
<i>Ultimate Improvements</i>	<i>Construct Ultimate U8F section per 2019 CTP.</i>	

Summary of Traffic Impact Study (TIS)

DTCL's assessment of the Applicant's traffic analysis and transportation impacts deriving from the proposed development is based on review the Applicant's submission materials, existing and planned transportation facilities, and applicable County policies.

There is an existing single-family residential building on the property.

A review of safety and operations for existing roadways in the vicinity of the site indicates that within the past three years, the following incidents were reported to the Loudoun County Sheriff's Office:

- Sycolin Road between Turner Farm Lane and Houseman Terrace: Two property damage crashes.

Currently, the site is permitted for development of up to 31 single-family detached housing units.

The Applicant submitted a Traffic Impact Study (TIS) dated May 6, 2020 analyzing the impacts of the proposed development of up to 142 single-family attached and 96 multi-family units uses under Total Future 2023 conditions at the following intersections:

- Sycolin Road and Eastern Site Entrance (Intersection #1) (Future conditions in TIS)
- Sycolin Road and Western Site Entrance (Intersection #2)

With trips to and from the site distributed as follows:

- 25% of trips to and from the west along Sycolin Road
- 75% of trips to and from the east along Sycolin Road

No trip reductions were assumed with these applications.

Based upon the existing development on the site, permitted development potential, and this proposal, the development would impact existing and potential site trip generation as follows:

Table 1: Trip Generation Comparisons for Goose Creek Overlook

Development Program	AM Peak Trips	PM Peak Trips	Weekday Total Trips
<u>Total Permitted Trips</u>	23	31	293
<u>Total Proposed Trips With These Applications</u>	90	114	1,448
Difference (Proposed minus Permitted)	+67	+83	+1,155

Sources: DTCL Staff and Goose Creek Overlook TIS, Gorove/Slade, May 6, 2020, Page 16.
 *For complete breakdown of trip generation, please consult the Applicant's TIS.

While the proposed development is forecasted to result in increased trip generation from this site as compared to the by-right condition, the TIS indicates that the surrounding roadway network will be able to accommodate these increased traffic volumes.

Transportation Comments and Recommendations

Based upon review of the Applicant's submission materials, DTCL has the following comments:

Traffic Study

1. DTCL requests the Applicant clarify the proposed site development. The Statement of Justification indicates that up to 238 townhomes/multifamily units may be developed with this application. However, the Applicant's TIS analyzes 266 dwelling units in the trip generation comparison table.
2. The Applicant should revise the TIS to provide the existing trip generation for the site.
3. DTCL requests the Applicant clarify if the SimTraffic analysis analyzed Intersection #1 under the existing two-lane condition along Sycolin Road or the ultimate four-lane section. DTCL requests the Applicant analyze the intersection under the ultimate four-lane condition in order to confirm acceptable LOS under the 2019 CTP Ultimate Condition for Sycolin Road.

Roadway Network and Site Access

4. DTCL requests the Applicant revise the ZMAP and SPEX Plat to correct the route number of Sycolin Road to be "Route 625" rather than "Route 643".
5. DTCL notes that the proposed site entrances meet intersection spacing for the ultimate four-lane condition of Sycolin Road consistent with the 2019 CTP.
6. DTCL notes that the Applicant is proposing to provide left- and right-turn lanes in both directions at Entrance #1 and a right-turn lane at the right-in/right-out at Entrance #2.

Bicycle and Pedestrian Facilities

7. DTCI requests the Applicant commit to providing a 10-foot-wide shared use path along the entirety of the site frontage with Sycolin Road consistent with the 2019 CTP. Further the Applicant should commit to installing the shared use path such that it is outside of the roadway area needed for the widening of Sycolin Road.

Proffers

8. DTCI requests the Applicant commit to dedicate the 90-foot-wide right-of-way necessary to accommodate the Sycolin Road widening from two- to four-lanes consistent with the 2019 CTP. Furthermore, the Applicant should provide additional right-of-way necessary for turn lanes and pedestrian facilities.
9. DTCI requests the Applicant commit to design and implement the “Interim Condition” roadway widening improvements along Sycolin Road as depicted on Sheet 12 of 14 of the ZMAP and SPEX Plat.
10. DTCI requests the Applicant provide a regional road and transit contribution on a per unit basis.

Highway Noise

11. The application proposes residential uses in proximity to both Sycolin Road, a major collector roadway, and the Dulles Greenway, a principal arterial roadway. As such, the Applicant should commit to provision of a highway noise analysis and mitigation of noise impacts identified per the study in accordance with the noise policies as outlined in Chapter 7 of the 2019 CTP.

ATTACHMENT

1. Vicinity Map

cc: John Thomas, PTP, Assistant Director, DTCI
Yao Lu, P.E. Loudoun Area Land Use Engineer, VDOT



Monday, June 15, 2020

Loudoun County, Virginia

www.loudoun.gov

(map not to scale)



ZMAP 2020-0005, SPEX 2020-0012

Goose Creek Overlook

ATTACHMENT 1

County of Loudoun

Department of Transportation and Capital Infrastructure

MEMORANDUM

DATE: September 10, 2020

TO: Joshua Peters, Project Manager
Department of Planning and Zoning

THROUGH: Lou Mosurak, AICP, Senior Coordinator *LM*
DTCI, Transportation Planning & Traffic Engineering Division

FROM: Mark Phillips, PE, Transportation Planner *MP*
DTCI, Transportation Planning & Traffic Engineering Division

SUBJECT: **ZMAP 2020-0005, ZCPA 2020-0007 & ZMOD 2020-0020 – Goose Creek Overlook
Second Referral**

Background

This referral updates the status of comments noted in the first Department of Transportation and Capital Infrastructure (DTCI) referral, dated July 15, 2020. These zoning map amendment (ZMAP), zoning concept plan amendment (ZCPA), and zoning modifications (ZMOD) applications propose the following:

To rezone the portions of the property currently zoned R-1 to the Planned Development Housing 4 (PD-H4) zoning district pursuant to the Loudoun County Revised 1993 Zoning Ordinance. Land Bays B and C, are proposed to be administered under the R-8 Single Family Residential zoning district in order to develop 99 single family attached units. Land Bays A and F are proposed to be administered in accordance with the provisions of the R-16 Townhouse/Multi-family Residential (R-16 ADU) zoning district in order to develop up to 37 market rate single family attached units, 40 market rate stacked multi-family units and 75 multi-family affordable dwelling units (ADU).

The subject property is located north and south of Sycolin Road (VA Route 625), east of Goose Creek and West of the Dulles Greenway (VA Route 267) on PIN #s 154-45-5373, 154-45-1833, 154-45-3829, 154-45-9680, and 154-35-8154. Site access is proposed via Sycolin Road.

This update is based on DTCI review of material received from the Department of Planning and Zoning on August 20, 2020, including (1) an Information Sheet, dated August 20, 2020; (2) a (revised) Statement of Justification prepared by the Applicant, dated August 19, 2020; (3) a Draft Proffer Statement prepared by the Applicant, dated August 19, 2020; (4) a Comment Response prepared by the Applicant, dated August 19, 2020; (5) a Revised Traffic Impact Study prepared by Gorove/Slade dated May 6, 2020 and revised August 18, 2020 and; (6) a revised ZMAP and ZCPA Plat prepared by J2 Engineers, Inc., dated March 27, 2020 and revised through August 19, 2020.

Executive Summary

Upon resolution of Comments 7, 11 and 12, DTCI could support approval of these applications as proposed with this submission.

DTCI has the following general concerns regarding this application. Detailed discussion of these issues are provided in the comment section, below:

- The proposal does not provide the bicycle and pedestrian facilities consistent with the 2019 CTP for Sycolin Road.
- The draft proffers do not reference the current version of the Countywide Transportation Plan with respect to the Highway Noise Analysis.

Summary of the Revised Traffic Impact Study (TIS)

The Applicant submitted a revised Traffic Impact Study (TIS) dated August 18, 2020 that incorporates changes to the traffic analysis and CDP recommended by staff following the Applicant’s initial submission. This revised TIS modifies the total site development to 251 multi-family units (originally 268). Furthermore, the TIS includes additional analysis of the two-lane and ultimate four-lane condition of Sycolin Road with the proposed site development under total future 2023 conditions.

Based upon the existing development on the site, permitted development potential, and this proposal, the development would impact existing and potential site trip generation as follows:

Table 1: Existing and Permitted Trip Generation Comparisons for Goose Creek Overlook

Development Program	AM Peak Trips	PM Peak Trips	Weekday Total Trips
<u>Total Existing Trips</u>	1	1	9
<u>Total Proposed Trips With These Applications</u>	85	108	1,367
Difference (Proposed minus Existing)	+84	+107	+1,358
<u>Total Permitted Trips (By-Right Use)</u>	35	46	435
<u>Total Proposed Trips With These Applications</u>	85	108	1,367
Difference (Proposed minus Permitted)	+50	+62	+932

Sources: DTCI Staff and Goose Creek Overlook TIS, Gorove/Slade, May 6, 2020, revised August 18, 2020, Page 16.

*For complete breakdown of trip generation, please consult the Applicant’s TIS.

The revised TIS notes that under the future 2023 conditions the southbound approach at Intersection 1 (Eastern Site Entrance) is forecast to operate with LOS F and E in the AM and PM peak periods respectively. Further the intersection is forecast to have minimal queuing (less than three vehicles) during the AM and PM peak periods. Additional SimTraffic analysis was conducted at Intersection 1 and found that the southbound approach is forecast to operate at level of service A in both the AM and PM peak periods. Thus, all intersections are forecast to operate at acceptable levels of service in the future with development (2023) scenario.

Status of Transportation Comments and Recommendations

Staff comments from the first DTCTI referral (July 15, 2020) as well as the Applicant's responses to these comments (August 19, 2020) are provided below. Based upon review of the Applicant's revised submission materials, DTCTI has provided updated statuses for its first referral comments.

Traffic Study

1. Initial Staff Comment (July 15, 2020): DTCTI requests the Applicant clarify the proposed site development. The Statement of Justification indicates that up to 238 townhomes/multifamily units may be developed with this application. However, the Applicant's TIS analyzes 266 dwelling units in the trip generation comparison table.

Applicant's Response (August 19, 2020): The current plan as of August 16, 2020 shows 251 dwelling units. The study was updated to analyze 251 multifamily (mid-rise) dwelling units.

Comment Status: Comment addressed.

2. Initial Staff Comment (July 15, 2020): The Applicant should revise the TIS to provide the existing trip generation for the site.

Applicant's Response (August 19, 2020): The majority of the site is vacant with the exception of on residential home. The Trip Generation Comparison table on Page 16 has been revised to include the existing use. The existing use generates fewer than ten trips on a typical average day; in order to be conservative, no existing trips were accounted for in the analysis.

Comment Status: Comment addressed.

3. Initial Staff Comment (July 15, 2020): DTCTI requests the Applicant clarify if the SimTraffic analysis analyzed Intersection #1 under the existing two-lane condition along Sycolin Road or the ultimate four-lane section. DTCTI requests the Applicant analyze the intersection under the ultimate four-lane condition in order to confirm acceptable LOS under the 2019 CTP Ultimate Condition for Sycolin Road.

Applicant's Response (August 19, 2020): The SimTraffic analysis was analyzed under the existing two-lane condition along Sycolin Road. Additional language has been added to Page 22 of the TIS to clarify. Additional analysis for the future with development under the ultimate four-lane condition has been provided on Page 23 of the TIS in order to confirm acceptable LOS under the 2019 CTP Ultimate Condition for Sycolin Road.

Comment Status: Comment addressed.

Roadway Network and Site Access

4. Initial Staff Comment (July 15, 2020): DTCI requests the Applicant revise the ZMAP and SPEX Plat to correct the route number of Sycolin Road to be "Route 625" rather than "Route 643".

Applicant's Response (August 19, 2020): The Route number has been revised.

Comment Status: Comment addressed.

5. Initial Staff Comment (July 15, 2020): DTCI notes that the proposed site entrances meet intersection spacing for the ultimate four-lane condition of Sycolin Road consistent with the 2019 CTP.

Applicant's Response (August 19, 2020): No response received.

Comment Status: Advisory comment only.

6. Initial Staff Comment (July 15, 2020): DTCI notes that the Applicant is proposing to provide left- and right-turn lanes in both directions at Entrance #1 and a right-turn lane at the right-in/right-out at Entrance #2.

Applicant's Response (August 19, 2020): No response received.

Comment Status: Advisory comment only.

Bicycle and Pedestrian Facilities

7. Initial Staff Comment (July 15, 2020): DTCI requests the Applicant commit to providing a 10-foot-wide shared use path along the entirety of the site frontage with Sycolin Road consistent with the 2019 CTP. Further the Applicant should commit to installing the shared use path such that it is outside of the roadway area needed for the widening of Sycolin Road.

Applicant's Response (August 19, 2020): The Applicant has proffered to provide a shared use path along the property frontage on the north side of Sycolin and to provide a shared use path along the property frontage (on and off site) between the second site entrance and the existing trail on the south side of Sycolin. A shared use path is not proposed to

be installed along the property frontage on the south side of Sycolin Road south of the western site entrance due to sloped in this area of the property.

Comment Status: Comment partially addressed. DTCI requests the Applicant commit to provide a cash in-lieu or escrow payment for the portions of the shared use path west of Intersection #2 that will not be constructed as a part of this application along the site frontage. Further, DTCI requests the Applicant commit to provide all necessary easements for the future implementation of the shared use path at a later date at the request of, and at no cost to the County.

DTCI also requests the Applicant depict the tie-in to the shared use path with the existing path on the south side of Sycolin Road near Houseman Terrace.

Proffers

8. Initial Staff Comment (July 15, 2020): DTCI requests the Applicant commit to dedicate the 90-foot-wide right-of-way necessary to accommodate the Sycolin Road widening from two- to four-lanes consistent with the 2019 CTP. Furthermore, the Applicant should provide additional right-of-way necessary for turn lanes and pedestrian facilities.

Applicant's Response (August 19, 2020): The Applicant has committed to the above requested proffers.

Comment Status: Comment addressed.

9. Initial Staff Comment (July 15, 2020): DTCI requests the Applicant commit to design and implement the "Interim Condition" roadway widening improvements along Sycolin Road as depicted on Sheet 12 of 14 of the ZMAP and SPEX Plat.

Applicant's Response (August 19, 2020): The Applicant has committed to the above requested proffers.

Comment Status: Comment addressed.

10. Initial Staff Comment (July 15, 2020): DTCI requests the Applicant provide a regional road and transit contribution on a per unit basis.

Applicant's Response (August 19, 2020): The Applicant has committed to the above requested proffers.

Comment Status: Comment addressed.

Highway Noise

11. Initial Staff Comment (July 15, 2020): The application proposes residential uses in proximity to both Sycolin Road, a major collector roadway, and the Dulles Greenway, a

principal arterial roadway. As such, the Applicant should commit to provision of a highway noise analysis and mitigation of noise impacts identified per the study in accordance with the noise policies as outlined in Chapter 7 of the 2019 CTP.

Applicant's Response (August 19, 2020): The Applicant has proffered to provide a noise study per CTP policy.

Comment Status: Comment partially addressed. The proffers should be revised to reference the 2019 CTP currently in effect and update the text to be consistent with the current CTP policy.

Additional Transportation Comments:

12. (Bicycle & Pedestrian Facilities / Proffers): DTCI requests the Applicant update the ZMAP plan and commit to provide the sidewalk along the north side of Sycolin Road between Intersection #1 (Eastern Site Entrance) and the Dulles Greenway Bridge consistent with the 2019 CTP and page 27 of the Applicants' TIS.

cc: John Thomas, PTP, Assistant Director, DTCI
Yao Lu, P.E., Loudoun Area Land Use Engineer, VDOT

County of Loudoun

Department of Transportation and Capital Infrastructure

MEMORANDUM

DATE: October 16, 2020

TO: Joshua Peters, Project Manager
Department of Planning and Zoning

THROUGH: Lou Mosurak, AICP, Senior Coordinator *LM*
DTCI, Transportation Planning & Traffic Engineering Division

FROM: Mark Phillips, P.E., Transportation Planner *MP*
DTCI, Transportation Planning & Traffic Engineering Division

**SUBJECT: ZMAP 2020-0005, ZCPA 2020-0008, ZMOD 2020-0020 & ZMOD 2020-0026 –
Goose Creek Overlook
Third Referral**

Background

This referral updates the status of comments noted in the second Department of Transportation and Capital Infrastructure (DTCI) referral, dated September 10, 2020. These zoning map amendment (ZMAP), zoning concept plan amendment (ZCPA), and zoning modifications (ZMOD) applications propose to rezone the portions of the property currently zoned Single Family Residential (R-1) to the Planned Development Housing 4 (PD-H4) zoning district pursuant to the Loudoun County Revised 1993 Zoning Ordinance. Land Bays B and C are proposed to be administered under the R-8 Single Family Residential zoning district in order to develop 99 single family attached units. Land Bays A and F are proposed to be administered in accordance with the provisions of the R-16 Townhouse/Multi-family Residential (R-16 ADU) zoning district in order to develop up to 37 market rate single family attached units, 40 market rate stacked multi-family units and 75 multi-family affordable dwelling units (ADUs).

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Executive Summary

Upon resolution of Comments 7 and 12, DTIC could support approval of these applications as proposed with this submission.

DTIC has the following general concerns regarding this application. Detailed discussion of these issues is provided in the comment section, below:

- The proposal does not provide bicycle / pedestrian facilities consistent with the 2019 CTP for Sycolin Road.

Status of Outstanding Transportation Comments

Comments 1, 2, 3, 4, 5, 6, 8, 9 and 10 were previously addressed. Based upon review of the Applicant's revised submission materials, Comment 11 (Revision of the Highway Noise Proffer to Reference the 2019 CTP) has been addressed with this submission.

Comment 7 (Provision of Easements and a Cash-in-Lieu Payment for the portion of Shared Use Path west of Intersection #2 (Western Site Entrance) that will not be Constructed as a part of this Application) has been partially addressed. The Applicant should provide an increased contribution of \$350 / linear foot of shared use path (equating to a total of \$175,000) on the north side of Sycolin Road to cover cost of this future construction by the County either as a standalone project or as part of the project for the ultimate widening of Sycolin Road in the vicinity of this site.

Comment 12 (Provision of the Shared Use Path and any necessary Easements along North Side of Sycolin Road between the Eastern Site Entrance and the Dulles Greenway Bridge) has not been addressed with this submission. DTIC requests the Applicant provide a cash-in-lieu or escrow payment for the portion of shared use path north of Sycolin Road between Intersection #1 (Eastern Site Entrance) and the Dulles Greenway Bridge. This length of shared use path is approximately 1,000 feet in length, which at \$350 / linear foot, equates to a contribution of \$350,000 towards future construction of this facility by the County either as a standalone project or as part of the project for the ultimate widening of Sycolin Road in the vicinity of this site.

cc: John Thomas, PTP, Assistant Director, DTIC
Yao Lu, P.E., Loudoun Area Land Use Engineer, VDOT

County of Loudoun

Department of Transportation and Capital Infrastructure

MEMORANDUM

DATE: October 16, 2020

TO: Joshua Peters, Project Manager
Department of Planning and Zoning

THROUGH: Lou Mosurak, AICP, Senior Coordinator *LM*
DTCI, Transportation Planning & Traffic Engineering Division

FROM: Mark Phillips, P.E., Transportation Planner *MP*
DTCI, Transportation Planning & Traffic Engineering Division

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Comment 12 (Provision of the Shared Use Path and any necessary Easements along North Side of Sycolin Road between the Eastern Site Entrance and the Dulles Greenway Bridge) has not been addressed with this submission. DTIC requests the Applicant provide a cash-in-lieu or escrow payment for the portion of shared use path north of Sycolin Road between Intersection #1 (Eastern Site Entrance) and the Dulles Greenway Bridge. This length of shared use path is approximately 1,000 feet in length, which at \$350 / linear foot, equates to a contribution of \$350,000 towards future construction of this facility by the County either as a standalone project or as part of the project for the ultimate widening of Sycolin Road in the vicinity of this site.

cc: John Thomas, PTP, Assistant Director, DTIC
Yao Lu, P.E., Loudoun Area Land Use Engineer, VDOT

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: July 12, 2020

TO: Josh Peters, Project Manager, Department of Planning and Zoning

FROM: Anna Dougherty, Natural Resources Engineer

THROUGH: Ryan Reed, Natural Resources Engineer

CC: Kyle Dingus, County Urban Forester
Maggie Auer, Floodplain Administrator
Marie Genovese, Community Planner, Department of Planning and Zoning
Josh Elkins, Zoning Planner, Department of Planning and Zoning

SUBJECT: ZMAP-2020-0005 Goose Creek Overlook

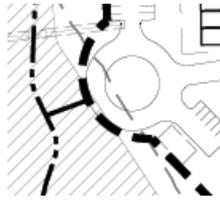
The Natural Resources Team (NRT) reviewed the Zoning Map Amendment plat, received on May 12, 2020, on the cover sheet, and offers the following comments:

Requirements:

Natural Resources:

- 1) The property is subject to the Reservoir Protection Area requirements set forth in FSM 5.230.B.4. Please update the application as following (ZMAP Checklist Item 4.h):
 - a) Please add a note that the project is located within the Goose Creek Reservoir Protection Area and subject to the requirements set forth in FSM 5.230.B.4.
 - b) Please add the Reservoir Protection Area to the Special Exception Plat Sheet 8 and Open Space and Landscape Requirements Sheet 9.
 - c) Per FSM 5.230.B.4.a there is a 300-foot area (Reservoir Protection Buffer) from the existing or planned shoreline where no land disturbing activity can occur. From the information provided on other Sheets that depict the 300-Foot Reservoir Protection Buffer, it appears that development is proposed within this 300-foot area on Sheets 8 and 9. Please adjust the layout to move this development out of the 300-foot Buffer.
- 2) Please add a note to Sheet 1 that states that the project is subject to the Scenic Creek Valley Buffer requirements in R93ZO 5-1000.

- 3) Sheet 9 shows impervious development within the Scenic Creek Valley Buffer (SCVB) as noted by the image below. Per R93ZO 5-1003, the construction of buildings, structures, parking lots or other impermeable surfaces within the SCVB is prohibited. Please revise the layout to remove this area from the SCVB.



- 4) Staff notes that there are Very Steep Slopes and Moderately Steep Slopes within the project area. Impacts to the Very Steep Slopes are not allowed per R93ZO 5-1508. The Very Steep Slopes need to be added to the CDP or Sheet 9 so that staff can verify that the proposed development will not impact the Very Steep Slopes.

Recommendations:

Natural Resources:

- 5) Note 9 on Sheet 1 states that jurisdictional wetlands exist on the site and staff notes there appear to be wetlands and/or streams delineated on Sheet 5. Please update Note 9 to reference the source of the wetland information, including the Corps jurisdictional determination number and date, if it exists.
- 6) The impact of the proposed project on existing vegetation is a matter of consideration as part of a rezoning application. Consistent with Forest, Trees, and Vegetation Strategy 4.1 Actions A and B of the 2019 General Plan and to minimize the impact of the proposed project on existing vegetation staff recommends preserving forest cover within the site. Staff recommends that Tree Conservation Areas (TCA) be added to the plan. Staff notes areas outside of the various buffers (SCVB, Reservoir Protection Area, and the 50-Foot River and Stream Corridor Buffer) are excellent additional areas for TCA.
 - a) In addition to the TCA, Staff further recommends a proffer consistent with the Tree Conservation Area proffer template. (R93ZO 6-1210 (E)(5))
- 7) The impact of the proposed project on existing vegetation is a matter of consideration as part of a rezoning application. Consistent with Forest, Trees, and Vegetation Strategy 4.1 Actions A and B of the 2019 General Plan and to minimize the impact of the proposed project on existing vegetation staff recommends preserving specimen trees within the site. Staff notes that there are numerous Specimen Trees within the boundary of the project that staff recommends could be preserved. (R93ZO 6-1210 (E)(5))
 - a) Staff further recommends a proffer consistent with the Specimen Tree proffer template spelling out which specimen trees will be preserved.

- 8) Staff notes that consistent with the River and Stream Corridor Resources Strategy 2.2 Action B Policies of the 2019 General Plan, the River and Stream Corridor Resource (RSCR) Management Buffer is depicted off of the major floodplain and incorporates the Very Steep Slopes and the Moderate Steep Slopes on Sheet 7.
 - a) Please extend the 50-foot RSCR Management Buffer along the northern portion of the project adjacent to Land Bay F.
 - b) Staff notes that per the 2019 General Plan Strategy 2.2. Action A, the RSCR Management Buffer should extend 50-feet beyond the floodplain but also include the Very Steep Slopes and Moderately Steep slopes up to 100 feet. From the information submitted, it appears that the RSCR buffer is not depicted accurately. Please update the sheets accordingly.
 - c) Staff notes that it appears there will be encroachments into the RSCR Management buffer. However, based on the information submitted, it is not clear what the extent of these encroachments are. Please update the sheets on the next submission so staff can clearly see where the proposed development will be occurring and what the impacts are to the RSCR Management Buffer.
 - d) Staff recommends that proposed mitigation for the RSCR Management Buffer encroachments be depicted on the CDP. Staff needs to ensure that not only is there enough space for the mitigation but that the mitigation locations are suitable.
 - e) Staff recommends a proffer commitment based on the RSCR Management Buffer proffer template to mitigate encroachments consistent with plan policies (i.e. reforestation)
 - f) Staff recommends that the labeling of the “50’ RSCR Management Buffer” be updated to say “RSCR Management Buffer”.
- 9) The property drains directly to Goose Creek which is located within the project boundaries or immediately adjacent. As previously mentioned the project is also located within the Goose Creek Reservoir and the associated Goose Creek Reservoir Protection Area. At the northern edge of the property, Goose Creek has been listed by the Virginia Department of Environmental Quality (DEQ) as impaired for fish consumption. Immediately downstream when Goose Creek is no longer in the Reservoir Protection Area, it is listed as impaired by DEQ for aquatic life (aquatic insects and other small organisms that live on the stream bottom), recreational use and fish consumption. In addition, there are two 2009 Countywide Stream Assessment Project data point downstream of the property along Goose Creek. The closest data point shows that the stream is severely stressed for aquatic life but optimal for habitat. The second data point further downstream identifies the stream as suboptimal for habitat and stressed for aquatic life. Impacts to water quality are an issue for consideration as part of the application (R93ZO 6-1210(E)(5)).
 - a) River and Stream Corridor Resources Strategy 2.3 in the 2019 General Plan encourages low impact development (LID). Staff recommends that LID measures be implemented on the property and that a commitment consistent with the LID

- proffer template be provided. Due to the size of the project and the location and close proximity of the project to Goose Creek, staff recommends a minimum of 1 LID measure per land bay. The proffer template is available through the Project Manager in the Department of Planning and Zoning, Land Use Review
- 10) The property will be adjacent to the Dulles Toll Road and Sycolin Road which is identified as a major collector road in the Loudoun County 2019 Countywide Transportation Plan (2019 CTP). Staff recommends that that the applicant commit to a noise analysis and implement noise attenuation measures to ensure that the Noise Abatement Criteria for residential and outdoor uses are met as outlined in the 2019 CTP.
 - 11) Consistent with the FSM 6.120.B.2 and 8.107.A.27, staff recommends providing the following soils map certification: “The subject development site does contain Class III and/or Class IV soils, per the latest County soils map as identified by the Interpretive Guide to Soils Maps, Loudoun County, Virginia. Loudoun County recommends no construction of structures with subgrade levels within natural drainage swales or within soils or spots specifically identified as wet per the latest County soils map as identified by the Interpretive Guide to Soils Maps, Loudoun County, Virginia.”
 - 12) As previously noted, there are Very Steep Slopes and Moderately Steep Slopes located within the project area. There are extensive impacts to the Moderately Steep Slopes associated with Land Bays E1 and E2 per Sheet 9. Protecting the Steep Slopes helps reduce the chance of slope collapse due to the surrounding development which in turn helps to prevent erosion and sedimentation which aids in water quality. Erosion and sedimentation are also reduced by protecting the existing vegetative cover that is located on the Steep Slopes. In order to fully protect the Moderately Steep Slopes and Goose Creek, staff recommends that the project limits be located outside of the Moderate Steep Slopes to the greatest extent possible.
 - 13) Staff notes that the March 16, 2020 Threatened and Endangered Species Review Report submitted with the application notes both the wood turtle and the green floater. In addition, the report states that is impacts to streams are proposed, a habitat study for the dwarf wedgemussel might be required. Staff notes that per the layout presented with this application, there are impacts to streams on the property and these streams flow into Goose Creek. Staff recommends that additional studies (i.e. habitat) be conducted.
 - 14) In order to fully evaluate impacts to natural resources within the project area, staff requests an additional sheet (or sheets if the information is not legible on one sheet) be added to the plat set that overlays the natural resource features (wetlands, streams, SCVB, Reservoir Protection Area, RSCR buffers, floodplain, tree cover, specimen trees, soils) and the proposed concept development plan. (R93ZO 6-1210 (E)(5))

Floodplain Management:

- 15) Please provide a Source of Floodplain Note as outlined below and pursuant to Section 8.101.A.20 of the FSM:

“There is floodplain on the property that is the subject of this application. The current Flood Insurance Rate Map (FIRM) of Loudoun County Community Panel Numbers for the property that is the subject of this application are 51107C0245E and 51107C0242E effective February 17, 2017. The depicted boundary of the existing floodplain is based on the FIRM”

- 16) Include a note on Sheet 1 indicating that all future development on the site must comply with R93ZO Section 4-1500.
- 17) Please be aware that prior to the approval of a development plan, a Floodplain Study will need to be completed in order to properly delineate the limits of the Major Floodplain and to ensure the proposed development is not inadvertently located within the limits of the Floodplain Overlay District. (FSM 5.411 & R93ZO 4-1505(A))
- 18) If any of the development falls within the limits of the Floodplain Overlay District (FOD), be advised that the appropriate floodplain application (e.g., Floodplain Alteration) will need to be submitted to address the associated floodplain impacts. Only uses listed under Section 4-1505(A) are permitted within the FOD, Major Floodplain. (FSM 5.442 & R93ZO 4-1505(A))
- 19) If the limits of the FOD change as a result of a Floodplain Study or Alteration, the layout of the site may need to be updated with the land development application to be compliant with R93ZO 4-1500.
- 20) On one of the sheets please provide both the approximate limits of the trail and the limits of the FOD to better show the trails location in proximity to the FOD.
- 21) Under section VIII. Zoning Map Amendment Criteria in the SOJ, #5, include additional information on the potential impacts within the limits of the FOD. In particular, the proposed trail system and how those impacts will be mitigated.

County Urban Forester:

- 22) Sheets 3 &4- I like the way the forests are depicted on the illustrative plan. This site is unique in terms of its forest cove types. The planted pines juxtaposed with the upland and bottomland hardwoods is unique when factored in with the tract's location next to Goose Creek and within distinctive river bluff geography. I suggest that upon development, TCAs are proposed similar to what is shown on the sheets.

Please ensure that any future submissions are referred to the Natural Resources Team and contact me if you have any questions or need additional information.

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: September 10, 2020

TO: Josh Peters, Project Manager, Department of Planning and Zoning

FROM: Anna Dougherty, Natural Resources Engineer

THROUGH: Ryan Reed, Natural Resources Engineer

CC: Kyle Dingus, County Urban Forester
Maggie Auer, Floodplain Administrator
Marie Genovese, Community Planner, Department of Planning and Zoning
Josh Elkins, Zoning Planner, Department of Planning and Zoning
Brad Polk, Proffer Management, Department of Planning and Zoning

SUBJECT: ZMAP-2020-0005 Goose Creek Overlook (2nd Submission)

The Natural Resources Team (NRT) reviewed the Zoning Map Amendment plat, received on August 20, 2020, on the cover sheet, and offers the following comments:

Requirements:

Natural Resources:

- 1) The property is subject to the Reservoir Protection Area requirements set forth in FSM 5.230.B.4. Please update the application as following (ZMAP Checklist Item 4.h):
 - a) Note 7 on Sheet 1 was added referencing that the project is located within the Goose Creek Reservoir Protection Area and subject to the requirements set forth in FSM 5.230.B.4. As this project contains development within the Reservoir Protection Area, please add a note that states that any development within the Reservoir Protection Area must be approved through a waiver through the Department of Building and Development.
 - b) Please add the Reservoir Protection Area to Sheet 8 so that staff can accurately see where the Reservoir Protection Area Development Buffer is in relation to the proposed development so that the impacts can be assessed.
 - c) Per FSM 5.230.B.4.a there is a 300-foot area (Reservoir Protection Buffer) from the existing or planned shoreline where no land disturbing activity can occur. From the information provided on other sheets that depict the 300-Foot Reservoir Protection Buffer, it appears that development is proposed within this 300-foot area on Sheets 7 and 8 that is in addition to the trail head parking that was

- previously discussed. Specifically, the 18,600 square-foot active recreation space located in Land Bay A along the northern portion of the project. Any portion of the recreational space that is located within the Reservoir Protection Area Development Buffer needs to be relocated outside of the Development Buffer.
- 2) The Scenic Creek Valley Buffer line needs to be added to Sheet 8 so that staff can confirm that there is no impervious development within the Scenic Creek Valley Buffer (SCVB). Per R93ZO 5-1003, the construction of buildings, structures, parking lots or other impermeable surfaces within the SCVB is prohibited.
 - 3) Staff notes that there are Very Steep Slopes and Moderately Steep Slopes within the project area. Impacts to the Very Steep Slopes are not allowed per R93ZO 5-1508. Per Sheet 7, the line delineating the development area includes Very Steep Slopes. Please adjust the line delineating the development area to be outside all Very Steep Slope areas.

Recommendations:

Natural Resources:

- 4) This is a repeat comment. Note 11 on Sheet 1 states that jurisdictional wetlands exist on the site and staff notes there appear to be wetlands and/or streams delineated on Sheet 5. Please update Note 11 to reference the source of the wetland information, including the Corps jurisdictional determination number and date, if it exists.
- 5) As previously mentioned, there is development proposed within the Reservoir Protection Area Development Buffer. As discussed with the applicant, the trailhead parking lot located within the western portion of the project would be located within the Development Buffer along with the canoe/kayak launch. Staff recommends approximating the area of disturbance within the Development Buffer and depicting mitigation areas within the CDP to ensure that the mitigation and the area are appropriate.
- 6) The impact of the proposed project on existing vegetation is a matter of consideration as part of a rezoning application. Consistent with Forest, Trees, and Vegetation Strategy 4.1 Actions A and B of the 2019 General Plan and to minimize the impact of the proposed project on existing vegetation staff recommends preserving forest cover within the site. Staff recommends that additional Tree Conservation Areas (TCA) be added to the plan. Staff notes that while areas outside of the various buffers (SCVB, Reservoir Protection Area, and the 50-Foot River and Stream Corridor Buffer) are excellent additional areas for TCA, the areas within those buffers are also candidates for TCA and staff recommends expanding the TCA in those areas specifically in Land Bay D.
- 7) The impact of the proposed project on existing vegetation is a matter of consideration as part of a rezoning application. Consistent with Forest, Trees, and Vegetation Strategy 4.1 Actions A and B of the 2019 General Plan and to minimize the impact of

the proposed project on existing vegetation staff recommends preserving specimen trees within the site. Staff notes that there are numerous Specimen Trees within the boundary of the project that staff continues to recommend could be preserved.
(R93ZO 6-1210 (E)(5))

- a) Staff further recommends a proffer consistent with the Specimen Tree proffer template spelling out which specimen trees will be preserved.
- 8) Staff notes that consistent with the River and Stream Corridor Resources Strategy 2.2 Action B Policies of the 2019 General Plan, the River and Stream Corridor Resource (RSCR) Management Buffer is depicted off of the major floodplain. However, as previously mentioned, the RSCR needs to incorporate the Very Steep Slopes.
- a) Staff notes that per the 2019 General Plan Strategy 2.2. Action A, the RSCR Management Buffer should be located beyond the floodplain and also include the Very Steep Slopes. From the information submitted, it appears that the RSCR buffer is not depicted accurately. Please update the sheets accordingly.
 - i) In follow-up, where the project allows, staff recommends incorporating Moderately Steep Slopes into the RSCR Management Buffer. By providing a buffer to the Very Steep Slopes through protection of the Moderately Steep Slopes, this helps reduce the chance of slope collapse due to the surrounding development which in turn helps to prevent erosion and sedimentation of which aids in water quality. Erosion and sedimentation are also reduced by protecting the existing vegetative cover that is located on the Steep Slopes. In order to fully protect the Very Steep Slopes and Goose Creek, staff recommends that the project limits be located outside of as much of the Steep Slopes as possible and as a result, incorporate those Steep Slopes into the RSCR Management buffer.
 - b) This is a repeat comment as the RSCR Management Buffer is not accurately depicted on the plat sheet. Staff notes that it appears there will be encroachments into the RSCR Management buffer. However, based on the information submitted, it is not clear what the extent of these encroachments are. Please update the sheets on the next submission so staff can clearly see where the proposed development will be occurring and what the impacts are to the RSCR Management Buffer.
 - c) Please add the RSCR Management Buffer to Sheet 8.
 - d) Staff recommends that proposed mitigation for the RSCR Management Buffer encroachments be depicted on the CDP. Staff needs to ensure that not only is there enough space for the mitigation but that the mitigation locations are suitable.
 - e) Staff continues to recommend a proffer commitment based on the RSCR Management Buffer proffer template to mitigate encroachments consistent with plan policies (i.e. reforestation)

- 9) The property drains directly to Goose Creek which is located within the project boundaries or immediately adjacent. As previously mentioned the project is also located within the Goose Creek Reservoir and the associated Goose Creek Reservoir Protection Area. At the northern edge of the property, Goose Creek has been listed by the Virginia Department of Environmental Quality (DEQ) as impaired for fish consumption. Immediately downstream when Goose Creek is no longer in the Reservoir Protection Area, it is listed as impaired by DEQ for aquatic life (aquatic insects and other small organisms that live on the stream bottom), recreational use and fish consumption. In addition, there are two 2009 Countywide Stream Assessment Project data point downstream of the property along Goose Creek. The closest data point shows that the stream is severely stressed for aquatic life but optimal for habitat. The second data point further downstream identifies the stream as suboptimal for habitat and stressed for aquatic life. Impacts to water quality are an issue for consideration as part of the application (R93ZO 6-1210(E)(5)).
- a) River and Stream Corridor Resources Strategy 2.3 in the 2019 General Plan encourages low impact development (LID). Staff recommends that LID measures be implemented on the property and that a commitment consistent with the LID proffer template be provided. Due to the size of the project and the location and close proximity of the project to Goose Creek, staff recommends a minimum of 1 LID measure per land bay. Staff notes that per the draft proffer provided (Proffer 18), LID is proposed for Land Bays A and C. Staff recommends that the proffer be updated to include one for Land Bay F.
- 10) Within draft Proffer 23, staff recommends the following:
- a) Please add a sentence to the end of the proffer that states “Should the species-specific surveys be deemed to not be necessary, documentation will be provided to the Department of Building and Development Staff that shows the Department of Game and Inland Fishers, Department of Conservation and Recreation, and/or U.S Fish and Wildlife Service did not require these surveys”.
- b) Please add the Virginia Department of Conservation and Recreation to the list of agencies referenced in the proffer.
- c) Please adjust the wording within the proffer to state that all species-specific survey’s will be required prior to the approval of the grading permit if they are seasonal constraints and not with the first building/zoning permit as these surveys will need to be conducted before any clearing and grading occurs within the project.
- 11) This is a repeat comment. In order to fully evaluate impacts to natural resources within the project area, staff requests an additional sheet (or sheets if the information is not legible on one sheet) be added to the plat set that overlays the natural resource features (wetlands, streams, SCVB, Reservoir Protection Area, RSCR buffers, floodplain, tree cover, specimen trees, soils) and the proposed concept development

plan. Sheet 10 contains the natural resource features (minus the tree cover and specimen trees), but does not contain the development layout overlaid over these natural resources. (R93ZO 6-1210 (E)(5))

Floodplain Management:

12) Per Applicant response to Comment #21, when available please include with the application additional information on the potential impacts within the limits of the FOD. In particular, the proposed trail system and how those impacts will be mitigated.

County Urban Forester:

13) The storm drain easement to the west of the pine stand cannot be claimed as TCA in the future site plan.

14) Please see my proffer edits attached

Please ensure that any future submissions are referred to the Natural Resources Team and contact me if you have any questions or need additional information.

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: September 10, 2020

TO: Josh Peters, Project Manager, Department of Planning and Zoning

FROM: Anna Dougherty, Natural Resources Engineer

THROUGH: Ryan Reed, Natural Resources Engineer

CC: Kyle Dingus, County Urban Forester
Maggie Auer, Floodplain Administrator
Marie Genovese, Community Planner, Department of Planning and Zoning
Josh Elkins, Zoning Planner, Department of Planning and Zoning
Brad Polk, Proffer Management, Department of Planning and Zoning

SUBJECT: ZMAP-2020-0005 Goose Creek Overlook (3rd Submission)

The Natural Resources Team (NRT) reviewed the Zoning Map Amendment plat, received on September 22, 2020, on the cover sheet, and offers the following comments:

Requirements:

Natural Resources:

- 1) Due to recent removal of trees on the property, a revised tree survey will be required so that staff can ascertain which specimen trees were removed. In addition, staff will need to see the area that was cleared in order to determine if it impacts Tree Conservation Area recommendations. (ZMAP Checklist Item J)

Recommendations:

Natural Resources:

- 2) As previously mentioned, there is development proposed within the Reservoir Protection Area Development Buffer (No Build Area). As discussed with the applicant, the trailhead parking lot located within the western portion of the project would be located within the No Build Area along with the canoe/kayak launch.
 - a) Staff continues to recommend adding the mitigation for the pervious parking lot and the boat landing area. If the applicant is proposing reforestation, this area should be included on Sheet 10 ensure that there is enough space to account for that mitigation.

- 3) The impact of the proposed project on existing vegetation is a matter of consideration as part of a rezoning application. Consistent with Forest, Trees, and Vegetation Strategy 4.1 Actions A and B of the 2019 General Plan and to minimize the impact of the proposed project on existing vegetation staff recommends preserving forest cover within the site. Per the response to comments, a significant amount of land will be subject to easements that are outside of the proposed development. Staff continues to recommend that additional Tree Conservation Areas (TCA) be added to the project within the site development especially as an area of the forested land was cleared by the existing homeowner.
- 4) Staff notes that consistent with the River and Stream Corridor Resources Strategy 2.2 Action B Policies of the 2019 General Plan, the River and Stream Corridor Resource (RSCR) Management Buffer is depicted off of the major floodplain. Staff notes that the RSCR Management Buffer was updated to include the Very Steep Slopes. Since the last submission, it has been brought to staff's attention that the RSCR Management Buffer wording with regard to the Reservoir Protection Area was misinterpreted with the 2019 General Plan. In areas where the Reservoir Protection Area No Build line is greater than the RSCR Management Buffer, the RSCR Management Buffer should be extended to the Reservoir Protection Area no build line. Please update the sheets accordingly.
 - i) Staff notes that the RSCR Management Buffer was extended to include the Very Steep Slopes. Staff had previously recommended incorporating Moderately Steep Slopes into the RSCR Management Buffer. By providing a buffer to the Very Steep Slopes through protection of the Moderately Steep Slopes, this helps reduce the chance of slope collapse due to the surrounding development which in turn helps to prevent erosion and sedimentation of which aids in water quality. Erosion and sedimentation are also reduced by protecting the existing vegetative cover that is located on the Steep Slopes. Per conversations with the applicant, the applicant has instead provided a proffer that in the areas where the limits of disturbance are approximate to the Very Steep Slopes, a double layer super silt fence will be provided. Staff recommends that proffer be updated to add a sentence that if during the site plan/CPAP process, if B&D staff determine additional areas are needed for the double layer of silt fence, that those areas can be added.
 - ii) Staff requests clarification on the active recreation area that is located in the northern portion of the project as to what it will entail.
 - iii) While the 2019 General Plan allows for stormwater encroachments, the active recreation area and the stormwater pond are still encroachments into the management buffer area and should be accounted for on Sheet 10 within the orange hatching.

5) Within draft Proffer 25, staff recommends the following:

- a) Please add a sentence to the end of the proffer that states “Should a wetland permit not be required and as a result no coordination conducted with DEQ and USACE, the applicant will conduct the species-specific surveys and submit the documentation to the Department of Building and Development Staff”.

County Urban Forester:

- 6) Sheet 12- The delineation will have to be updated to reflect the regeneration from the tree felling in parcels 154455980000 and 154459680000. (ZMAP Checklist Item J)
 - a) Please note the disturbed area has regenerated in invasive species, such as Japanese stiltgrass, multiflora rose, wineberry, tree-of-heaven, royal paulownia, and oriental bittersweet and would not be able to be claimed as a TCA at time of site plan. (FSM: 7.300.B.a.ii)

Floodplain Management:

There are no Floodplain Management Comments at this time. All of the previous comments were addressed.

Please ensure that any future submissions are referred to the Natural Resources Team and contact me if you have any questions or need additional information.

MEMORANDUM
OFFICE OF HOUSING
LOUDOUN COUNTY, VIRGINIA

DATE: July 2, 2020

TO: Joshua Peters, Project Manager, Planning & Zoning

FROM: Brian P. Reagan, AICP, Office of Housing

THROUGH: Brenda Morton, Office of Housing

SUBJECT: Goose Creek Overlook (ZMAP-2020-0005, SPEX-2020-0012)

PROJECT PROPOSAL:

The Application requests the following: A Zoning Map Amendment (ZMAP) to rezone approximately 49.62 acres from Single Family Residential (R-1) to the Planned Development Housing 4 (PD-H4), administered as Single Family Residential (R-8) & Townhouse/Multi-Family Residential (R-16 ADU) for the development up to 142 Single Family Attached and 96 Multi-Family units.

The Application also requests a Special Exception (SPEX) to modify parking requirements pursuant to Section 5-1102(F)(6) of the Revised 1993 Loudoun County Zoning Ordinance.

LOUDOUN COUNTY 2019 COMPREHENSIVE PLAN: (Chapter 4 – Housing)

The County’s housing vision is to provide housing options that can accommodate a variety of lifestyles, households, ages, cultures, market preferences, incomes, and needs. The County’s primary housing objective is to ensure that an adequate supply of housing—varied in type and price and located near necessary services and amenities—is available for existing and future residents. Additionally, according to the 2019 General Plan, a sufficient supply of housing that is *affordable*—that is, requiring no more than 30 percent of household income—for all households at all income levels is vital to the economic health of the entire community. A continuum of housing choices is necessary to attract and retain employers and workers and to create a resilient, inclusive, and diverse community. To accomplish these goals, housing affordability should be considered as part of this rezoning.

Additionally, according to Housing Policy 3: “Ensure County residents are able to access housing they can afford”, Strategy 3.3 states that the County should “Explore offering free or subsidized public land to developers seeking to address the unmet housing need in the County.” Furthermore, Action C of Strategy 3.3 states that the County should “Use public property to offset the land costs to nonprofit and for-profit housing developers seeking to build housing for persons with special needs and/or households earning less than 50 percent AMI.”

DISCUSSION:

ADUs:

The Statement of Justification commits to 40% Affordable Housing Units (AHUs). The proposed attached multi-family units will be rental AHUs in up to five buildings serving households from 30-60% Area Median Income (AMI). Good Works plans to request project-based rental assistance from the County and will reserve units for veterans and the developmentally disabled. Good Works also pledges to provide some green building commitments and universal design elements. The ADU requirement for the 142 single-family attached units would be approximately 18, so committing to 96 AHUs is a significant increase in affordability.

The Application describes how “this application will include a substantial number of housing units to address the deficit of attainable housing in the County.” More specifically, it also discusses how it will utilize County-owned land for the development of AHUs. This is a policy that the adopted 2019 Comprehensive Plan strongly encourages.

RECOMMENDATIONS:

The Office of Housing supports this Application because of its commitment to provide more than the required number of ADUs, serve persons with disabilities and of lower incomes, and create buildings of high quality, with green and universal design features.

MEMORANDUM
OFFICE OF HOUSING
LOUDOUN COUNTY, VIRGINIA

DATE: September 10, 2020

TO: Joshua Peters, Project Manager, Planning & Zoning

FROM: Brian P. Reagan, AICP, Housing Programs Manager, Office of Housing

THROUGH: Brenda Morton, Housing Development Administrator, Office of Housing

SUBJECT: Goose Creek Overlook (ZMAP-2020-0005, SPEX-2020-0012); 2nd Submission

PROJECT PROPOSAL:

The Application requests the following: A Zoning Map Amendment (ZMAP) to rezone approximately 49.62 acres from Single Family Residential (R-1) to the Planned Development Housing 4 (PD-H4), administered as Single Family Residential (R-8) & Townhouse/Multi-Family Residential (R-16 ADU) for the development up to 37 Single Family Attached; 40 stacked multi-family units; and 75 multi-family affordable dwelling units.

The Application also requests a Special Exception (SPEX) to modify parking requirements pursuant to Section 5-1102(F)(6) of the Revised 1993 Loudoun County Zoning Ordinance.

It is important to note that the Application mentions the provision of Affordable Housing Units (AHUs) without a firm commitment to obtaining Low Income Housing Tax Credits and/or HUD 221 (d) 4 financing. The Application assumes that financing will be obtained and that assumption also leads to further assumptions of the number of affordable units to be provided. Housing requests that a sub-proposal be provided that specifically identifies the number and type of units to be provided should financing not be obtained.

LOUDOUN COUNTY 2019 COMPREHENSIVE PLAN: (Chapter 4 – Housing)

The County’s housing vision is to provide housing options that can accommodate a variety of lifestyles, households, ages, cultures, market preferences, incomes, and needs. The County’s primary housing objective is to ensure that an adequate supply of housing—varied in type and price and located near necessary services and amenities—is available for existing and future residents. Additionally, according to the 2019 General Plan, a sufficient supply of housing that is *affordable*—that is, requiring no more than 30 percent of household income—for all households at all income levels is vital to the economic health of the entire community. A continuum of housing choices is necessary to attract and retain employers and workers and to create a resilient, inclusive, and diverse community. To accomplish these goals, the continuum of housing affordability should be considered as part of this rezoning.

DISCUSSION:

Affordable Dwelling Units (ADUs):

The Statement of Justification, dated August 19, 2020, states that “The proposed multi-family ADUs will be one-, two-, and three-bedroom units developed by Good Works as rental AHUs as that term is defined in the Zoning Ordinance. The units will be located in one four story over podium building (the “AHU Building”). The 2019 Plan calls for a continuum of housing choices in order to attract and retain employees and to create a resilient, inclusive, and diverse community, which these units will help provide.” These 75 units should be proffered as Affordable Dwelling Units (ADUs) to provide affordability if unable to receive Low Income Housing Tax Credits and/or HUD 221 (d) 4 financing.

The current proposal would provide 8 ADUs: 5 single-family attached (12.5% of the 37 single-family attached units); and 3 multi-family stacked units (6.25% of the 40 multi-family stacked units). The Applicant mentions that the multi-family rental units will be located in a four story over podium building, thus assuming these units will be exempt from providing ADUs. If financing (LIHTC or HUD 221(d)(4)) is obtained, an additional 67 affordable units would be provided. However, there would be a trade-off in providing 75 rental AHUs instead of 8 for-purchase ADUs.

If AHUs are not provided because the appropriate financing (LIHTC or HUD 221(d)(4)) is not obtained, staff recommends that the unit sizes in terms of bedroom mix be proportional between market-rate units and required ADU units. The Application as submitted does not identify the unit mix, size or commit to a price point. For AHUs or ADUs in the rental part of the project, staff recommends that a range of incomes be served to include a commitment to rental units affordable for households that earn the incomes between 0% - 30% of the Area Median Income (AMI).

Unmet Housing Needs Units (UHNUS):

Staff recommends that the development provide price diversity and unit size diversity throughout the proposed development by providing Unmet Housing Needs Units (UHNUs) for incomes between 0% to 100% AMI.

MULTIFAMILY HOUSING LOAN PROGRAM:

The Application does not mention seeking County funding through the Affordable Multi-family Housing Loan Program. If the Applicant chooses to apply for these funds, the deadline to do so this year is October 1, 2020. Applications must include evidence of zoning approval, including special exceptions, if any, that demonstrates that the proposed development is a matter of right. The loan program is competitive and full details on the funding guidelines, application requirements and scoring criteria are available here: <https://www.loudoun.gov/DocumentCenter/View/142663/Affordable-Multi-family-Housing-Loan-Program-Guidelines-and-Process>.

PARKING REDUCTION:

The Application’s Parking Demand Study Technical Memorandum, dated August 13, 2020, requests to “modify the parking requirements for the project’s multi-family units to better align with the actual number of parking spaces required to serve residents of the proposed affordable dwelling units (ADUs).” While there is not sufficient data to determine the parking needs of ADU households, staff offers the following information:

A study from the Brookings Institute which shows that of the 193,000 households in the DC metro area without a vehicle, 68% are low-income. See page 11:

https://www.brookings.edu/wp-content/uploads/2016/06/0818_transportation_tomer.pdf

Research from the Annie E. Casey Foundation cites that 25% of families earning less than \$25,000 don't own a car at all:

<https://www.aecf.org/resources/affordable-car-ownership-programs/>

The following study is specific to Loudoun County and is related to transit. On page 40, the breakdown of bus ridership by income is provided which also provides support for the correlation between income and car ownership:

<https://www.loudoun.gov/ArchiveCenter/ViewFile/Item/9556>

Staff supports the proposed parking reduction and that any cost measures realized as a result of the reduction apply to residents in a manner that decreases their rent or other rental fees including the amount of the security deposit, amenity fees, administrative fees, application fees, etc.

RECOMMENDATIONS:

Staff supports the commitment to provide 75 AHUs, including 67 more than the required number of ADUs.

However, the application does not address what will be provided other than the minimum set forth via Article 7 of the Loudoun County Zoning Ordinance and does not provide for a diversity in housing prices or housing type consistent with Plan policies. Staff recommends additional affordability provided throughout the development.



MEMORANDUM

To: Joshua Peters, Project Manager, Planning & Zoning
From: Brian P. Reagan, AICP, Housing Programs Manager, Office of Housing
Through: Brenda Morton, Housing Development Administrator, Office of Housing
Date: October 16, 2020
Re: **Goose Creek Overlook (ZMAP-2020-0005, SPEX-2020-0012); 3rd Submission**

PROJECT PROPOSAL:

The Application requests the following: A Zoning Map Amendment (ZMAP) to rezone approximately 49.62 acres from Single Family Residential (R-1) to Planned Development Housing 4 (PD-H4), administered as Single Family Residential (R-8) & Townhouse/Multi-Family Residential (R-16 ADU) for the development of up to 136 Single Family Attached; 40 stacked multi-family units; and 75 multi-family affordable dwelling units.

The Application also requests a Special Exception (SPEX) to modify parking requirements pursuant to Section 5-1102(F)(6) of the Revised 1993 Loudoun County Zoning Ordinance.

Note: The Application identifies the provision of Affordable Housing Units (AHUs) without a firm commitment to obtaining Low Income Housing Tax Credits (LIHTC) and/or HUD 221(d)(4) financing, required for the substitution of ADUs with AHUs by the Zoning Ordinance. Housing requests that an equivalent number of affordable units be provided as Unmet Housing Needs units and that the application comply with Article 7 requirements should LIHTC financing not be obtained. In other words, what is being proposed if the development cannot provide AHUs?

While Proffer 4 of the Proffer Statement dated September 22, 2020, states that “In addition to the AHUs to be provided...a variety of lot and unit sizes shall be provided within the Property to address the County’s housing “affordability by design” goals as follows: a) Attached SF Dwelling lots shall range in size between 18 feet and 24 feet in width; b) 40 units may be Stacked MF Dwelling Units,” the specifics as to the affordable nature of these units is unclear. Housing staff recommends there be a commitment to affordability. Also, Proffer 4 states that stacked units *may* be provided. What is the alternative?

LOUDOUN COUNTY 2019 GENERAL PLAN: (Chapter 4 – Housing)

The County’s housing vision is to provide housing options that can accommodate a variety of lifestyles, households, ages, cultures, market preferences, incomes, and needs. “The County’s primary housing objective is to ensure that an adequate supply of housing—varied in type and price and located near necessary services and amenities—is available for existing and future residents.” Additionally,

according to the 2019 General Plan, “a sufficient supply of housing that is *affordable*—that is, requiring no more than 30 percent of household income—for all households at all income levels is vital to the economic health of the entire community. A continuum of housing choices is necessary to attract and retain employers and workers and to create a resilient, inclusive, and diverse community.” To accomplish these goals, the continuum of housing affordability should be provided as part of this rezoning.

DISCUSSION:

Affordable Dwelling Units (ADUs):

The Statement of Justification, dated September 21, 2020, states that “The proposed multi-family ADUs will be one-, two-, and three-bedroom units developed by Good Works as rental AHUs as that term is defined in the Zoning Ordinance. The units will be located in one four story over podium building (the “AHU Building”). The 2019 Plan calls for a continuum of housing choices in order to attract and retain employees and to create a resilient, inclusive, and diverse community, which these units will help provide.” These 75 units should be proffered as Affordable Dwelling Units (ADUs) to provide affordability if the Applicant is unable to receive LIHTC and/or HUD 221(d)(4) financing.

The Ordinance requires that 25 ADUs be provided for a development of this size: 17 single-family attached (12.5% of the 136 single-family attached units); 3 multi-family stacked units (6.25% of the 40 multi-family stacked units); and 5 multi-family attached units (6.25% of the 75 multi-family attached units). The current proposal does not provide additional ADUs: 17 single-family attached (12.5% of the 136 single-family attached units); and 3 multi-family stacked units (6.25% of the 40 multi-family stacked units). Additionally, the Application mentions that the multi-family rental units will be located in a four story over podium building, thus assuming these units will be exempt from providing ADUs. If financing (LIHTC or HUD 221(d)(4)) is obtained, the Application proposes to provide an additional 50 affordable units. There would be a trade-off in providing 75 rental AHUs instead of 25 for-purchase ADUs.

If AHUs are not provided because the required financing (LIHTC or HUD 221(d)(4)) is not obtained, staff recommends that the unit sizes, in terms of bedroom mix, be proportional between market-rate units and required ADU units. The Application as submitted does not identify the unit mix, size or commit to a rent or sales price. For AHUs or ADUs in the rental part of the project, staff recommends that a range of incomes be served to include a commitment to rental units affordable for households that earn incomes up to 30% of the Area Median Income (AMI) (which is \$37,800 for a household of 4 for 2020).

Unmet Housing Needs Units (UHNUS):

Staff recommends that the development provide price diversity and unit size diversity throughout the proposed development by providing Unmet Housing Needs Units (UHNUs) for incomes between 0% to 100% AMI.

MULTIFAMILY HOUSING LOAN PROGRAM:

The Application does not identify seeking County funding through the Affordable Multi-Family Housing Loan Program. If the Applicant chooses to apply for these funds, the deadline to do so is the first business day in October of each year. Applications must include evidence of zoning approval, including special exceptions, if any, that demonstrates that the proposed development is a matter of right. The loan program is competitive and full details on the funding guidelines, application requirements and scoring criteria are available here: <https://www.loudoun.gov/DocumentCenter/View/142663/Affordable-Multi-family-Housing-Loan-Program-Guidelines-and-Process>.

PARKING REDUCTION:

The Application’s Parking Demand Study Technical Memorandum, dated August 13, 2020, requests to “modify the parking requirements for the project’s multi-family units to better align with the actual number of parking spaces required to serve residents of the proposed affordable dwelling units (ADUs).” Staff researched the correlation between income and car ownership and found the following:

- A study by the Metropolitan Policy Program at Brookings found that of the 193,000 households in the DC Metro area without a vehicle, 68% are low-income: https://www.brookings.edu/wp-content/uploads/2016/06/0818_transportation_tomer.pdf
- A study by the Annie E. Casey Foundation found that 25% of families earning less than \$25,000 don’t own a car at all: <https://www.aecf.org/resources/affordable-car-ownership-programs/>
- A 2019 study prepared for the Loudoun County Department of Transportation and Capital Infrastructure found that “Over three quarters of Local Bus respondents indicated their annual household income was below \$50,000, while only three percent of Commuter Bus rider respondents indicated annual household incomes below \$50,000”: <https://www.loudoun.gov/ArchiveCenter/ViewFile/Item/9556>

Staff supports the proposed parking reduction and that any cost measures realized as a result of the reduction apply to residents in a manner that decreases their rent or other rental fees including the amount of the security deposit, amenity fees, administrative fees, application fees, etc.

RECOMMENDATIONS:

Staff supports the commitment to provide 75 AHUs, including 50 more than the required number of ADUs for the project as a whole.

However, the application does not address what will be provided other than the minimum set forth via Article 7 of the Loudoun County Zoning Ordinance and does not provide for a diversity in housing prices or housing type consistent with Plan policies. Staff recommends additional affordability be provided throughout the development with the integration of unmet housing needs units that will provide housing to the continuum of need from 0% AMI to 100% AMI.



**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

To: Josh Peters, Project Manager, Planning and Zoning (MSC #62)

From: Mark A. Novak, Chief Park Planner, Facilities Planning and Development (MSC #78)

CC: Steve Torpy, Director
Karen Sheets, Deputy Director
Jeremy Payne, Deputy Director
Jefferson Miller, Assistant Park Planner
Kristen Blaylock-Reed, Chairman, PROS Board, Dulles District
Kelly Foltman, Vice Chairman, PROS Board, Blue Ridge District
James O'connor, PROS Board, Algonkian District
Mark Hair, PROS Board, Ashburn District
Tom Bellanca, PROS Board, Chair At-Large
Carrie-Anne Mosley, Open Space Member At-Large
Erik Scudder, Open Space Member At-Large

Date: July 8, 2020

Subject: Goose Creek Overlook ZMAP 2020-0005 & SPEX 2020-0012

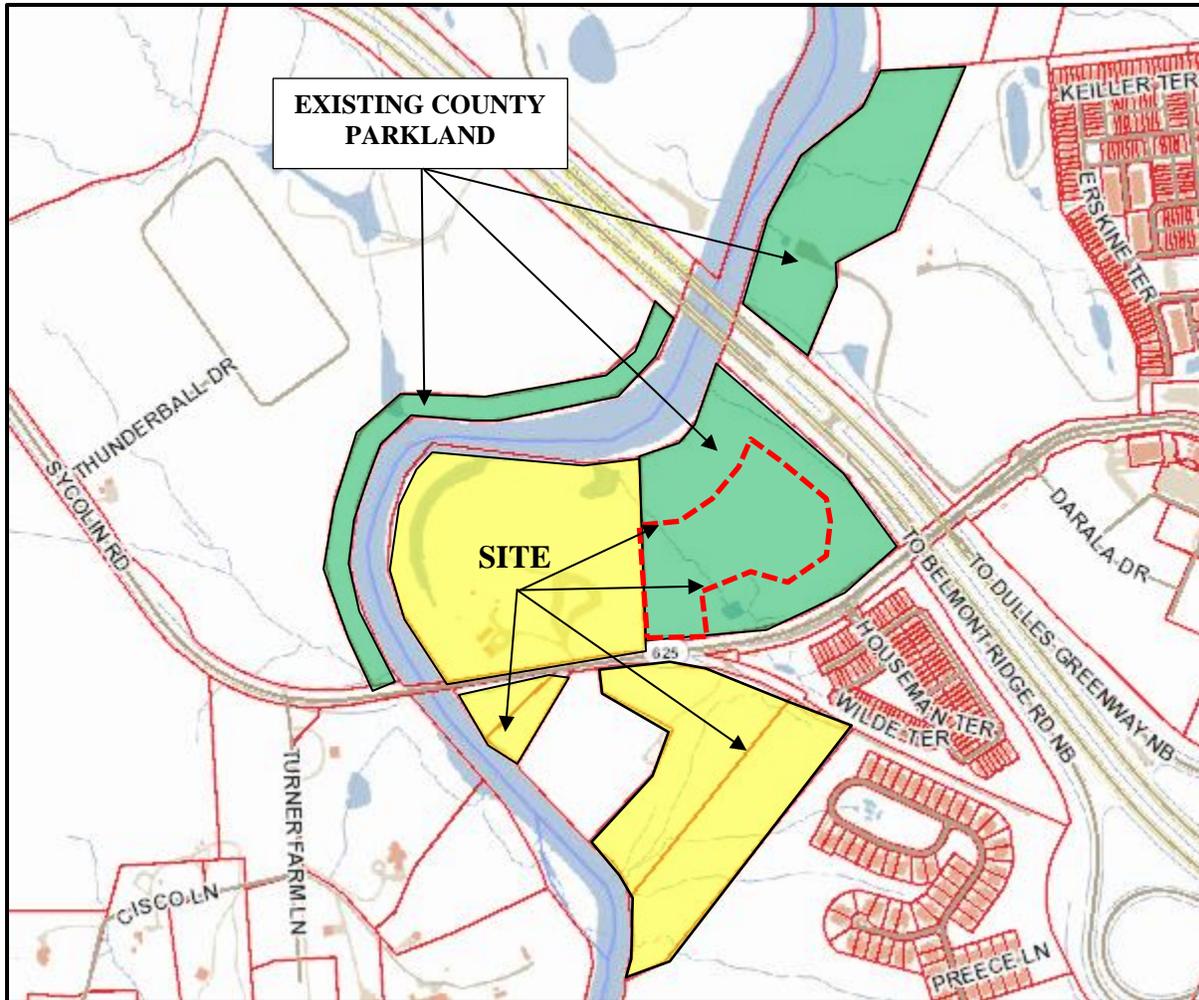
Election District: Ashburn/Blue Ridge **Sub Planning Area:** Ashburn

MCPI # 154-45-5373, 154-45-1833, 154-45-3829, 154-45-9680, 154-35-8154,
153-16-3488

APPLICATION OVERVIEW:

The subject site is located north and south of Sycolin Road between the Dulles Greenway (Route 267) to the east and Goose to the west. The northern part of the property is located in the Ashburn Election District, and the southern portion of the property is located in the Blue Ridge Election District and the Ashburn Sub-Planning Area Suburban Policy Area. The Applicant proposes to rezone the portion of the property currently zoned R-1 to PD-H4 (Planned Development Housing 4). Land Bays A, B, C, E1 and E2 are proposed to be administered under the R-8 Single Family Residential zoning district pursuant to §§ 3-500 and 7-800 (ADU) of the Zoning Ordinance in order to develop 142 single family attached units. Land Bay F is proposed to be administered under the R-16 Townhouse/Multi-family Residential ("R-16 ADU") zoning

district pursuant to §§ 3-600 and 7-900 (ADU) of the Zoning Ordinance in order to develop 96 attached multi-family units as attainable housing.



VICINITY MAP

PROJECT PROPOSAL:

The Applicant proposes to rezone the portion of the Property currently zoned R-1 to the Planned Development Housing 4 (“PD-H4”) zoning district pursuant to § 4-100 et seq. of the Revised 1993 Loudoun County Zoning Ordinance (the “Zoning Ordinance”). Land Bays A, B, C, E1 and E2 are proposed to be administered under the R-8 Single Family Residential zoning district pursuant to §§ 3-500 and 7-800 (ADU) of the Zoning Ordinance in order to develop 142 single family attached units. Land Bay F is proposed to be administered under the R-16 Townhouse/Multi-family Residential (“R-16 ADU”) zoning district pursuant to §§ 3-600 and 7-900 (ADU) of the Zoning Ordinance in order to develop 96 attached multi-family units as attainable housing.



ILLUSTRATIVE PURPOSES ONLY

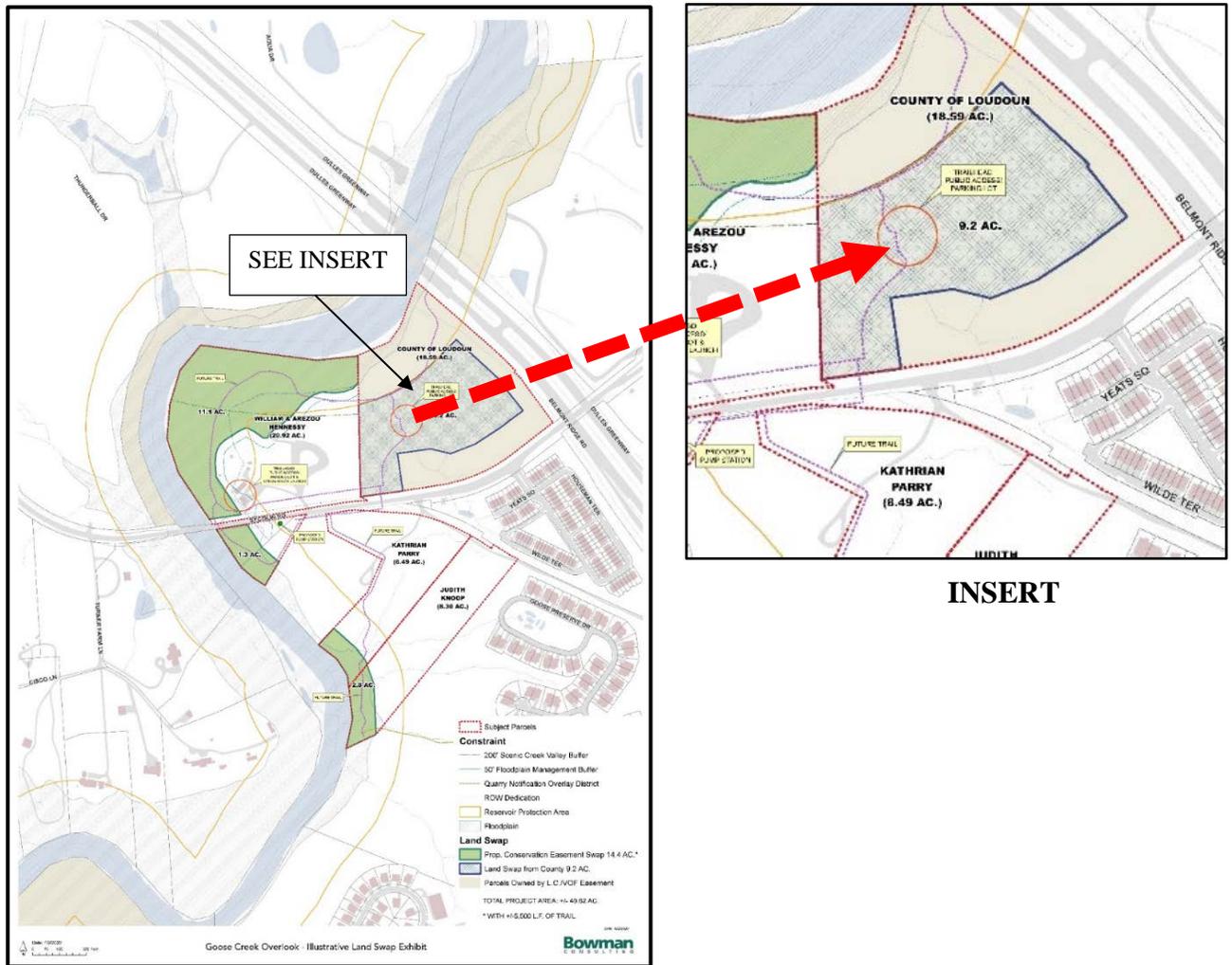


ILLUSTRATIVE PURPOSES ONLY

COMMENTS:

With respect to Parks, Recreation and Community Services (PRCS) we offer the following comments and recommendations:

1. Land Exchange. As stated in the statement of justification, a fundamental and integral component to this project is the applicant's proposal to exchange 9.2-acres of the adjacent 18.54-acre parcel owned by the County (Passive Parkland) with approximately 14.4 acres of the property that fronts Goose Creek as depicted below:



PROPOSED LAND EXCHANGE

On June 8, 2020 PRCS met on site with the applicant to determine the feasibility of 14.4 acres for park use. PRCS found that the area along the Goose Creek was adequate for potential development and direction associated with the Board of Supervisors January 17,

2019 business meeting to develop a detailed implementation plan for a countywide network of public trails and linear parks. Building this network over time through the proffer of new trails and protected natural corridors as part of development projects and collaborating with private landowners of existing private trails and appropriate corridor areas, all guided by an overall plan, will create a major asset of enormous benefit to the entire county. A large scale system of trails and parks will, according to the experience of other communities, raise property values, improve health and quality of life, attract business investment, improve security, increase regard and protection for natural areas and preserve critical natural drinking water and storm management systems.

In light of this, PRCS has been developing a system of interconnected linear parks along the County's stream valley corridors. A trail or linear park within the stream valley corridor would be consistent with the Loudoun County 2019 General Plan, which specifically recognizes *Open Space Assets* "(Linear Parks, Trails, Recreation Areas, Passive Open space and Open Space Easements)" as an important element of the Fiscal Management and Public Infrastructure. Other relevant policy direction includes the following:

- Open Space Assets "... enhancing and encouraging public interaction with the County's network natural resources through:"
"A network of linear parks and other recreational resources along or extending from the banks of the Goose Creek, Broad Run, Bull Run, Catoctin Creek, Potomac River, and other river and stream corridors to form an interconnected system of linear open space."
- Open Space "... Fiscal Policy 3: Retain the County's unique combination of urban, suburban, and rural communities by using open space to protect natural resources and habitat, to create a network of high-quality active and passive recreation spaces, and to delineate our built environments."

Strategy:

3.1... "Use contiguous linear parks, connected trails, and natural open space corridors to improve public access to open space, encourage healthy lifestyles, and link destinations throughout the County."

Actions:

A... "Build on and encourage links to current planned trails and park areas, placing greater emphasis on connected, publicly usable, and accessible open space and identify desired locations and connections of future trails and parks to facilitate acquisition and development."

B... "Establish programs and regulatory mechanisms to increase publicly accessible open space through easements, land dedications, and purchase; ensure that such programs and mechanisms are consistent with County facilities plans."

D... "Ensure that new developments extend publicly-accessible trails and linear parks into and through their projects with the intent of creating a network of public trails that is consistent with the County plans."

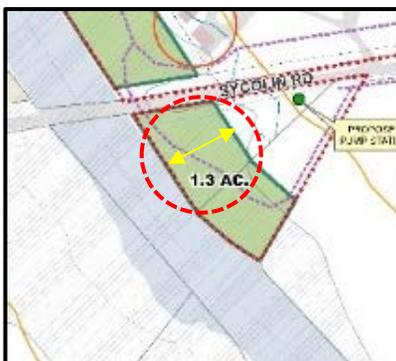
H... "Seek through public purchase, proffer, donation, or third-party easement, the preservation of natural areas and the development of linear parks, recreation space, and trails."

In addition, PRCS adopted Loudoun County PRCS Strategic Plan identifies the following organizational strategies & objectives:

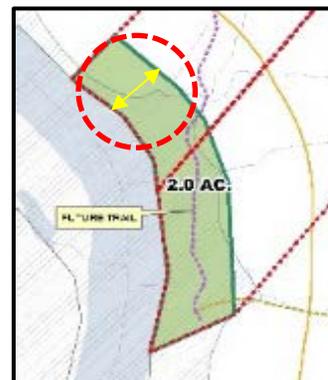
- Strategy 1.2 - Establish parkland or easements along stream valley corridors to link regional and national trails.
- Strategy 1.3 – Continue efforts to implement the County’s Greenways & Trails Plan that links parks and natural and historic resources within Loudoun County.
- Strategy 1.4 - Preserve existing and acquire future open space and natural resources.

As stated above, PRCS finds the 14.4 acres suitable for development of a linear park and trail along the Goose Creek stream valley corridor.

2. As identified in the statement of justification, the County parcel is encumbered by a Deed of Open Space Easement to the benefit of the Virginia Outdoors Foundation (VOF). As part of the land exchange, the applicant proposes to convey approximately 14.4 acres to the County and subject this land to a new open space/conservation easement to replace the VOF Easement on the 9.2-acre Swap Area. The applicant needs to work with PRCS throughout this process, to assure PRCS objectives for the development of the linear park are acceptable to both PRCS and VOF.
3. In the statement of justification the applicant states;
 - a. The applicant will commit to designing, engineering, and installing a field-located natural surface trail approximately 5,500 feet in length along the Goose Creek frontage of the property.
No proffers were submitted with this application. Please provide detailed proffer language addressing the applicant’s commitment.
 - b. The applicant will commit to designing, engineering, and installing two separate public trailhead parking lots to accommodate approximately 32 parking spaces in aggregate.
No proffers were submitted with this application. Please provide detailed proffer language addressing the applicant’s commitment.
4. In addition to the parking and trail, PRCS request the applicant identify two locations for canoe/kayak access and how they will function.
5. During the June 8, 2020 site visit, there was discussion on a structure (studio) remaining for potential reuse as part of the park for special events/visitor center. Please confirm or provide more information.
6. Please provide information on the width for the 1.3 acre and 2.0 acre (see below).



1.3 Acre



2.9 Acre

RECOMMENDATIONS:

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the Applicant's proposal and identified above, outstanding issues that require additional information to complete the review of this application.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me at 703-737-8992 or mark.novak@loudoun.gov.



**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

To: Josh Peters, Project Manager, Planning and Zoning (MSC #62)

From: Mark A. Novak, Chief Park Planner, Facilities Planning and Development (MSC #78)

CC: Steve Torpy, Director
Karen Sheets, Deputy Director
Jeremy Payne, Deputy Director
Jefferson Miller, Assistant Park Planner
Kristen Blaylock-Reed, Chairman, PROS Board, Dulles District
Kelly Foltman, Vice Chairman, PROS Board, Blue Ridge District
James O'connor, PROS Board, Algonkian District
Mark Hair, PROS Board, Ashburn District
Tom Bellanca, PROS Board, Chair At-Large
Carrie-Anne Mosley, Open Space Member At-Large
Erik Scudder, Open Space Member At-Large

Date: September 8, 2020

Subject: Goose Creek Overlook ZMAP 2020-0005, ZCPA 2020-0008 & ZMOD 2020-2020 (2nd submission)

Election District: Ashburn/Blue Ridge **Sub Planning Area:** Ashburn

MCPI # 154-45-5373, 154-45-1833, 154-45-3829, 154-45-9680, 154-35-8154, 153-16-3488

APPLICATION OVERVIEW:

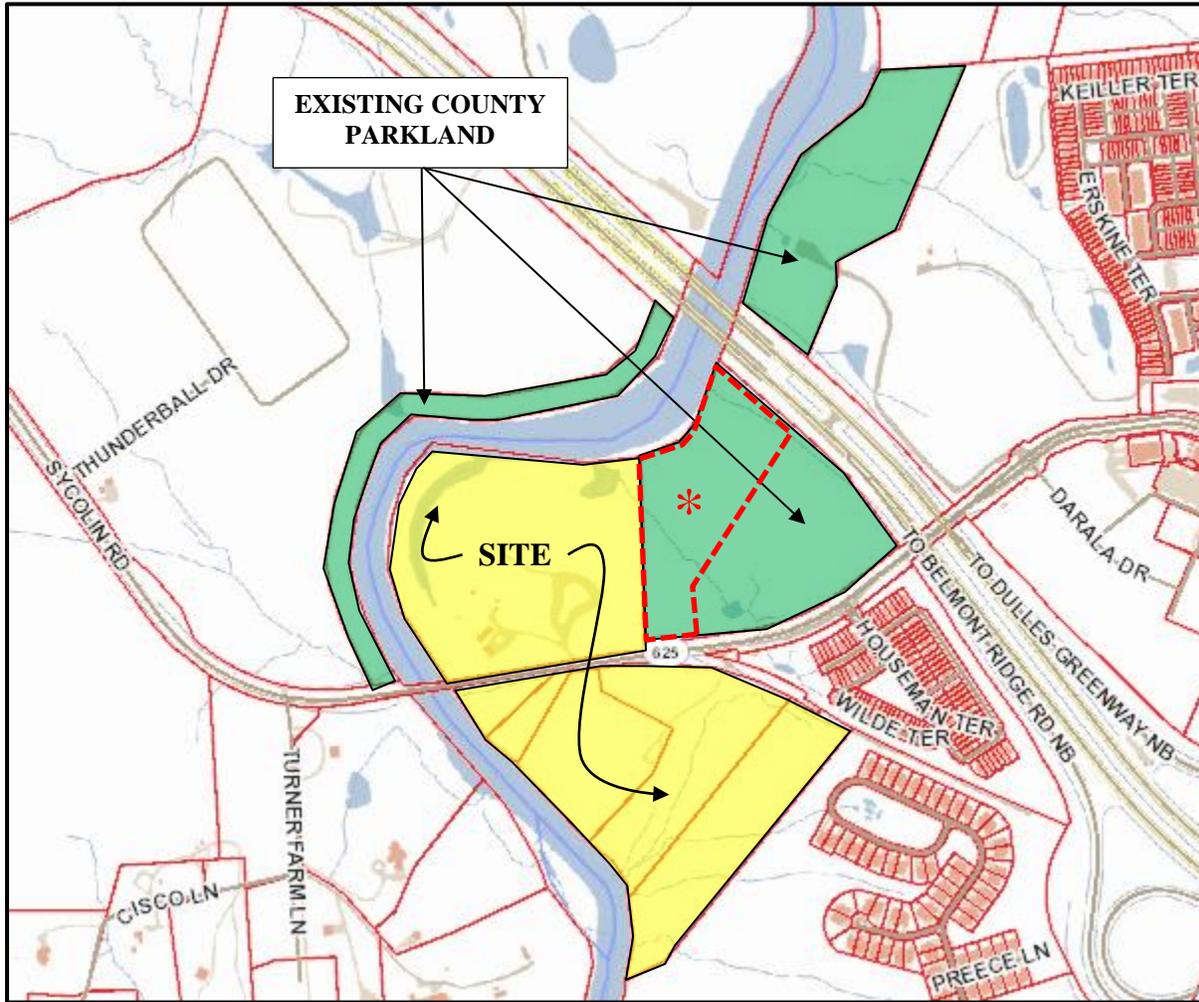
The application has been revived revised to the following:

1. Incorporate the 6.023 acre parcel owned by GC Property LLC into the project;
2. Provide for the dedication of an additional 2+ acres of frontage along Goose Creek to the County, bringing the total proposed dedication area to 16.7+ acres (County Dedication Area);
3. Provide for the conveyance of a conservation easement to the Virginia Outdoors Foundation (VOF) over the County Dedication Area;
4. Provide for the construction of over 5,500 linear feet of continuous Emerald Ribbons Trail along Goose Creek, public access to the County Dedication Area and VOF area, two public trailhead

parking areas and a canoe/kayak launch on the Goose Creek within the County Dedication Area/VOF Conservation area; and,

5. Relocate the Affordable Dwelling Units (AHUs) from the County-owned parcel (that is subject to an existing VOF Conservation easement) west to the Hennessy parcel thereby removing all structures from the County-owned/VOF property.

The Property is bordered by Goose Creek to the north and west, and to the east by the Dulles Greenway (Route 267). The northern part of the property is located in the Ashburn Election District, and the southern portion of the property is located in the Blue Ridge Election District and the Ashburn Sub-Planning Area Suburban Policy Area. The Applicant is requesting approval of a rezoning, zoning concept plan amendment and a zoning modification to establish a new suburban residential neighborhood and passive public park in the Suburban Policy Area. The proposed project will include a number of residential units to address the deficit of attainable housing in the County, as well as the preservation of open space and creation of a passive park along Goose Creek, and the installation of approximately one mile trail and a canoe/kayak launch along the planned Goose Creek Stream Valley Corridor trail system.



VICINITY MAP
(* Part of application)

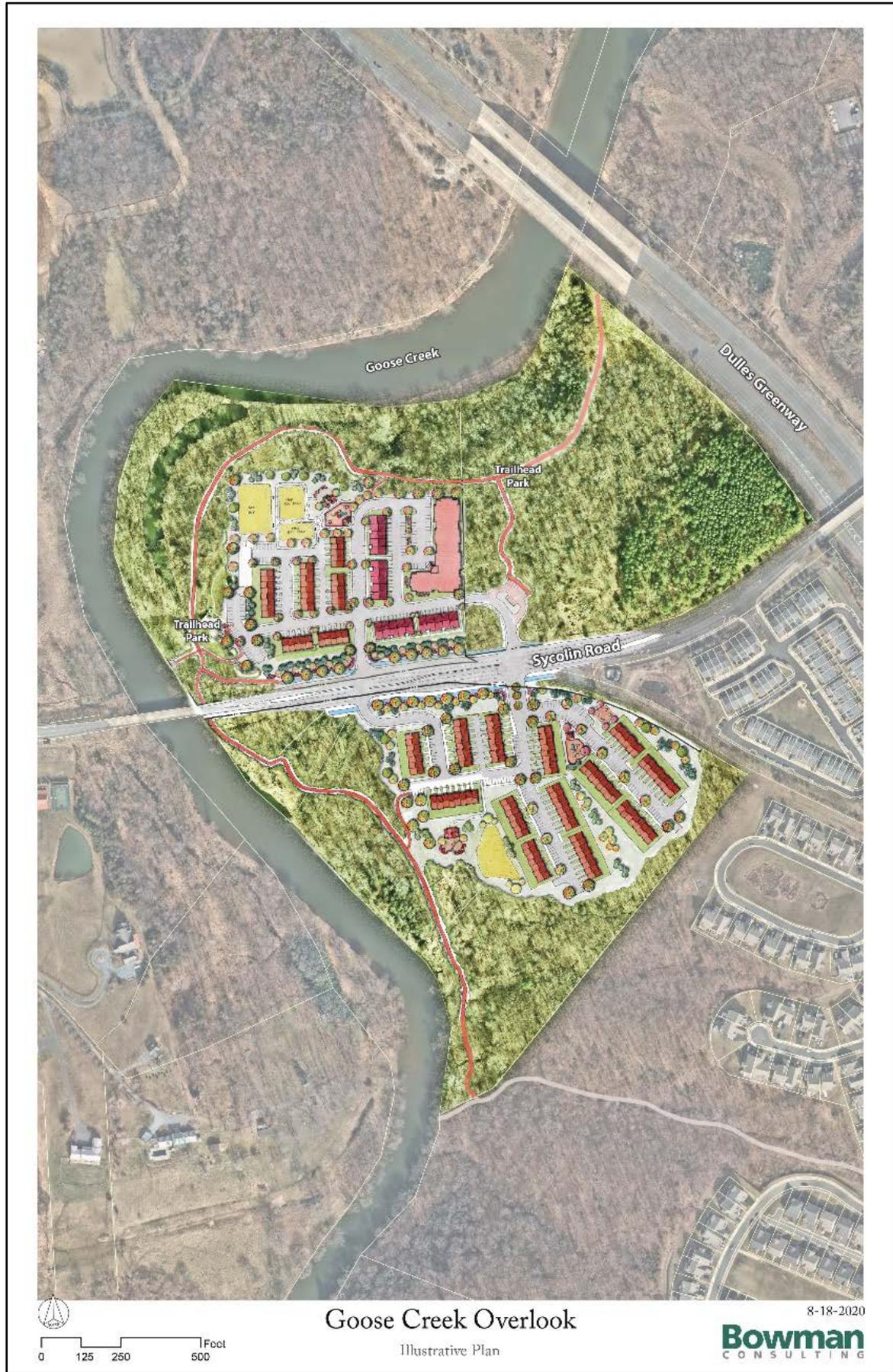
PROJECT PROPOSAL:

The Applicant proposes to rezone the portions of the Property currently zoned R-1 to the Planned Development Housing 4 (PD-H4) zoning district. Land Bays B and C, are proposed to be administered under the R-8 Single Family Residential (ADU) of the Zoning Ordinance in order to develop 99 single family attached units and a public sanitary sewer pump station. Land Bays A and F are proposed to be administered in accordance with the provisions of the R-16 Townhouse/Multi-family Residential (“R-16 ADU”) in order to develop up to 37 market rate single family attached units, 40 market rate Stacked Multi-Family units and 75 Multi-Family affordable dwelling units (ADU) that are to be developed in accordance with the Affordable Housing Unit provisions of the Zoning Ordinance. The proposed ADUs will make use of the adjacent underutilized (and currently inaccessible) County-owned land by utilizing 9.2 acres of the County Parcel for density calculation purposes for the Project. This will unlock the value of the

County Parcel for a financially sound and attainable housing project that will result in the construction of 42.6% of the Project as ADUs, without actually constructing the ADUs on the County Parcel. In the statement of justification the applicant states, the project provides a unique opportunity to implement key goals of the 2019 Plan including:

- Providing a minimum of 42.6 percent (75 units) Affordable Dwelling Units (“ADUs/AHUs”);
- The utilization of County-owned land for the development of ADUs/AHUs;
- Dedication of approximately 16.7 acres of land along Goose Creek to the County for passive recreation purposes;
- Subjecting the dedicated approximately 16.7 acre area to an open space/conservation easement to the benefit of the Virginia Outdoors Foundation (“VOF”); - Constructing approximately 5,500+ linear feet (over one mile) of the Emerald Ribbon Trail along Goose Creek;
- Providing a passive public park along Goose Creek inclusive of two public trailheads/parking areas, a canoe/kayak launch and connections to the Emerald Ribbon Trails and access to Goose Creek; and
- Providing a permanent sanitary sewer pump station to service the residential neighborhood development envisioned for this area by the 2019 General Plan.

The Applicant further states, they are proposing a creative land development project that will leverage underutilized County-owned land to address unmet housing needs, provide a public park along Goose Creek, construct more than one mile of linear trail along Goose Creek, and construct a permanent sanitary sewer pumping station in an area of the County designated in the 2019 Plan for residential development. The proposed development will implement key land use, density, housing, parks and recreation, environmental, and transportation policies of the 2019 Plan.



Goose Creek Overlook
Illustrative Plan

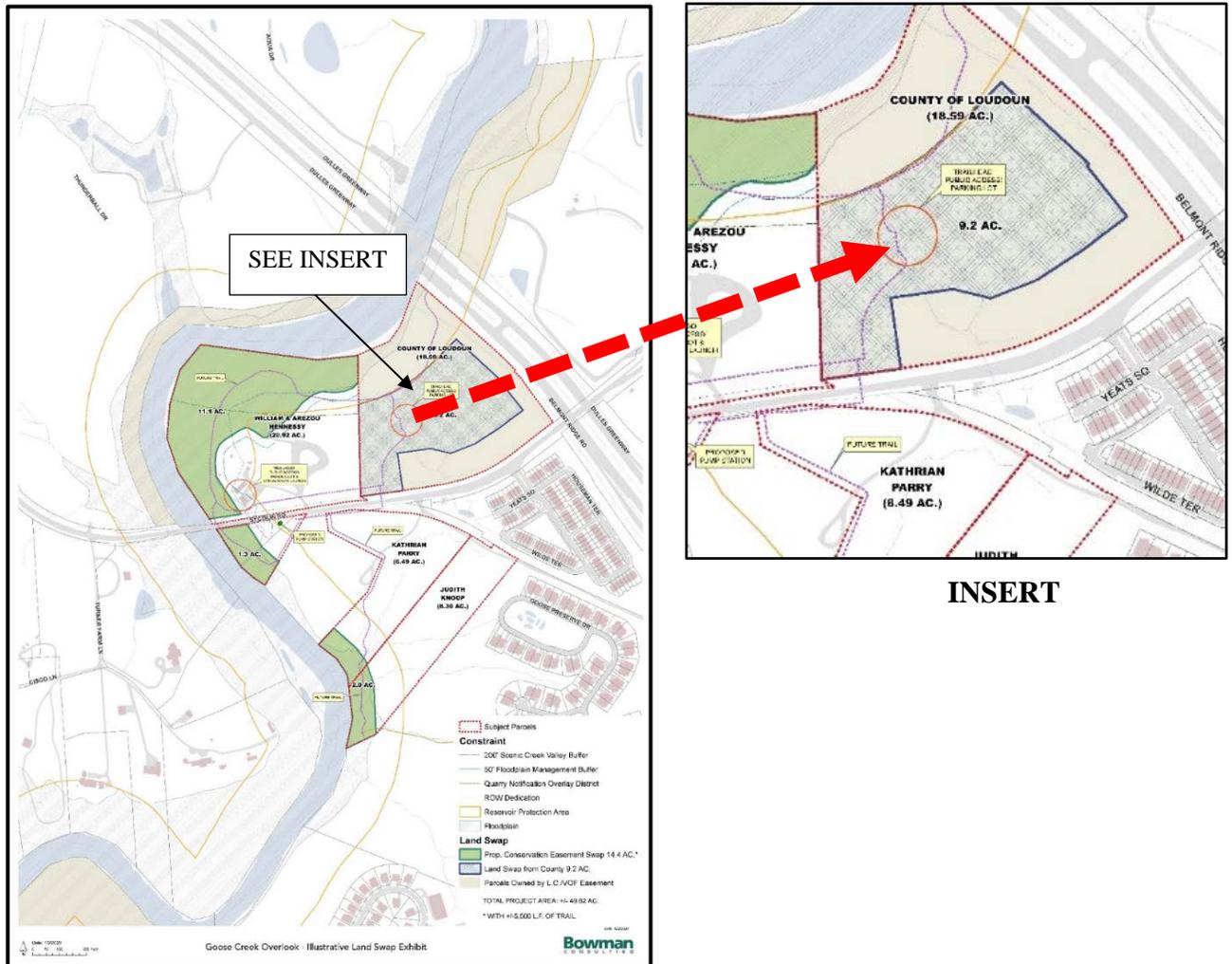
8-18-2020



COMMENTS:

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the Applicant's responses dated August 19, 2020 to referral comments dated July 8, 2020, revised statement of justification dated August 19, 2020, ZMAP-2020-0005/ZMOD-2020-0020 plan set date August 19, 2020, draft proffers dated August 19, 2020, and Land Bay E, ZCPA-2020-0008 plan set, dated August 19, 2020. The following are the current issue status of the initial comments:

Comment #1 (July 8, 2020). Land Exchange. As stated in the statement of justification, a fundamental and integral component to this project is the applicant's proposal to exchange 9.2-acres of the adjacent 18.54-acre parcel owned by the County (Passive Parkland) with approximately 14.4 acres of the property that fronts Goose Creek as depicted below:



PROPOSED LAND EXCHANGE

On June 8, 2020 PRCS met on site with the applicant to determine the feasibility of 14.4 acres for park use. PRCS found that the area along the Goose Creek was adequate for potential development and direction associated with the Board of Supervisors January 17, 2019 business meeting to develop a detailed implementation plan for a countywide network of public trails and linear parks. Building this network over time through the proffer of new trails and protected natural corridors as part of development projects and collaborating with private landowners of existing private trails and appropriate corridor areas, all guided by an overall plan, will create a major asset of enormous benefit to the entire county. A large scale system of trails and parks will, according to the experience of other communities, raise property values, improve health and quality of life, attract business investment, improve security, increase regard and protection for natural areas and preserve critical natural drinking water and storm management systems.

In light of this, PRCS has been developing a system of interconnected linear parks along the County's stream valley corridors. A trail or linear park within the stream valley corridor would be consistent with the Loudoun County 2019 General Plan, which specifically recognizes *Open Space Assets* "(Linear Parks, Trails, Recreation Areas, Passive Open space and Open Space Easements)" as an important element of the Fiscal Management and Public Infrastructure. Other relevant policy direction includes the following:

- Open Space Assets "... enhancing and encouraging public interaction with the County's network natural resources through:"
"A network of linear parks and other recreational resources along or extending from the banks of the Goose Creek, Broad Run, Bull Run, Catoctin Creek, Potomac River, and other river and stream corridors to form an interconnected system of linear open space."
- Open Space "...Fiscal Policy 3: Retain the County's unique combination of urban, suburban, and rural communities by using open space to protect natural resources and habitat, to create a network of high-quality active and passive recreation spaces, and to delineate our built environments."

Strategy:

3.1... "Use contiguous linear parks, connected trails, and natural open space corridors to improve public access to open space, encourage healthy lifestyles, and link destinations throughout the County."

Actions:

A... "Build on and encourage links to current planned trails and park areas, placing greater emphasis on connected, publicly usable, and accessible open space and identify desired locations and connections of future trails and parks to facilitate acquisition and development."

B..."Establish programs and regulatory mechanisms to increase publicly accessible open space through easements, land dedications, and purchase; ensure that such programs and mechanisms are consistent with County facilities plans."

D..."Ensure that new developments extend publicly-accessible trails and linear parks into and through their projects with the intent of creating a network of public trails that is consistent with the County plans."

H... ”Seek through public purchase, proffer, donation, or third-party easement, the preservation of natural areas and the development of linear parks, recreation space, and trails.”

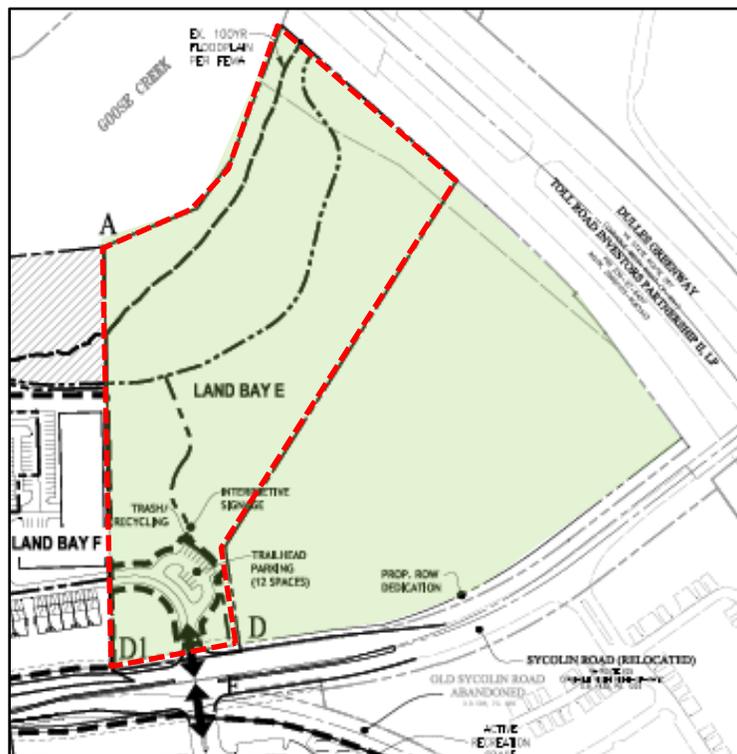
In addition, PRCS adopted Loudoun County PRCS Strategic Plan identifies the following organizational strategies & objectives:

- Strategy 1.2 - Establish parkland or easements along stream valley corridors to link regional and national trails.
- Strategy 1.3 – Continue efforts to implement the County’s Greenways & Trails Plan that links parks and natural and historic resources within Loudoun County.
- Strategy 1.4 - Preserve existing and acquire future open space and natural resources.

As stated above, PRCS finds the 14.4 acres suitable for development of a linear park and trail along the Goose Creek stream valley corridor.

Applicant Response: N/A

Issue Status: The applicant has revised the application and no longer proposes an exchange for 9.2-acres of the adjacent 18.54-acre parcel owned by the County (Passive Parkland) with approximately 14.4 acres of the property that fronts Goose Creek. However, under the revised application the applicant propose to make use of the adjacent underutilized (and currently inaccessible) County-owned land by utilizing 9.2 acres of the County Parcel for density calculation and access purposes. No residential units will be built on the park property.



9.2 ACRES
(IN RED)

Comment #2 (July 8, 2020). As identified in the statement of justification, the County parcel is encumbered by a Deed of Open Space Easement to the benefit of the Virginia Outdoors Foundation (VOF). As part of the land exchange, the applicant proposes to convey approximately 14.4 acres to the County and subject this land to a new open space/conservation easement to replace the VOF Easement on the 9.2-acre Swap Area. The applicant needs to work with PRCS throughout this process, to assure PRCS objectives for the development of the linear park are acceptable to both PRCS and VOF.

Issue Status: Under this application the applicant no longer is requesting a land swap. However, the applicant is requesting approximately 9.4 acres of excess, unused density and open space on the County Parcel which may be utilized for the proposed project. No residential units will be built on the parcel. The applicant is proposing and entrance for the project and will also sever a trailhead with parking providing access to the park.

Comment #3 (July 8, 2020). In the statement of justification the applicant states;

- a. The applicant will commit to designing, engineering, and installing a field-located natural surface trail approximately 5,500 feet in length along the Goose Creek frontage of the property.
No proffers were submitted with this application. Please provide detailed proffer language addressing the applicant's commitment.
- b. The applicant will commit to designing, engineering, and installing two separate public trailhead parking lots to accommodate approximately 32 parking spaces in aggregate.
No proffers were submitted with this application. Please provide detailed proffer language addressing the applicant's commitment.

Applicant Response: *The Applicants have committed to the construction of the above-listed improvements in the proffers. In response to meetings held with PRCS, the Applicants have provided an exhibit to illustrate the proposed improvements and is awaiting further input from PRCS to refine the proffers. The Applicants anticipate an ongoing discussion with PRCS to finalize the proffers.*

Issue Status: Acknowledged. PRCS will work with the applicant to finalize the proffers.

Comment #4 (July 8, 2020). In addition to the parking and trail, PRCS request the applicant identify two locations for canoe/kayak access and how they will function.

Applicant Response: *Per direction received from PRCS after issuance of these referral comments, the Applicant has committed to construct one canoe/kayak launch on the property near the Sycolin Road bridge.*

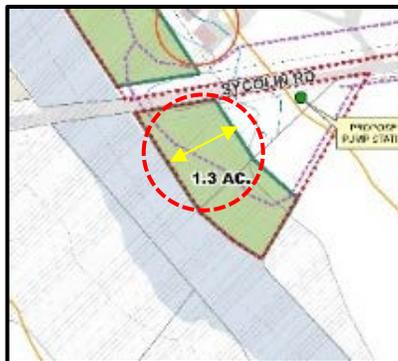
Issue Status: Acknowledged. PRCS will work with the applicant to finalize the proffers.

Comment #5 (July 8, 2020). During the June 8, 2020 site visit, there was discussion on a structure (studio) remaining for potential reuse as part of the park for special events/visitor center. Please confirm or provide more information.

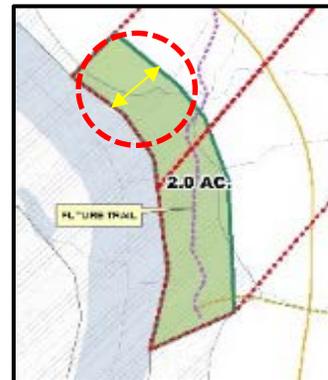
Applicant Response: *In order to address PRCS concern regarding the maintenance and operation cost of the Hennessy garage if it is retained for public use, and the desire to provide adequate parking at the trailhead park that is proposed to be located at the west end of the property near Goose Creek, the Applicants are proffering to provide an expanded (pervious surface) trailhead parking area in lieu of retaining the Hennessy garage. In addition, the Applicant is proffering to provide interpretive signage to inform the public about Goose Creek as a state designated scenic creek and the significant contributions of the William Hennessy's art.*

Issue Status: Acknowledged. However, PRCS request more discussion with the applicant on type of pervious surface to be use.

Comment #6 (July 8, 2020). Please provide information on the width for the 1.3 acre and 2.0 acre (see below).



1.3 Acre



2.9 Acre

Applicant Response: *The areas are shown on the CDP.*

Issue Status: Acknowledged.

NEW COMMENTS (2nd Submission September 4, 2020):

In review of the proffers ZMAP 2020-0005, dated August 19, 2020 PRCS offer the following comments:

1. Proffer 9 (a.) Goose Creek Conservation Park.

Proffer language, “The Owner shall dedicate Land Bay D to the County, at no cost to the County, for open space/conservation/passive recreation purposes only. The portions of Land Bay D north and south of Sycolin Road may be dedicated at

different times, and dedication shall occur prior the approval of the first occupancy permit for Land Bays A or C, as applicable. The Owner shall not use the Land Bay D, nor permit Land Bay D to be used, for staging, dumping, or similar activities, nor grant, create, or establish any utility easement or other easement on Land Bay E, without prior approval of the County. Land Bay D shall remain undisturbed except for any environmental management activities, trails, raised boardwalks, parking lots, and a canoe/kayak launch on Goose Creek, referenced in these Proffers and any County- and/or Loudoun Water-approved activities related to the construction and maintenance of wetlands mitigation, reforestation activities, as well as any other trail easements, stormwater easements, utilities, pump stations, stormwater management, best management practices ("BMP") facilities, or other improvements contemplated by these Proffers. Land Bay D shall not be subject to, and shall be expressly excluded from imposition of, any property owners association, covenants, and/or restrictions which may have previously been imposed. The Owner shall place Land Bay D under a permanent open space easement pursuant to the Virginia Open-Space Land Act codified at Va. Code Ann. § 10.1-1700 et seq. prior to conveyance of Land Bay D to the County. Said easement shall be submitted to the County in a form acceptable to the County Attorney's Office prior to the approval of the first record plat, site plan, or site plan amendment for the Property, whichever is first in time, and shall be recorded in the Land Records prior to approval for the 50th occupancy permit for Land Bays A or C, as applicable".

PRCS request the following changes to the proffer:

- Request dedication of Land Bay D upon approval of ZMAP 2020-0005 or approval of the first record plat, site plan, or site plan amendment for the Property.
- With the exception of the VOF easement on existing County land, PRCS does not support placement of a VOF easement on the proposed dedicated park land bay D.

2. Proffer 9 (b). Emerald Ribbons Trail.

- Please revise all reference of Emerald Ribbons Trail to Goose Creek Stream Valley Trail.
- Please revise the following, "*The Emerald Ribbons Trail shall generally remain in a natural state to only be used for walking, hiking, or biking purposes*" to; The Goose Creek Stream Valley Trail shall generally remain in a natural state to be used for walking, hiking, biking purposes however, equestrian use may be optional if conditions warrant.

Proffer language, "*Those portions of the Emerald Ribbons Trail located north of Sycolin Road and within the Sycolin Road right-of-way shall be bonded prior to the approval of the first site plan for Land Bay A, and constructed and available for use prior to the issuance of an occupancy permit for the 152nd residential dwelling units within Land Bay A; provided, however, that in the event VDOT does not approve construction of those*

portions of the Emerald Ribbons Trail prior to the approval of the first site plan for Land Bay A, the Applicant shall have no obligation to construct the portion of the Emerald Ribbons Trail within the Sycolin Road right-of-way and shall instead make a cash contribution to the County in the amount of \$10,000.00 to be used for park and recreation purposes in the Ashburn Planning Subarea of the County. Those portions of the Emerald Ribbons Trail located south of Sycolin Road shall be bonded prior to the approval of the first site plan for Land Bay B, and constructed and available for use prior to the issuance of an occupancy permit for the 50th residential dwelling unit within Land Bay C”.

- Sycolin Road right-of-way, please clarify if the applicant is referencing the trail access under the bridge (Sycolin Road right-of-way). It is critical that the trail connection is contiguous north to south. In the past, PRCS has worked with VDOT on other trail access under VDOT bridges and Right-Of-Way (ROW). PRCS suggest the applicant reach out to VDOT for direction and support for access. Furthermore, the proffers should reflect that it would be the applicant’s responsibility to acquire necessary easements for public ingress/egress in the ROW.
- PRCS request trail construction and available for use by the issuance of the 50th zoning permit for residential dwelling units within Land Bay A.

3. Proffer 9 (c). Canoe/Kayak Launch.

Proffer language, “The specific design and location of the Canoe/Kayak Launch shall be determined in consultation with PRCS, shall be bonded prior to approval of the first record plat or site plan for any portion of the Property located north of Sycolin Road, whichever is first in time, and shall be constructed and open for use prior to the approval of the zoning permit for the 152 residential dwelling unit on Land Bay A”,

- PRCS request that the construction and open for use prior to the approval of the zoning permit for the 50th residential dwelling unit on Land Bay A”,

4. Proffer 9 (d). Land Bay D Trailhead Improvements.

Proffer language, “As depicted on Sheet 8 of the CDP, the Owner shall, at no public cost and in consultation with PRCS, install improvements (the “Land Bay D Trailhead Improvements”) on Land Bay D for the benefit of allowing the general public to access Land Bay D and the Emerald Ribbons Trail. Said Land Bay D Trailhead Improvements shall consist of a pervious parking lot containing a minimum of 30 parking spaces, a parking/traffic control gate, trash and recycling cans, and a 10-foot-wide natural surface trail connecting the parking lot to the Emerald Ribbons Trail and the canoe/kayak launch. The Land Bay D Trailhead Improvements shall be bonded prior to approval of the first record plat or site plan for any portion of the Property, whichever is first in time, and shall be constructed and conveyed to the County prior to the approval of the zoning permit for the 152nd residential dwelling unit in Land Bay A. Following conveyance of the Land Bay D Trailhead Improvements to the County, the Owner shall have no further obligation to operate or maintain the Land Bay D Trailhead Improvements. The Owner shall receive a credit against the Capital Facilities Contribution required by Proffer 10 equal to the verified actual reasonable cost, as reviewed and approved by the Zoning Administrator, of the installation of the Land Bay D Trailhead Improvements (inclusive of engineering,

surveying, bonding, permit fees, utility relocation, easement acquisition, and other soft and hard costs of construction); provided, however, that any entitlement to any such credit shall not entitle the Owner to demand, recover, receive, or require any cash payment or refund from the County for any payments or contributions made to the County prior thereto”.

- The proffers reference, “*shall consist of a pervious parking lot containing a minimum of 30 parking spaces*”. PRCS request the applicant coordinate with PRCS on type of material proposed. PRCS has experienced erosion and washouts on exiting trailhead parking lot that are pervious (gravel/crushed stone) which require ongoing maintenance. PRCS recommends an impervious surface such as asphalt or an alternative surface such as pervious concrete.
- Signage should be included for each trailhead for associated amenities. See comment 6 below.

Proffer language, “The Land Bay D Trailhead Improvements shall be bonded prior to approval of the first record plat or site plan for any portion of the Property, whichever is first in time, and shall be constructed and conveyed to the County prior to the approval of the zoning permit for the 152nd residential dwelling unit in Land Bay A”.

- PRCS request the trailhead be construction and conveyed to the County prior to the approval of the zoning permit for the 50th residential dwelling unit in Land Bay A.

5. Proffer 9 (e). Land Bay E Improvements.

Proffer Language, “As depicted on Sheet 8 of the CDP, the Owner shall, at no public cost and in consultation with PRCS and the grantee of the Existing Open Space Easement, install improvements on Land Bay E for the benefit of allowing the general public to access the Park Site and the Emerald Ribbons Trail. Said improvements shall consist of a pervious parking lot containing a minimum of 12 parking spaces, trash and recycling cans, a 10-foot-wide natural surface trail connecting the parking lot to the Emerald Ribbons Trail, one bicycle rack which shall accommodate a minimum of six bicycles, one bicycle repair station with an air pump, and a 30-foot wide access road connecting said parking lot, Sycolin Road, and the Property (together, the “Land Bay E Improvements”). The Land Bay E Improvements shall be installed and conveyed to the County upon completion and the Owner shall have no further obligation to operate or maintain the Land Bay E Improvements following their acceptance by the County. The Land Bay E Improvements shall be bonded prior to approval of the first record plat or site plan for any portion of the Property, whichever is first in time, and shall be constructed and open for use prior to the approval of the zoning permit for the 152 residential dwelling unit on the Property provided, however, that in the event the grantee of the Existing Open Space Easement on the County Parcel determines that construction of the Land Bay E Improvements would be prohibited under the terms of the Existing Open Space Easement, and the Existing Open Space Easement is not, prior to the first site plan for the Property, amended by the grantee in a manner that would permit construction of the Land Bay E Improvements, then the Owner shall have no further obligation under this proffer. The Owner shall receive a credit against the Capital Facilities Contribution required by Proffer 10 equal to the verified actual reasonable cost, as reviewed and approved by the Zoning Administrator, of the installation of the Land Bay D Improvements (inclusive of engineering, surveying, bonding,

permit fees, utility relocation, easement acquisition, and other soft and hard costs of construction); provided, however, that any entitlement to any such credit shall not entitle the Owner to demand, recover, receive, or require any cash payment or refund from the County for any payments or contributions made to the County prior thereto.

The proffers reference, “*install improvements on Land Bay E for the benefit of allowing the general public to access the Park Site and the Emerald Ribbons Trail. Said improvements shall consist of a pervious parking lot containing a minimum of 12 parking spaces, trash and recycling cans, a 10-foot-wide natural surface trail connecting the parking lot to the Emerald Ribbons Trail, one bicycle rack which shall accommodate a minimum of six bicycles, one bicycle repair station with an air pump, and a 30-foot wide access road connecting said parking lot, Sycolin Road, and the Property (together, the “Land Bay E Improvements”)*”.

- PRCS request the applicant coordinate with PRCS on type of material proposed. As stated in comments under proffer 9.d. (above). PRCS has experienced erosion and washouts on exiting trailhead parking lot that are pervious (gravel/crushed stone) which require ongoing maintenance. PRCS recommends an impervious surface such asphalt or an alternative surface such as pervious concrete. In addition, PRCS request that gates (2) be installed at the north and south access points of the trailhead parking lot to control vehicle access when park is closed.
- PRCS request Land Bay E Improvements shall be bonded prior to approval of the first record plat or site plan for any portion of the Property, whichever is first in time, and shall be constructed and open for use prior to the approval of the zoning permit for the 50th residential dwelling unit on the Property.
- Signage should be included for each trailhead for associated amenities. See comment 6 below.

6. Proffer 9 (f). Park Wayfinding Signage.

Proffer Language, The Owner shall, in coordination with PRCS, develop a directional/wayfinding signage system for the Property to ensure residents and visitors can easily identify and access Land Bays D and E’s public recreational amenities and trails. The initial location of such directional/wayfinding signage system shall be depicted with the first record plat, CPAP, site plan, or site plan amendment submitted for the Property; however, the Owner may, in its sole discretion, alter the final location of such signage, in conjunction with the approval of subsequent record plats, CPAPs, site plans, or site plan amendments submitted for the Property. The design of the directional/wayfinding signage system shall be subject to the Design Guidelines. Said wayfinding signs shall be installed by the Owner in conjunction with the associated lots, streets, infrastructure, and dwelling units proposed on said plans.

- In addition to directional/wayfinding signage system for the property. PRCS request that the applicant proffer PRCS entrance signage (park/trailhead name w/address) for each trailhead (attached), secondary entry/rules sign, information kiosk (two), canoe/kayak launch, trail directional markers and park hour’s signs. All signs

located with parkland are to follow PRCS Comprehensive Sign Plan and Standards dated August 9, 2010.

- Dog waste should be included at both trailheads.

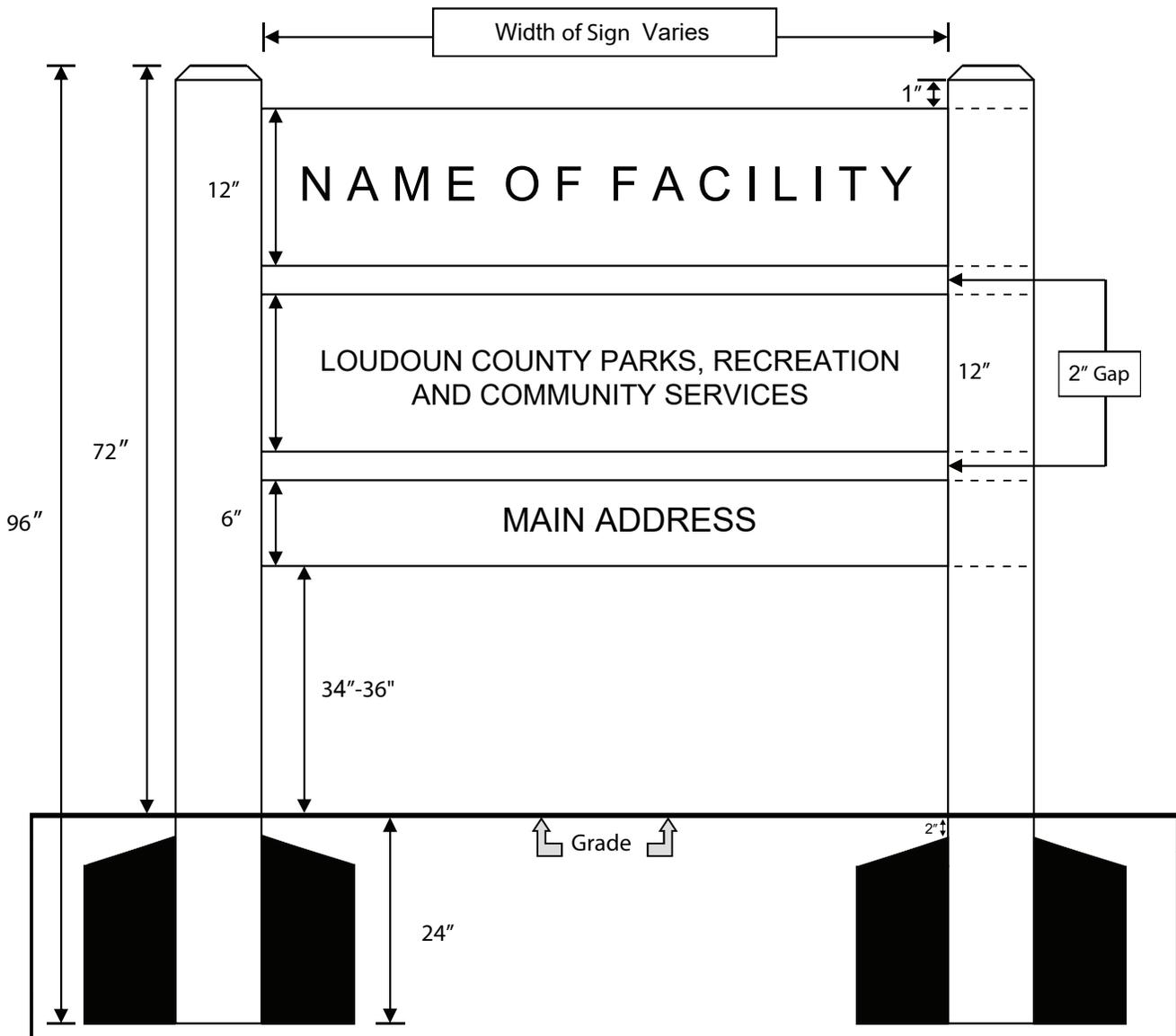
RECOMMENDATIONS:

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the Applicant's proposal and identified above, outstanding issues that require additional information to complete the review of this application.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me at 703-737-8992 or mark.novak@loudoun.gov.

Standard Unmanned Park Facility Entrance Sign Specifications

- Signs should be constructed with **Two 6" x 6" x 8' Pressure Treated Posts**.
- The posts should be trimmed 1" from the top with the saw blade at a 45° angle.
- The specific park name sign(s) should be made with **2" x 12" Board (s) (Length may vary)**.
- The "Main Address" portion of the main park sign should be made with a **2" x 6" Board (Length may vary)**.
- The first sign should start 2" from the bottom edge 45° angle cut that is trimmed from the the top of the post, with a spacing of 2" between any additional signs.
- The sign should be installed, using concrete, at a depth of 24" below grade. The concrete should taper away from the posts and be covered with 2" of backfill.
- The bottom of the lowest sign should be approximately 34"-36" above grade.
- Slots in the posts should be cut for installation and removal sign boards.
- The signs and posts should be painted using **BEHR® Marquee Exterior Semi-Gloss; Custom Color Match**
- The letters should be painted annually using **BEHR PRO - e600 White Semi-Gloss Acrylic Exterior Paint.**





**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

To: Josh Peters, Project Manager, Planning and Zoning (MSC #62)

From: Mark A. Novak, Chief Park Planner, Facilities Planning and Development (MSC #78)

CC: Steve Torpy, Director
Karen Sheets, Deputy Director
Jeremy Payne, Deputy Director
Jefferson Miller, Assistant Park Planner
Kristen Blaylock-Reed, Chairman, PROS Board, Dulles District
Kelly Foltman, Vice Chairman, PROS Board, Blue Ridge District
James O'connor, PROS Board, Algonkian District
Mark Hair, PROS Board, Ashburn District
Tom Bellanca, PROS Board, Chair At-Large
Carrie-Anne Mosley, Open Space Member At-Large
Erik Scudder, Open Space Member At-Large

Date: October 12, 2020

Subject: Goose Creek Overlook ZMAP 2020-0005, ZCPA 2020-0008 & ZMOD 2020-2020 (3rd submission)

Election District: Ashburn/Blue Ridge **Sub Planning Area:** Ashburn

MCPI # 154-45-5373, 154-45-1833, 154-45-3829, 154-45-9680, 154-35-8154, 153-16-3488

APPLICATION OVERVIEW:

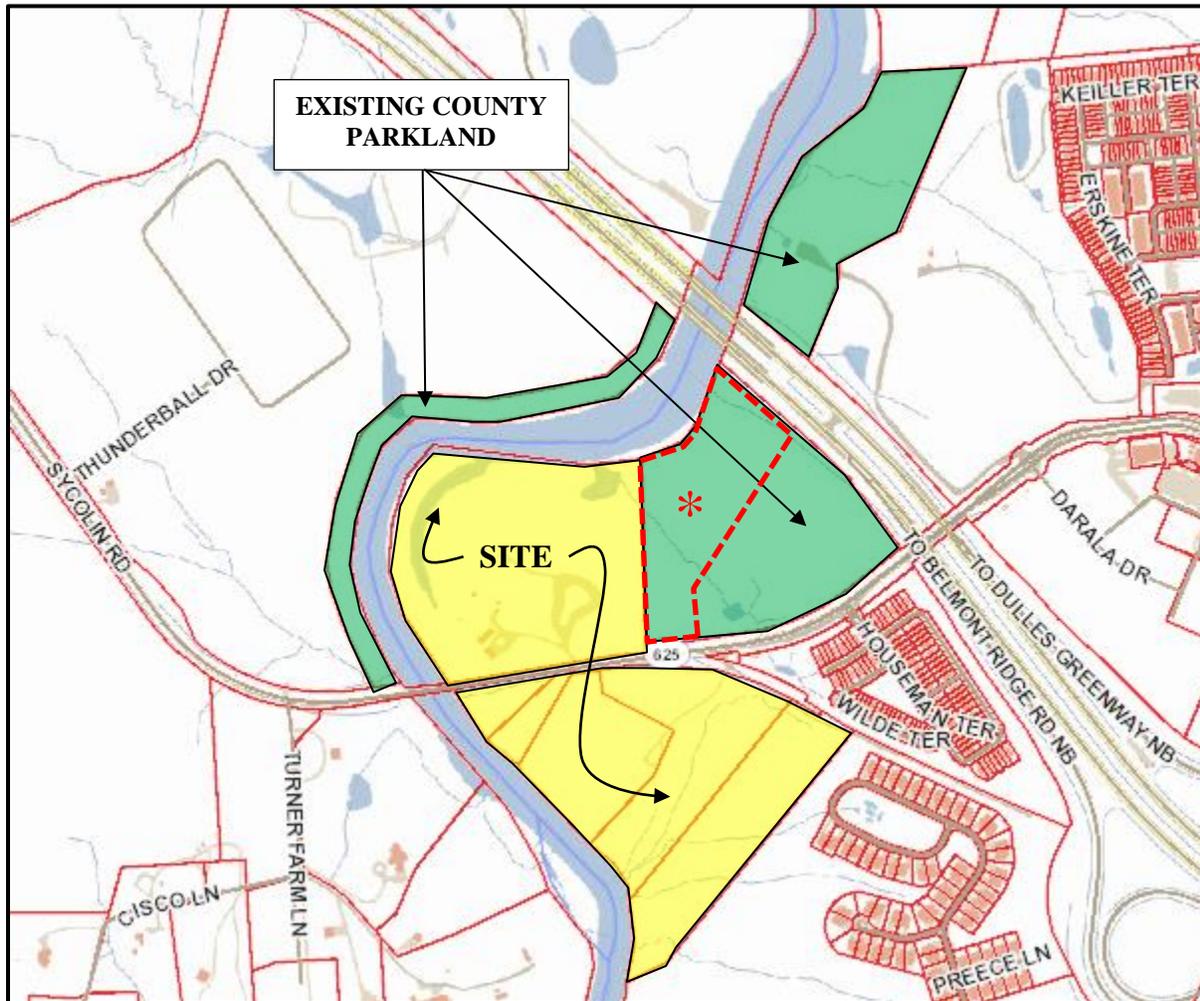
The application has been revived revised to the following:

1. Incorporate the 6.023 acre parcel owned by GC Property LLC into the project;
2. Provide for the dedication of an additional 2+ acres of frontage along Goose Creek to the County, bringing the total proposed dedication area to 16.7+ acres (County Dedication Area);
3. Provide for the conveyance of a conservation easement to the Virginia Outdoors Foundation (VOF) over the County Dedication Area;
4. Provide for the construction of over 5,500 linear feet of continuous Emerald Ribbons Trail along Goose Creek, public access to the County Dedication Area and VOF area, two public trailhead

parking areas and a canoe/kayak launch on the Goose Creek within the County Dedication Area/VOF Conservation area; and,

5. Relocate the Affordable Dwelling Units (AHUs) from the County-owned parcel (that is subject to an existing VOF Conservation easement) west to the Hennessy parcel thereby removing all structures from the County-owned/VOF property.

The Property is bordered by Goose Creek to the north and west, and to the east by the Dulles Greenway (Route 267). The northern part of the property is located in the Ashburn Election District, and the southern portion of the property is located in the Blue Ridge Election District and the Ashburn Sub-Planning Area Suburban Policy Area. The Applicant is requesting approval of a rezoning, zoning concept plan amendment and a zoning modification to establish a new suburban residential neighborhood and passive public park in the Suburban Policy Area. The proposed project will include a number of residential units to address the deficit of attainable housing in the County, as well as the preservation of open space and creation of a passive park along Goose Creek, and the installation of approximately one mile trail and a canoe/kayak launch along the planned Goose Creek Stream Valley Corridor trail system.



VICINITY MAP
(* Part of application)

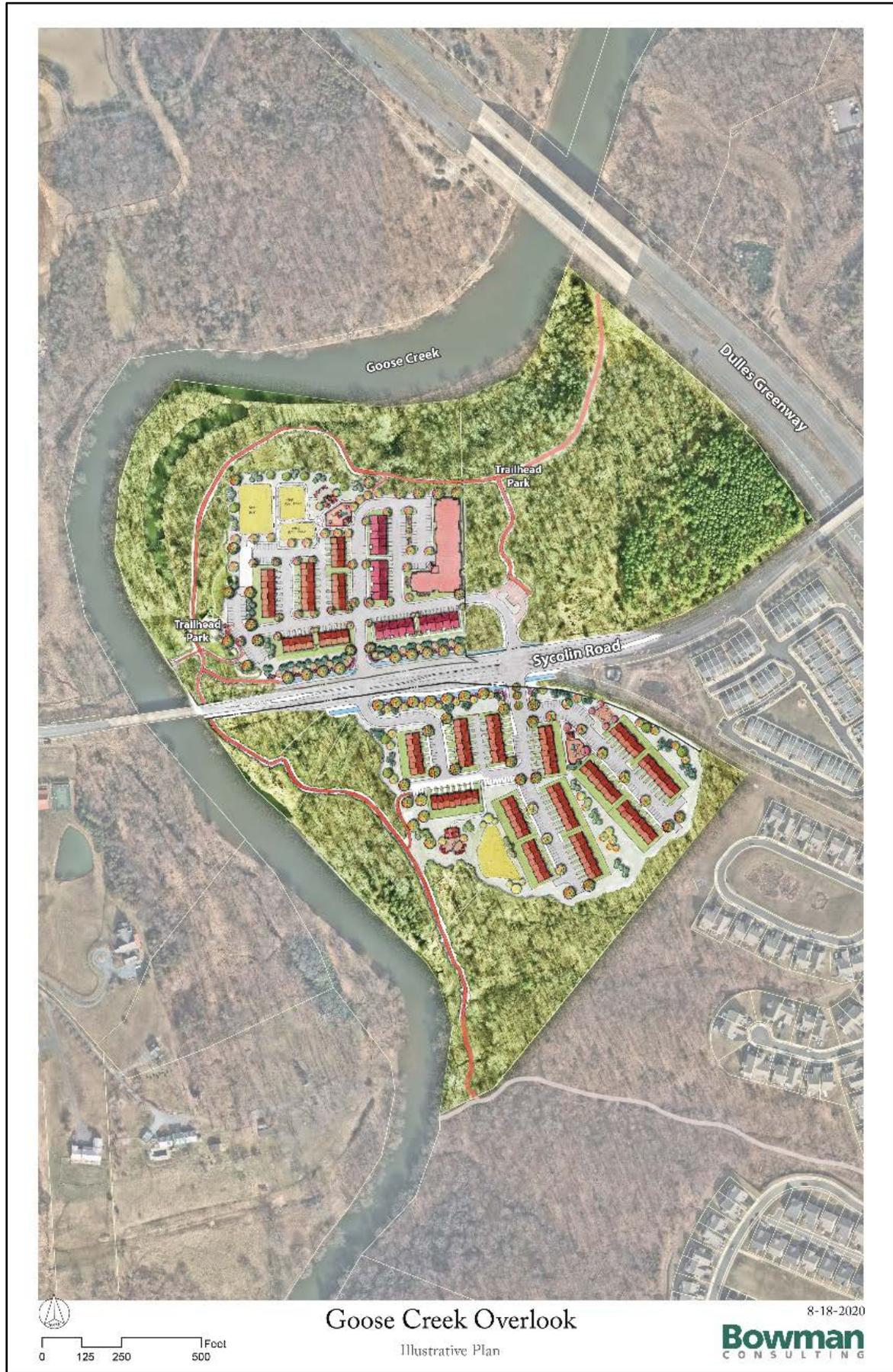
PROJECT PROPOSAL:

The Applicant proposes to rezone the portions of the Property currently zoned R-1 to the Planned Development Housing 4 (PD-H4) zoning district. Land Bays B and C, are proposed to be administered under the R-8 Single Family Residential (ADU) of the Zoning Ordinance in order to develop 99 single family attached units and a public sanitary sewer pump station. Land Bays A and F are proposed to be administered in accordance with the provisions of the R-16 Townhouse/Multi-family Residential (“R-16 ADU”) in order to develop up to 37 market rate single family attached units, 40 market rate Stacked Multi-Family units and 75 Multi-Family affordable dwelling units (ADU) that are to be developed in accordance with the Affordable Housing Unit provisions of the Zoning Ordinance. The proposed ADUs will make use of the adjacent underutilized (and currently inaccessible) County-owned land by utilizing 9.2 acres of the County Parcel for density calculation purposes for the Project. This will unlock the value of the

County Parcel for a financially sound and attainable housing project that will result in the construction of 42.6% of the Project as ADUs, without actually constructing the ADUs on the County Parcel. In the statement of justification the applicant states, the project provides a unique opportunity to implement key goals of the 2019 Plan including:

- Providing a minimum of 42.6 percent (75 units) Affordable Dwelling Units (“ADUs/AHUs”);
- The utilization of County-owned land for the development of ADUs/AHUs;
- Dedication of approximately 16.7 acres of land along Goose Creek to the County for passive recreation purposes;
- Subjecting the dedicated approximately 16.7 acre area to an open space/conservation easement to the benefit of the Virginia Outdoors Foundation (“VOF”); - Constructing approximately 5,500+ linear feet (over one mile) of the Emerald Ribbon Trail along Goose Creek;
- Providing a passive public park along Goose Creek inclusive of two public trailheads/parking areas, a canoe/kayak launch and connections to the Emerald Ribbon Trails and access to Goose Creek; and
- Providing a permanent sanitary sewer pump station to service the residential neighborhood development envisioned for this area by the 2019 General Plan.

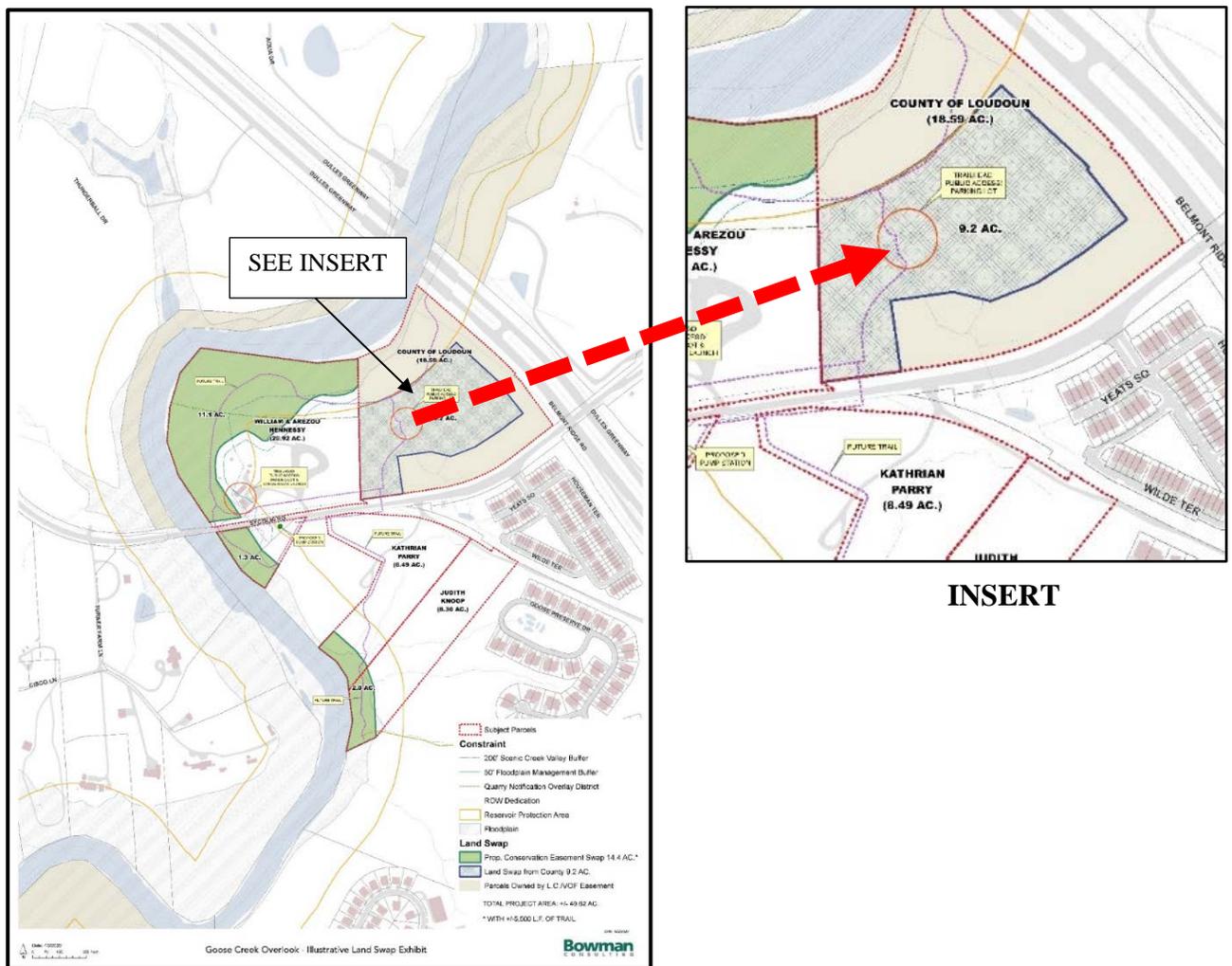
The Applicant further states, they are proposing a creative land development project that will leverage underutilized County-owned land to address unmet housing needs, provide a public park along Goose Creek, construct more than one mile of linear trail along Goose Creek, and construct a permanent sanitary sewer pumping station in an area of the County designated in the 2019 Plan for residential development. The proposed development will implement key land use, density, housing, parks and recreation, environmental, and transportation policies of the 2019 Plan.



COMMENTS:

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the Applicant's responses dated September 22, 2020 to referral comments dated September 4, 2020, revised ZMAP-2020-0005/ZMOD-2020-0020, ZMOD 2020-0026 and ZCPA-2020-0008 plan set date September 18, 2020, ZCPA Proffers dated, September 18, 2020, ZMAP Proffers dated September 22, 2020 and Statement of Justification dated September 21, 2020. The following are the current issue status of the initial comments (in addition, see NEW COMMENTS (2nd Submission September 4, 2020 below) :

Comment #1 (July 8, 2020). Land Exchange. As stated in the statement of justification, a fundamental and integral component to this project is the applicant's proposal to exchange 9.2-acres of the adjacent 18.54-acre parcel owned by the County (Passive Parkland) with approximately 14.4 acres of the property that fronts Goose Creek as depicted below:



PROPOSED LAND EXCHANGE

On June 8, 2020 PRCS met on site with the applicant to determine the feasibility of 14.4 acres for park use. PRCS found that the area along the Goose Creek was adequate for potential development and direction associated with the Board of Supervisors January 17, 2019 business meeting to develop a detailed implementation plan for a countywide network of public trails and linear parks. Building this network over time through the proffer of new trails and protected natural corridors as part of development projects and collaborating with private landowners of existing private trails and appropriate corridor areas, all guided by an overall plan, will create a major asset of enormous benefit to the entire county. A large scale system of trails and parks will, according to the experience of other communities, raise property values, improve health and quality of life, attract business investment, improve security, increase regard and protection for natural areas and preserve critical natural drinking water and storm management systems.

In light of this, PRCS has been developing a system of interconnected linear parks along the County's stream valley corridors. A trail or linear park within the stream valley corridor would be consistent with the Loudoun County 2019 General Plan, which specifically recognizes *Open Space Assets* "(Linear Parks, Trails, Recreation Areas, Passive Open space and Open Space Easements)" as an important element of the Fiscal Management and Public Infrastructure. Other relevant policy direction includes the following:

- Open Space Assets "... *enhancing and encouraging public interaction with the County's network natural resources through:*"
"A network of linear parks and other recreational resources along or extending from the banks of the Goose Creek, Broad Run, Bull Run, Catoclin Creek, Potomac River, and other river and stream corridors to form an interconnected system of linear open space."
- Open Space "... *Fiscal Policy 3: Retain the County's unique combination of urban, suburban, and rural communities by using open space to protect natural resources and habitat, to create a network of high-quality active and passive recreation spaces, and to delineate our built environments.*"

Strategy:

3.1... "Use contiguous linear parks, connected trails, and natural open space corridors to improve public access to open space, encourage healthy lifestyles, and link destinations throughout the County."

Actions:

A... "Build on and encourage links to current planned trails and park areas, placing greater emphasis on connected, publicly usable, and accessible open space and identify desired locations and connections of future trails and parks to facilitate acquisition and development."

B... "Establish programs and regulatory mechanisms to increase publicly accessible open space through easements, land dedications, and purchase; ensure that such programs and mechanisms are consistent with County facilities plans."

D... "Ensure that new developments extend publicly-accessible trails and linear parks into and through their projects with the intent of creating a network of public trails that is consistent with the County plans."

H... ”Seek through public purchase, proffer, donation, or third-party easement, the preservation of natural areas and the development of linear parks, recreation space, and trails.”

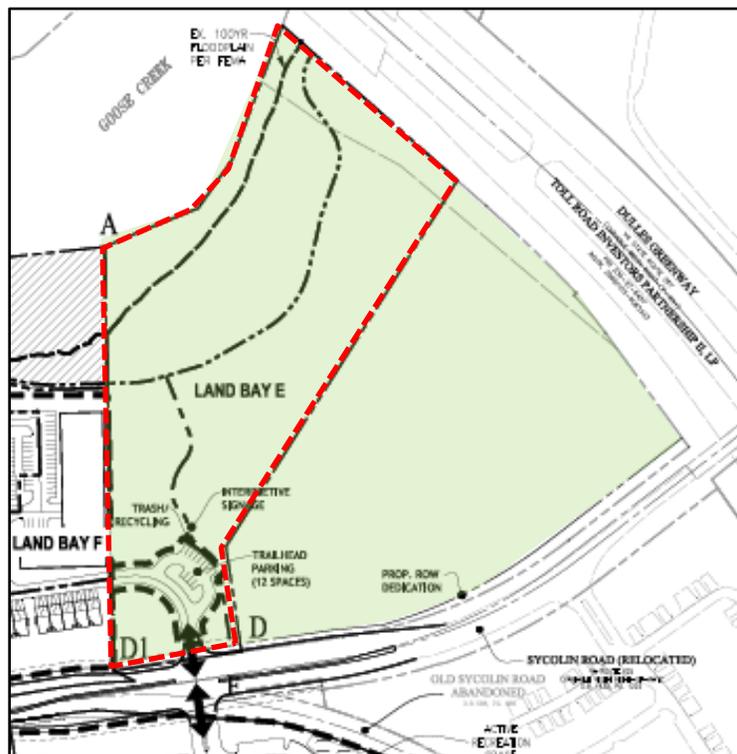
In addition, PRCS adopted Loudoun County PRCS Strategic Plan identifies the following organizational strategies & objectives:

- Strategy 1.2 - Establish parkland or easements along stream valley corridors to link regional and national trails.
- Strategy 1.3 – Continue efforts to implement the County’s Greenways & Trails Plan that links parks and natural and historic resources within Loudoun County.
- Strategy 1.4 - Preserve existing and acquire future open space and natural resources.

As stated above, PRCS finds the 14.4 acres suitable for development of a linear park and trail along the Goose Creek stream valley corridor.

Applicant Response: N/A

Issue Status: The applicant has revised the application and no longer proposes an exchange for 9.2-acres of the adjacent 18.54-acre parcel owned by the County (Passive Parkland) with approximately 14.4 acres of the property that fronts Goose Creek. However, under the revised application the applicant propose to make use of the adjacent underutilized (and currently inaccessible) County-owned land by utilizing 9.2 acres of the County Parcel for density calculation and access purposes. No residential units will be built on the park property.



9.2 ACRES
(IN RED)

Comment #2 (July 8, 2020). As identified in the statement of justification, the County parcel is encumbered by a Deed of Open Space Easement to the benefit of the Virginia Outdoors Foundation (VOF). As part of the land exchange, the applicant proposes to convey approximately 14.4 acres to the County and subject this land to a new open space/conservation easement to replace the VOF Easement on the 9.2-acre Swap Area. The applicant needs to work with PRCS throughout this process, to assure PRCS objectives for the development of the linear park are acceptable to both PRCS and VOF.

Issue Status: Under this application the applicant no longer is requesting a land swap. However, the applicant is requesting approximately 9.4 acres of excess, unused density and open space on the County Parcel which may be utilized for the proposed project. No residential units will be built on the parcel. The applicant is proposing and entrance for the project and will also sever a trailhead with parking providing access to the park.

Comment #3 (July 8, 2020). In the statement of justification the applicant states;

- a. The applicant will commit to designing, engineering, and installing a field-located natural surface trail approximately 5,500 feet in length along the Goose Creek frontage of the property.
No proffers were submitted with this application. Please provide detailed proffer language addressing the applicant's commitment.
- b. The applicant will commit to designing, engineering, and installing two separate public trailhead parking lots to accommodate approximately 32 parking spaces in aggregate.
No proffers were submitted with this application. Please provide detailed proffer language addressing the applicant's commitment.

Applicant Response: *The Applicants have committed to the construction of the above-listed improvements in the proffers. In response to meetings held with PRCS, the Applicants have provided an exhibit to illustrate the proposed improvements and is awaiting further input from PRCS to refine the proffers. The Applicants anticipate an ongoing discussion with PRCS to finalize the proffers.*

Issue Status: Acknowledged. PRCS will work with the applicant to finalize the proffers.

Comment #4 (July 8, 2020). In addition to the parking and trail, PRCS request the applicant identify two locations for canoe/kayak access and how they will function.

Applicant Response: *Per direction received from PRCS after issuance of these referral comments, the Applicant has committed to construct one canoe/kayak launch on the property near the Sycolin Road bridge.*

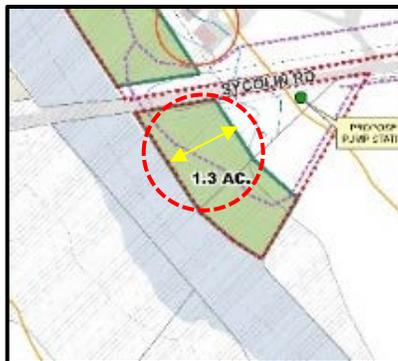
Issue Status: Acknowledged. PRCS will work with the applicant to finalize the proffers.

Comment #5 (July 8, 2020). During the June 8, 2020 site visit, there was discussion on a structure (studio) remaining for potential reuse as part of the park for special events/visitor center. Please confirm or provide more information.

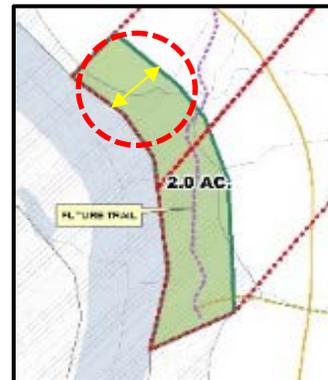
Applicant Response: *In order to address PRCS concern regarding the maintenance and operation cost of the Hennessy garage if it is retained for public use, and the desire to provide adequate parking at the trailhead park that is proposed to be located at the west end of the property near Goose Creek, the Applicants are proffering to provide an expanded (pervious surface) trailhead parking area in lieu of retaining the Hennessy garage. In addition, the Applicant is proffering to provide interpretive signage to inform the public about Goose Creek as a state designated scenic creek and the significant contributions of the William Hennessy's art.*

Issue Status: Acknowledged. However, PRCS request more discussion with the applicant on type of pervious surface to be use.

Comment #6 (July 8, 2020). Please provide information on the width for the 1.3 acre and 2.0 acre (see below).



1.3 Acre



2.9 Acre

Applicant Response: *The areas are shown on the CDP.*

Issue Status: Acknowledged.

NEW COMMENTS (2nd Submission September 4, 2020):

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the Applicant's responses dated September 22, 2020 to referral comments dated September 4, 2020, revised ZMAP-2020-0005/ZMOD-2020-0020, ZMOD 2020-0026 and ZCPA-2020-0008 plan set date September 18, 2020, ZCPA Proffers dated, September 18, 2020, ZMAP Proffers dated September 22, 2020 and Statement of Justification dated September 21, 2020. The following are the current issue status of the initial comments :

Comment #1: Proffer 9 (a.) Goose Creek Conservation Park.

Proffer language, “*The Owner shall dedicate Land Bay D to the County, at no cost to the County, for open space/conservation/passive recreation purposes only. The portions of Land Bay D north and south of Sycolin Road may be dedicated at different times, and dedication shall occur prior the approval of the first occupancy permit for Land Bays A or C, as applicable. The Owner shall not use the Land Bay D, nor permit Land Bay D to be used, for staging, dumping, or similar activities, nor grant, create, or establish any utility easement or other easement on Land Bay E, without prior approval of the County. Land Bay D shall remain undisturbed except for any environmental management activities, trails, raised boardwalks, parking lots, and a canoe/kayak launch on Goose Creek, referenced in these Proffers and any County- and/or Loudoun Water-approved activities related to the construction and maintenance of wetlands mitigation, reforestation activities, as well as any other trail easements, stormwater easements, utilities, pump stations, stormwater management, best management practices ("BMP") facilities, or other improvements contemplated by these Proffers. Land Bay D shall not be subject to, and shall be expressly excluded from imposition of, any property owners association, covenants, and/or restrictions which may have previously been imposed. The Owner shall place Land Bay D under a permanent open space easement pursuant to the Virginia Open-Space Land Act codified at Va. Code Ann. § 10.1-1700 *et seq.* prior to conveyance of Land Bay D to the County. Said easement shall be submitted to the County in a form acceptable to the County Attorney’s Office prior to the approval of the first record plat, site plan, or site plan amendment for the Property, whichever is first in time, and shall be recorded in the Land Records prior to approval for the 50th occupancy permit for Land Bays A or C, as applicable”.*

PRCS request the following changes to the proffer:

- Request dedication of Land Bay D upon approval of ZMAP 2020-0005 or approval of the first record plat, site plan, or site plan amendment for the Property.

Applicant Response (September 22, 2020): *The Applicant has proffered to construct the Goose Creek Stream Valley Park improvements located in Land Bay D and to dedicate Land Bay D to the County prior to issuance of the occupancy permit for the first residential unit in Land Bays A or F.*

Issue Status (October 12, 2020): Acknowledged.

- With the exception of the VOF easement on existing County land, PRCS does not support placement of a VOF easement on the proposed dedicated park land bay D.

Applicant Response (September 22, 2020): *PRCS recently advised the Applicant that they do not oppose placement of a VOF easement on Land Bay D and requested the terms of any such easement be coordinated with the County to provide for permitted uses and maintenance of the Goose Creek Stream Valley Park. The Applicant has addressed this concern in Proffer 11.a.*

Issue Status (October 12, 2020): Acknowledged.

Comment #2: Proffer 9 (b). Emerald Ribbons Trail.

- Please revise all reference of Emerald Ribbons Trail to Goose Creek Stream Valley Trail.

Applicant Response (September 22, 2020): *The reference has been revised, as requested.*

Issue Status (October 12, 2020): Acknowledged.

- Please revise the following, “*The Emerald Ribbons Trail shall generally remain in a natural state to only be used for walking, hiking, or biking purposes*” to; The Goose Creek Stream Valley Trail shall generally remain in a natural state to be used for walking, hiking, biking purposes however, equestrian use may be optional if conditions warrant.

Applicant Response (September 22, 2020): *The reference has been revised, as requested.*

Issue Status (October 12, 2020): Acknowledged.

Proffer language, “*Those portions of the Emerald Ribbons Trail located north of Sycolin Road and within the Sycolin Road right-of-way shall be bonded prior to the approval of the first site plan for Land Bay A, and constructed and available for use prior to the issuance of an occupancy permit for the 152nd residential dwelling units within Land Bay A; provided, however, that in the event VDOT does not approve construction of those portions of the Emerald Ribbons Trail prior to the approval of the first site plan for Land Bay A, the Applicant shall have no obligation to construct the portion of the Emerald Ribbons Trail within the Sycolin Road right-of-way and shall instead make a cash contribution to the County in the amount of \$10,000.00 to be used for park and recreation purposes in the Ashburn Planning Subarea of the County. Those portions of the Emerald Ribbons Trail located south of Sycolin Road shall be bonded prior to the approval of the first site plan for Land Bay B, and constructed and available for use prior to the issuance of an occupancy permit for the 50th residential dwelling unit within Land Bay C*”.

- Sycolin Road right-of-way, please clarify if the applicant is referencing the trail access under the bridge (Sycolin Road right-of-way). It is critical that the trail connection is contiguous north to south. In the past, PRCS has worked with VDOT on other trail access under VDOT bridges and Right-Of-Way (ROW). PRCS suggest the applicant reach out to VDOT for direction and support for access. Furthermore, the proffers should reflect that it would be the applicant’s responsibility to acquire necessary easements for public ingress/egress in the ROW.

Applicant Response (September 22, 2020): *The proffer has been revised to clarify the Sycolin Road connection refers to the construction of the trail under Sycolin Road that will connect the trail segments located north and south of Sycolin Road.*

Issue Status (October 12, 2020): Acknowledged.

- PRCS request trail construction and availability for use by the issuance of the 50th zoning permit for residential dwelling units within Land Bay A.

Applicant Response (September 22, 2020): *In consultation with PRCS Staff, the proffer has been revised to provide for construction of the trail prior to issuance of the occupancy permit for the first residential occupancy permit and that, subject to County approval, may be available for use prior to issuance of the first residential occupancy permit.*

Issue Status (October 12, 2020): Please identify where in the proffers this is stated.

Comment #3: Proffer 9 (c). Canoe/Kayak Launch.

Proffer language, “*The specific design and location of the Canoe/Kayak Launch shall be determined in consultation with PRCS, shall be bonded prior to approval of the first record plat or site plan for any portion of the Property located north of Sycolin Road, whichever is first in time, and shall be constructed and open for use prior to the approval of the zoning permit for the 152 residential dwelling unit on Land Bay A*”,

- PRCS request that the construction and open for use prior to the approval of the zoning permit for the 50th residential dwelling unit on Land Bay A”,

Applicant Response (September 22, 2020): *In consultation with PRCS Staff, the proffer has been revised to provide for construction of the Canoe/Kayak Landing prior to issuance of the occupancy permit for the first residential unit in Land Bays A or F and, subject to County approval, available for use not sooner than issuance of the 152nd occupancy permit for units located in Land Bays A and F. As discussed with staff, public use of the Canoe/Kayak Landing will be delayed to prevent conflicts with construction activities on the site thereby enhancing safety for the public.*

Issue Status (October 12, 2020): Acknowledged.

Comment #4: Proffer 9 (d). Land Bay D Trailhead Improvements.

Proffer language, “*As depicted on Sheet 8 of the CDP, the Owner shall, at no public cost and in consultation with PRCS, install improvements (the “Land Bay D Trailhead Improvements”) on Land Bay D for the benefit of allowing the general public to access Land Bay D and the Emerald Ribbons Trail. Said Land Bay D Trailhead Improvements shall consist of a pervious parking lot containing a minimum of 30 parking spaces, a parking/traffic control gate, trash and recycling cans, and a 10-foot-wide natural surface trail connecting the parking lot to the Emerald Ribbons Trail and the canoe/kayak launch. The Land Bay D Trailhead Improvements shall be bonded prior to approval of the first record plat or site plan for any portion of the Property, whichever is first in time, and shall be constructed and conveyed to the County prior to the approval of the zoning permit for the 152nd residential dwelling unit in Land Bay A. Following conveyance of the Land Bay D Trailhead Improvements to the County, the Owner shall have no further obligation to operate or maintain the Land Bay D Trailhead Improvements. The Owner shall receive a credit against the Capital Facilities Contribution required by Proffer 10 equal to the*

verified actual reasonable cost, as reviewed and approved by the Zoning Administrator, of the installation of the Land Bay D Trailhead Improvements (inclusive of engineering, surveying, bonding, permit fees, utility relocation, easement acquisition, and other soft and hard costs of construction); provided, however, that any entitlement to any such credit shall not entitle the Owner to demand, recover, receive, or require any cash payment or refund from the County for any payments or contributions made to the County prior thereto”.

- The proffers reference, “*shall consist of a pervious parking lot containing a minimum of 30 parking spaces*”. PRCS request the applicant coordinate with PRCS on type of material proposed. PRCS has experienced erosion and washouts on exiting trailhead parking lot that are pervious (gravel/crushed stone) which require ongoing maintenance. PRCS recommends an impervious surface such as asphalt or an alternative surface such as pervious concrete.

Applicant Response (September 22, 2020): *In consultation with PRCS Staff, the proffer has been revised to provide for installation of pervious concrete in the trailhead parking areas.*

Issue Status (October 12, 2020): **Acknowledged.**

- Signage should be included for each trailhead for associated amenities. See comment 6 below.

Applicant Response (September 22, 2020): *See response to Comment 6 below.*

Issue Status (October 12, 2020): **Acknowledged.**

Proffer language, “*The Land Bay D Trailhead Improvements shall be bonded prior to approval of the first record plat or site plan for any portion of the Property, whichever is first in time, and shall be constructed and conveyed to the County prior to the approval of the zoning permit for the 152nd residential dwelling unit in Land Bay A*”.

- PRCS request the trailhead be construction and conveyed to the County prior to the approval of the zoning permit for the 50th residential dwelling unit in Land Bay A.

Applicant Response (September 22, 2020): *In consultation with PRCS Staff, the proffer has been revised to provide for construction of the trailhead parking prior to issuance of the occupancy permit for the first residential unit in Land Bays A or F and, subject to County approval, available for use not sooner than issuance of the 152nd occupancy permit for units located in Land Bays A and F. As discussed with staff, delayed opening of the trailhead parking lot will prevent conflicts with construction activities on the site thereby enhancing safety for the public.*

Issue Status: **Acknowledged.**

Comment #5: Proffer 9 (e). Land Bay E Improvements. Proffer Language, “*As depicted on Sheet 8 of the CDP, the Owner shall, at no public cost and in consultation with PRCS and the grantee of the Existing Open Space Easement, install improvements on Land Bay E for the*

benefit of allowing the general public to access the Park Site and the Emerald Ribbons Trail. Said improvements shall consist of a pervious parking lot containing a minimum of 12 parking spaces, trash and recycling cans, a 10-foot-wide natural surface trail connecting the parking lot to the Emerald Ribbons Trail, one bicycle rack which shall accommodate a minimum of six bicycles, one bicycle repair station with an air pump, and a 30-foot wide access road connecting said parking lot, Sycolin Road, and the Property (together, the “Land Bay E Improvements”). The Land Bay E Improvements shall be installed and conveyed to the County upon completion and the Owner shall have no further obligation to operate or maintain the Land Bay E Improvements following their acceptance by the County. The Land Bay E Improvements shall be bonded prior to approval of the first record plat or site plan for any portion of the Property, whichever is first in time, and shall be constructed and open for use prior to the approval of the zoning permit for the 152 residential dwelling unit on the Property provided, however, that in the event the grantee of the Existing Open Space Easement on the County Parcel determines that construction of the Land Bay E Improvements would be prohibited under the terms of the Existing Open Space Easement, and the Existing Open Space Easement is not, prior to the first site plan for the Property, amended by the grantee in a manner that would permit construction of the Land Bay E Improvements, then the Owner shall have no further obligation under this proffer. The Owner shall receive a credit against the Capital Facilities Contribution required by Proffer 10 equal to the verified actual reasonable cost, as reviewed and approved by the Zoning Administrator, of the installation of the Land Bay D Improvements (inclusive of engineering, surveying, bonding, permit fees, utility relocation, easement acquisition, and other soft and hard costs of construction); provided, however, that any entitlement to any such credit shall not entitle the Owner to demand, recover, receive, or require any cash payment or refund from the County for any payments or contributions made to the County prior thereto.

The proffers reference, “install improvements on Land Bay E for the benefit of allowing the general public to access the Park Site and the Emerald Ribbons Trail. Said improvements shall consist of a pervious parking lot containing a minimum of 12 parking spaces, trash and recycling cans, a 10-foot-wide natural surface trail connecting the parking lot to the Emerald Ribbons Trail, one bicycle rack which shall accommodate a minimum of six bicycles, one bicycle repair station with an air pump, and a 30-foot wide access road connecting said parking lot, Sycolin Road, and the Property (together, the “Land Bay E Improvements”)”.

- PRCS request the applicant coordinate with PRCS on type of material proposed. As stated in comments under proffer 9.d. (above). PRCS has experienced erosion and washouts on exiting trailhead parking lot that are pervious (gravel/crushed stone) which require ongoing maintenance. PRCS recommends an impervious surface such asphalt or an alternative surface such as pervious concrete. In addition, PRCS request that gates (2) be installed at the north and south access points of the trailhead parking lot to control vehicle access when park is closed.

Applicant Response (September 22, 2020): In consultation with PRCS Staff, the proffer has been revised to provide that the Trailhead parking lot will be constructed of pervious concrete, or other similar materials acceptable to the County. The Applicant has also

committed to install two gates at the north and south access points to the trailhead parking lot to control vehicle access when the park is closed.

Issue Status (October 12, 2020): Acknowledged.

- PRCS request Land Bay E Improvements shall be bonded prior to approval of the first record plat or site plan for any portion of the Property, whichever is first in time, and shall be constructed and open for use prior to the approval of the zoning permit for the 50th residential dwelling unit on the Property.

Applicant Response (September 22, 2020): *In consultation with PRCS Staff, the proffer has been revised to provide for construction of the trailhead parking lot improvements prior to issuance of the occupancy permit for the first residential unit in Land Bays A or F and, subject to County approval, available for use not sooner than issuance of the first occupancy permit for units located in Land Bays A and F.*

Issue Status (October 12, 2020): Acknowledged.

- Signage should be included for each trailhead for associated amenities. See comment 6 below.

Applicant Response (September 22, 2020): *See response to Comment 6 below.*

Issue Status (October 12, 2020): Acknowledged.

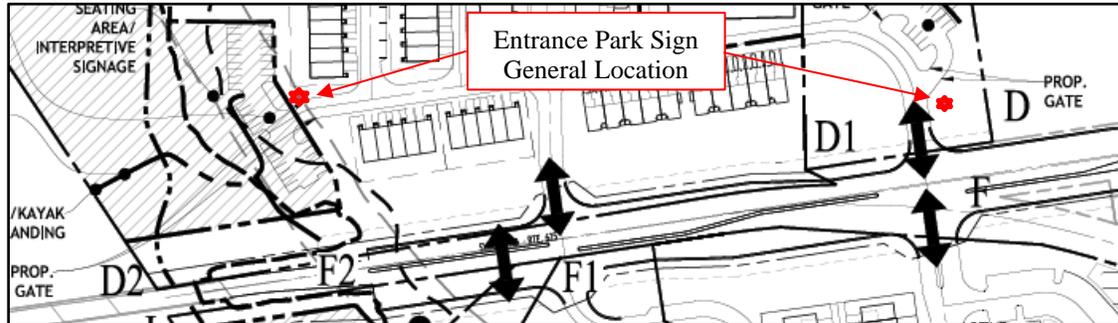
Comment #6: Proffer 9 (f). Park Wayfinding Signage.

Proffer Language, *The Owner shall, in coordination with PRCS, develop a directional/wayfinding signage system for the Property to ensure residents and visitors can easily identify and access Land Bays D and E's public recreational amenities and trails. The initial location of such directional/wayfinding signage system shall be depicted with the first record plat, CPAP, site plan, or site plan amendment submitted for the Property; however, the Owner may, in its sole discretion, alter the final location of such signage, in conjunction with the approval of subsequent record plats, CPAPs, site plans, or site plan amendments submitted for the Property. The design of the directional/wayfinding signage system shall be subject to the Design Guidelines. Said wayfinding signs shall be installed by the Owner in conjunction with the associated lots, streets, infrastructure, and dwelling units proposed on said plans.*

- In addition to directional/wayfinding signage system for the property. PRCS request that the applicant proffer PRCS entrance signage (park/trailhead name w/address) for each trailhead (attached), secondary entry/rules sign, information kiosk (two), canoe/kayak launch, trail directional markers and park hour's signs. All signs located with parkland are to follow PRCS Comprehensive Sign Plan and Standards dated August 9, 2010.

Applicant Response (September 22, 2020): *The Applicant has proffered to provide signage in substantial conformance with the August 9, 2010 Loudoun County PRCS Comprehensive Sign Plan and Standards. See Proffer 11.g.*

Issue Status (October 12, 2020): Acknowledged. However, staff request the sheet 8 & 9 of the ZMAP Plat show the general location of the entrance (2) park signs (see below).



- Dog waste should be included at both trailheads.

Applicant Response (September 22, 2020): *The Applicant has proffered to provide trash receptacles at the trailhead parking lots, which may include dog waste stations.*

Issue Status (October 12, 2020): Acknowledged.

RECOMMENDATIONS:

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the Applicant's responses and finds them generally acceptable. However, under NEW COMMENTS (2nd Submission September 4, 2020) comment #6, staff recommends the requested revision to the ZMAP plat.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me at 703-737-8992 or mark.novak@loudoun.gov.



LOUDOUN COUNTY PUBLIC SCHOOLS

DIVISION OF PLANNING SERVICES

21000 Education Court
Ashburn, Virginia 20148
Telephone: 571-252-1050
Facsimile: 571-252-1101
Email: lcpsplan@lcps.org

July 1, 2020

Mr. Josh Peters
County of Loudoun
Department of Planning and Zoning
1 Harrison Street, SE (Mail Stop 62)
Leesburg, Virginia 20175

RE: ZMAP-2020-0005 & SPEX-2020-0012 Goose Creek Overlook

Dear Mr. Peters:

School Board staff has reviewed the referenced application for Goose Creek Overlook; comments are provided specific to the zoning map amendment (ZMAP-2020-0005). Based on 2019 Loudoun County Public Schools (LCPS) Ashburn planning district student generation factors, the proposed 142 single-family attached, and 96 multi-family residential units will generate a total of 113 school-age children upon build-out: 50 elementary school-age children (grades K-5), 27 middle school-age children (grades 6-8), and 36 high school-age children (grades 9-12). The attached assessment outlines the operational and capital impact of the project on LCPS.

Staff has also included a six-year student enrollment overview of LCPS Ashburn planning district schools, as well as details on approved, unbuilt residential development within the same area, for County staff and policy makers to assess regarding the overall impact of the project on area elementary and secondary schools. The information detail is an excerpt from the *School Board Adopted FY 2021-FY 2026 Capital Improvement Program*, dated December 17, 2019.

A review of Loudoun's approved residential development suggests that LCPS can anticipate an additional 5,000 students over the next six years. This calculation does not embody children who are currently being served by LCPS nor does it include future potential students from additional proposed rezonings and/or by-right developments. Not only do student demographics within existing subdivisions change annually and over time, but additional residential projects will also impact the future enrollments and capacity of area schools.

As calculations indicate that public schools account for a significant portion of Loudoun's capital expenditure costs, School Board staff requests that a proportionate share of the applicant's capital facility contribution be set aside specifically for public school capital projects. This designation should be noted in the proffer statement for Goose Creek Overlook. In LCPS' Ashburn planning district, major renovations and rehabilitation projects at existing school facilities are being reviewed and initiated by the School Board. The associated costs are significant, and the proffer dollars will help offset such expenditures.

Mr. Josh Peters
ZMAP-2020-0005 & SPEX-2020-0012 Goose Creek Overlook
July 1, 2020
Page 2

And finally, safe walking paths remain an important concern for the School Board, staff, and parents of children who attend our schools. The provided Vehicular & Pedestrian Circulation Plan (sheet 10), dated May 11, 2020, illustrates construction of sidewalks and pedestrian trails throughout the development; this is noted and appreciated.

Thank you for the opportunity to comment on the Goose Creek Overlook application. The Loudoun County School Board is concerned about all land development applications. Capital facility expenditures and operational costs are significantly impacted by each approved residential project, and both can be anticipated to increase with each additional school-age child that resides in Loudoun County.

Should you require further information, please contact me at your earliest convenience.

Sincerely,



Beverly I. Tate, Director

Attachments (3)

c: Eric Williams, Superintendent
Kevin Lewis, Assistant Superintendent

Election Districts: Ashburn & Blue Ridge



Loudoun County Public Schools

Division of Planning Services

Project Assessment

Project Name: ZMAP-2020-0005, Goose Creek Overlook

Loudoun County Public Schools Ashburn Planning District Student Generation Factors, 2019		Housing Units	Elementary School Student Generation	Middle School Student Generation	High School Student Generation	Student Generation Total
			0.44	0.24	0.32	
Single Family Detached (SFD)	0.86		0	0	0	0
Single Family Attached (SFA)	0.59	142	37	20	27	84
Multifamily (MF)	0.30	96	13	7	9	29
Total Students			50	27	36	113
Capital Costs			Elementary School Cost (FY 2021 CIP)	Middle School Cost (FY 2021 CIP)	High School Cost (FY 2021 CIP)	Total Capital Expenditure
School Cost			\$54,270,000	\$88,770,000	\$147,900,000	
Capacity			960	1445	2100	
Per Pupil Cost			\$56,531	\$61,433	\$70,429	
Project's Capital Costs			\$2,800,287	\$1,659,858	\$2,537,232	\$6,997,376
Annual Operational Costs			FY 2021 Adopted Per Pupil Cost	Student Generation Total	Annual Operational Costs	
			\$15,214	113	\$1,712,792	
School Facility Information			Elementary School (Grades K-5)	Middle School (Grades 6-8)	High School (Grades 9-12)	
2020-21 School Attendance Zone			Belmont Station / Cedar Lane	Trailside	Stone Bridge	
September 30, 2019 Student Enrollment			784/853	1270	1785	
2019-20 Base Building Capacity			812/812	1265	1731	

ELEMENTARY & SECONDARY SCHOOL SUMMARY: ASHBURN

General Planning District Description

North of Route 267 (Dulles Greenway), East of Goose Creek, South of the Potomac River, West of Route 28 (Sully Road)

FY 2021 - FY 2026 CIP PLANNING PERIOD

	2019-20 BASE CAPACITY	30-Sep-19 ACTUAL ENROLLMENT	2020-21 PROJECTION			2021-22 PROJECTION			2022-23 PROJECTION			2023-24 PROJECTION			2024-25 PROJECTION			2025-26 PROJECTION					
			ENROLL	SPACE	UTILIZE																		
ELEMENTARY SCHOOLS																							
ASHBURN ES	697	597	573	124	82%	566	131	81%	570	127	82%	541	156	78%	515	182	74%	510	187	73%			
BELMONT STATION ES	812	784	800	12	99%	830	(18)	102%	844	(32)	104%	839	(27)	103%	846	(34)	104%	798	14	98%			
CEDAR LANE ES	812	853	860	(48)	106%	882	(70)	109%	868	(56)	107%	843	(31)	104%	840	(28)	103%	812	0	100%			
DISCOVERY ES	983	790	788	195	80%	745	238	76%	719	264	73%	678	305	69%	665	318	68%	649	334	66%			
DOMINION TRAIL ES	697	691	681	16	98%	679	18	97%	664	33	95%	661	36	95%	649	48	93%	621	76	89%			
NEWTON-LEE ES	904	701	671	233	74%	662	242	73%	638	266	71%	594	310	66%	601	303	66%	583	321	64%			
SANDERS CORNER ES	697	499	493	204	71%	476	221	68%	456	241	65%	441	256	63%	429	268	62%	412	285	59%			
SELDENS LANDING ES	904	674	650	254	72%	625	279	69%	580	324	64%	559	345	62%	557	347	62%	537	367	59%			
STEUART W WELLER ES	904	779	786	118	87%	796	108	88%	780	124	86%	769	135	85%	741	163	82%	713	191	79%			
	7410	6368	6302	1108		6261	1149		6119	1291		5925	1485		5843	1567		5635	1775				

SOME ELEMENTARY SCHOOL STUDENTS RESIDING IN THE DULLES NORTH PLANNING DISTRICT ARE CURRENTLY ATTENDING ELEMENTARY SCHOOL IN THE ASHBURN PLANNING DISTRICT.

FY 2021 - FY 2026 CIP PLANNING PERIOD

	2019-20 BASE CAPACITY	30-Sep-19 ACTUAL ENROLLMENT	2020-21 PROJECTION			2021-22 PROJECTION			2022-23 PROJECTION			2023-24 PROJECTION			2024-25 PROJECTION			2025-26 PROJECTION					
			ENROLL	SPACE	UTILIZE																		
MIDDLE SCHOOLS																							
BELMONT RIDGE MS	1227	1199	1187	40	97%	1129	98	92%	1092	135	89%	1078	149	88%	1035	192	84%	1001	226	82%			
FARMWELL STATION MS ^{A B}	1246	1177	1152	94	92%	1142	104	92%	1066	180	86%	1051	195	84%	1008	370	73%	1010	368	73%			
TRAILSIDE MS	1265	1270	1260	5	100%	1219	46	96%	1227	38	97%	1256	9	99%	1240	25	98%	1310	(45)	104%			
	3738	3646	3599	139		3490	248		3385	353		3385	353		3283	587		3321	549				

SOME MIDDLE SCHOOL STUDENTS RESIDING IN THE ASHBURN PLANNING DISTRICT ARE CURRENTLY ATTENDING MIDDLE SCHOOL IN THE DULLES NORTH PLANNING DISTRICT.

SOME MIDDLE SCHOOL STUDENTS RESIDING IN THE DULLES NORTH PLANNING DISTRICT ARE CURRENTLY ATTENDING MIDDLE SCHOOL IN THE ASHBURN PLANNING DISTRICT.

A - THE 2019-20 BASE CAPACITY FOR FARMWELL STATION MS REFLECTS TWO (2) MODULAR CLASSROOMS ON SITE; WITHOUT THE MODULAR CLASSROOMS, CAPACITY AT FARMWELL STATION MS WOULD BE 1208.

B - A NINE (9) CLASSROOM ADDITION IS PROPOSED AT FARMWELL MS, TO BE COMPLETE BY THE START OF 2024-25 SCHOOL YEAR. THE PROPOSED ADDITION WILL REMOVE THE TWO (2) MODULAR CLASSROOMS; ANTICIPATED CAPACITY FOR FARMWELL MS IN FALL 2024 IS 1378.

FY 2021 - FY 2026 CIP PLANNING PERIOD

	2019-20 BASE CAPACITY	30-Sep-19 ACTUAL ENROLLMENT	2020-21 PROJECTION			2021-22 PROJECTION			2022-23 PROJECTION			2023-24 PROJECTION			2024-25 PROJECTION			2025-26 PROJECTION					
			ENROLL	SPACE	UTILIZE																		
HIGH SCHOOLS																							
BROAD RUN HS	1856	1565	1593	263	86%	1599	257	86%	1605	251	86%	1614	242	87%	1592	264	86%	1529	327	82%			
RIVERSIDE HS	1861	1882	1851	10	99%	1865	(4)	100%	1869	(8)	100%	1812	49	97%	1774	87	95%	1734	127	93%			
STONE BRIDGE HS	1731	1785	1821	(90)	105%	1833	(102)	106%	1849	(118)	107%	1853	(122)	107%	1832	(101)	106%	1813	(82)	105%			
	5448	5232	5265	183		5297	151		5323	125		5279	169		5198	250		5076	372				

SOME HIGH SCHOOL STUDENTS RESIDING IN THE ASHBURN PLANNING DISTRICT ARE CURRENTLY ATTENDING HIGH SCHOOL IN THE DULLES NORTH PLANNING DISTRICT.

SOME HIGH SCHOOL STUDENTS RESIDING IN THE DULLES NORTH PLANNING DISTRICT ARE CURRENTLY ATTENDING HIGH SCHOOL IN THE ASHBURN PLANNING DISTRICT.

**ASHBURN PLANNING DISTRICT
RESIDENTIAL DEVELOPMENT**

LCPS Planning staff tracks residential building permit activity for Loudoun County and its incorporated towns. The monitoring includes both rezoned and by-right developments (i.e., approved, proposed, inactive) and construction status. Tracking the approved under construction and approved future "pipeline" development assists staff in estimating student growth.

Residential development detail is provided for approved, but not yet completed, residential projects in LCPS geographic planning districts. Complete, proposed, inactive, and/or age-restricted residential applications are excluded from the below provided information. Utilizing 2019 student generation factors, the number of potential LCPS students has been calculated based on the remaining number of residential units to be constructed.

**Ashburn Planning District
Approved, Unbuilt Residential Development
as of September 2019**

SFD - Single Family Detached SFA - Single Family Attached MF - Multifamily

Residential Development	Approved Residential Units				Potential LCPS Students			% Complete, as of 9/2019
	SFD	SFA	MF	Total	Elementary School	Middle School	High School	
ASHBURN OVERLOOK	0	71	0	71	10	6	8	44%
LOUDOUN STATION	0	0	924	924	75	41	54	39%
ONE LOUDOUN CENTER	0	188	732	920	93	51	68	32%
REGENCY AT BELMONT CHASE	0	0	96	96	13	7	9	0%
Planning District Total, as of September 2019	0	259	1752	2011	191	105	139	



LOUDOUN COUNTY PUBLIC SCHOOLS

DIVISION OF PLANNING SERVICES

21000 Education Court
Ashburn, Virginia 20148
Telephone: 571-252-1050
Facsimile: 571-252-1101
Email: lcpsplan@lcps.org

September 8, 2020

Mr. Josh Peters
County of Loudoun
Department of Planning and Zoning
1 Harrison Street, SE (Mail Stop 62)
Leesburg, Virginia 20175

RE: ZMAP-2020-0005, ZCPA-2020-0008 & ZMOD-2020-0020 Goose Creek Overlook (2nd Submission)

Dear Mr. Peters:

School Board staff has reviewed the referenced second submission application for Goose Creek Overlook; comments are provided specific to the zoning map amendment (ZMAP-2020-0005). Based on 2019 Loudoun County Public Schools (LCPS) Ashburn planning district student generation factors, the proposed 136 single-family attached and 115 multi-family residential units will generate a total of 114 school-age children upon build-out: 50 elementary school-age children (grades K-5), 27 middle school-age children (grades 6-8), and 37 high school-age children (grades 9-12). The attached assessment outlines the operational and capital impact of the project on LCPS.

Staff has also included a six-year student enrollment overview of LCPS Ashburn planning district schools, as well as details on approved, unbuilt residential development within the same area, for County staff and policy makers to assess regarding the overall impact of the project on area elementary and secondary schools. The information detail is an excerpt from the *School Board Adopted FY 2021-FY 2026 Capital Improvement Program*, dated December 17, 2019.

A review of Loudoun's approved residential development suggests that LCPS can anticipate an additional 5,000 students over the next six years. This calculation does not embody children who are currently being served by LCPS nor does it include future potential students from additional proposed rezonings and/or by-right developments. Not only do student demographics within existing subdivisions change annually and over time, but additional residential projects will also impact the future enrollments and capacity of area schools.

As calculations indicate that public schools account for a significant portion of Loudoun's capital expenditure costs, School Board staff requests that a proportionate share of the applicant's capital facility contribution be set aside specifically for public school capital projects. This designation should be noted in the proffer statement for Goose Creek Overlook. In LCPS' Ashburn planning district, major renovations and rehabilitation projects at existing school facilities are being reviewed and initiated by the School Board. The associated costs are significant, and the proffer dollars will help offset such expenditures.

Mr. Josh Peters
ZMAP-2020-0005, ZCPA-2020-0008 & ZMOD-2020-0020 Goose Creek Overlook (2nd Submission)
September 8, 2020
Page 2

And finally, safe walking paths remain an important concern for the School Board, staff, and parents of children who attend our schools. The provided Vehicular & Pedestrian Circulation Plan (sheet 9), dated August 19, 2020, illustrates construction of sidewalks and pedestrian trails throughout the development; this is noted and appreciated.

Thank you for the opportunity to comment on the Goose Creek Overlook second submission application. The School Board is concerned about all land development applications. Capital facility expenditures and operational costs are significantly impacted by each approved residential project, and both can be anticipated to increase with each additional school-age child that resides in Loudoun County.

Should you require further information, please contact me at your earliest convenience.

Sincerely,



Beverly I. Tate, Director

Attachments (3)

c: Eric Williams, Superintendent
Kevin Lewis, Assistant Superintendent

Election Districts: Ashburn & Blue Ridge



Loudoun County Public Schools

Division of Planning Services

Project Assessment

Project Name: ZMAP-2020-0005, ZCPA-2020-0008 & ZMOD-2020-0020 Goose Creek Overlook (2nd Submission)

Loudoun County Public Schools Ashburn Planning District Student Generation Factors, 2019		Housing Units	Elementary School Student Generation	Middle School Student Generation	High School Student Generation	Student Generation Total
			0.44	0.24	0.32	
Single Family Detached (SFD)	0.86		0	0	0	0
Single Family Attached (SFA)	0.59	136	35	19	26	80
Multifamily (MF)	0.30	115	15	8	11	34
Total Students			50	27	37	114
Capital Costs			Elementary School Cost (FY 2021 CIP)	Middle School Cost (FY 2021 CIP)	High School Cost (FY 2021 CIP)	Total Capital Expenditure
School Cost			\$54,270,000	\$88,770,000	\$147,900,000	
Capacity			960	1445	2100	
Per Pupil Cost			\$56,531	\$61,433	\$70,429	
Project's Capital Costs			\$2,854,014	\$1,658,678	\$2,585,912	\$7,098,604
Annual Operational Costs			FY 2021 Adopted Per Pupil Cost	Student Generation Total	Annual Operational Costs	
			\$15,214	114	\$1,734,396	
School Facility Information			Elementary School (Grades K-5)	Middle School (Grades 6-8)	High School (Grades 9-12)	
2020-21 School Attendance Zone			Belmont Station / Cedar Lane	Trailside	Stone Bridge	
September 30, 2019 Student Enrollment			784/853	1270	1785	
2019-20 Base Building Capacity			812/812	1265	1731	

ELEMENTARY & SECONDARY SCHOOL SUMMARY: ASHBURN

General Planning District Description

North of Route 267 (Dulles Greenway), East of Goose Creek, South of the Potomac River, West of Route 28 (Sully Road)

FY 2021 - FY 2026 CIP PLANNING PERIOD

	2019-20 BASE CAPACITY	30-Sep-19 ACTUAL ENROLLMENT	2020-21 PROJECTION			2021-22 PROJECTION			2022-23 PROJECTION			2023-24 PROJECTION			2024-25 PROJECTION			2025-26 PROJECTION					
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DISCOVERY ES	983	790	788	195	80%	745	238	76%	719	264	73%	678	305	69%	665	318	68%	649	334	66%			
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STEUART W WELLER ES	904	779	786	118	87%	796	108	88%	780	124	86%	769	135	85%	741	163	82%	713	191	79%			
	7410	6368	6302	1108		6261	1149		6119	1291		5925	1485		5843	1567		5635	1775				

SOME ELEMENTARY SCHOOL STUDENTS RESIDING IN THE DULLES NORTH PLANNING DISTRICT ARE CURRENTLY ATTENDING ELEMENTARY SCHOOL IN THE ASHBURN PLANNING DISTRICT.

FY 2021 - FY 2026 CIP PLANNING PERIOD

	2019-20 BASE CAPACITY	30-Sep-19 ACTUAL ENROLLMENT	2020-21 PROJECTION			2021-22 PROJECTION			2022-23 PROJECTION			2023-24 PROJECTION			2024-25 PROJECTION			2025-26 PROJECTION					
			ENROLL	SPACE	UTILIZE																		
MIDDLE SCHOOLS																							
BELMONT RIDGE MS	1227	1199	1187	40	97%	1129	98	92%	1092	135	89%	1078	149	88%	1035	192	84%	1001	226	82%			
FARMWELL STATION MS ^{A B}	1246	1177	1152	94	92%	1142	104	92%	1066	180	86%	1051	195	84%	1008	370	73%	1010	368	73%			
TRAILSIDE MS	1265	1270	1260	5	100%	1219	46	96%	1227	38	97%	1256	9	99%	1240	25	98%	1310	(45)	104%			
	3738	3646	3599	139		3490	248		3385	353		3385	353		3283	587		3321	549				

SOME MIDDLE SCHOOL STUDENTS RESIDING IN THE ASHBURN PLANNING DISTRICT ARE CURRENTLY ATTENDING MIDDLE SCHOOL IN THE DULLES NORTH PLANNING DISTRICT.

SOME MIDDLE SCHOOL STUDENTS RESIDING IN THE DULLES NORTH PLANNING DISTRICT ARE CURRENTLY ATTENDING MIDDLE SCHOOL IN THE ASHBURN PLANNING DISTRICT.

A - THE 2019-20 BASE CAPACITY FOR FARMWELL STATION MS REFLECTS TWO (2) MODULAR CLASSROOMS ON SITE; WITHOUT THE MODULAR CLASSROOMS, CAPACITY AT FARMWELL STATION MS WOULD BE 1208.

B - A NINE (9) CLASSROOM ADDITION IS PROPOSED AT FARMWELL MS, TO BE COMPLETE BY THE START OF 2024-25 SCHOOL YEAR. THE PROPOSED ADDITION WILL REMOVE THE TWO (2) MODULAR CLASSROOMS; ANTICIPATED CAPACITY FOR FARMWELL MS IN FALL 2024 IS 1378.

FY 2021 - FY 2026 CIP PLANNING PERIOD

	2019-20 BASE CAPACITY	30-Sep-19 ACTUAL ENROLLMENT	2020-21 PROJECTION			2021-22 PROJECTION			2022-23 PROJECTION			2023-24 PROJECTION			2024-25 PROJECTION			2025-26 PROJECTION					
			ENROLL	SPACE	UTILIZE																		
HIGH SCHOOLS																							
BROAD RUN HS	1856	1565	1593	263	86%	1599	257	86%	1605	251	86%	1614	242	87%	1592	264	86%	1529	327	82%			
RIVERSIDE HS	1861	1882	1851	10	99%	1865	(4)	100%	1869	(8)	100%	1812	49	97%	1774	87	95%	1734	127	93%			
STONE BRIDGE HS	1731	1785	1821	(90)	105%	1833	(102)	106%	1849	(118)	107%	1853	(122)	107%	1832	(101)	106%	1813	(82)	105%			
	5448	5232	5265	183		5297	151		5323	125		5279	169		5198	250		5076	372				

SOME HIGH SCHOOL STUDENTS RESIDING IN THE ASHBURN PLANNING DISTRICT ARE CURRENTLY ATTENDING HIGH SCHOOL IN THE DULLES NORTH PLANNING DISTRICT.

SOME HIGH SCHOOL STUDENTS RESIDING IN THE DULLES NORTH PLANNING DISTRICT ARE CURRENTLY ATTENDING HIGH SCHOOL IN THE ASHBURN PLANNING DISTRICT.

**ASHBURN PLANNING DISTRICT
RESIDENTIAL DEVELOPMENT**

LCPS Planning staff tracks residential building permit activity for Loudoun County and its incorporated towns. The monitoring includes both rezoned and by-right developments (i.e., approved, proposed, inactive) and construction status. Tracking the approved under construction and approved future "pipeline" development assists staff in estimating student growth.

Residential development detail is provided for approved, but not yet completed, residential projects in LCPS geographic planning districts. Complete, proposed, inactive, and/or age-restricted residential applications are excluded from the below provided information. Utilizing 2019 student generation factors, the number of potential LCPS students has been calculated based on the remaining number of residential units to be constructed.

**Ashburn Planning District
Approved, Unbuilt Residential Development
as of September 2019**

SFD - Single Family Detached SFA - Single Family Attached MF - Multifamily

Residential Development	Approved Residential Units				Potential LCPS Students			% Complete, as of 9/2019
	SFD	SFA	MF	Total	Elementary School	Middle School	High School	
ASHBURN OVERLOOK	0	71	0	71	10	6	8	44%
LOUDOUN STATION	0	0	924	924	75	41	54	39%
ONE LOUDOUN CENTER	0	188	732	920	93	51	68	32%
REGENCY AT BELMONT CHASE	0	0	96	96	13	7	9	0%
Planning District Total, as of September 2019	0	259	1752	2011	191	105	139	

County of Loudoun

Department of Planning & Zoning

MEMORANDUM

DATE: July 1, 2020
Josh Peters, Project Manager – Land Use Review Division

FROM: Josh Elkins, Planner – Zoning Administration Division

CC: Chris Mohn, Deputy Zoning Administrator

SUBJECT: **ZMAP-2020-0005 & SPEX-2020-0012**
Goose Creek Overlook

Pin #: 154-45-5373, 154-45-1833, 154-45-3829, 154-45-9680, 154-35-8154, and 153-16-3488

The subject properties listed above (application area) are zoned R-1 (Single Family Residential) and PD-H4 (Planned Development – Housing 4) under the Revised 1993 Loudoun County Zoning Ordinance (Zoning Ordinance). A portion of the application area is currently subject to the Zoning Map Amendment, ZMAP-2003-0009, Goose Creek Village South, approved October 19, 2004.

This application is for a Zoning Map Amendment to rezone the R-1 zoned portion of the application area to PD-H4 administered as R-8 (Single Family Residential) pursuant to the ADU requirements of the Zoning Ordinance to develop 142 single family attached units. The property currently zoned PD-H4 will be administered as R-16 (Townhouse/ Multi-family Residential) pursuant to the ADU requirements of the Zoning Ordinance to develop 96 multi-family units as attainable housing. The applicant is also proposing a land swap where 14.4 acres of land along Goose Creek will be dedicated to Loudoun County in exchange for 9.2 acres of PIN 153-16-3488.

General Comments:

1. There is a conservation easement belonging to the Virginia Outdoors Foundation on PIN 153-16-3488. This conservation easement would need to be vacated to permit the proposed development.
2. The proposed development would require a Zoning Concept Plan Amendment to amend the proffers of ZMAP-2003-0009, Goose Creek Village South. The Proffer Statement would need to be revised to amend Proffer II.2 which requires the dedication of 18.4 acres to the County and that 18.4 acres be subject to the existing Deed of Open Space Easement, benefitting the Virginia Outdoors Foundation. Additionally, the existing CDP associated with ZMAP-2003-0009 would need to be amended to change the open space calculations

which currently state that the total provided open space is 26.1 which is inclusive of the full 18.4 acres.

3. The applicant is proposing 96 ADUs with the proposed plan. In the SOJ the applicant states that the ADUs will be provided as AHUs. Section 7-109(D)(3) states that *the applicant shall provide written verification to the Zoning Administrator from the applicable affordable housing program of the approval of funding to provide affordable housing units. Until such written verification is provided by the applicant, only affordable dwelling units shall be provided to meet the requirements of this Ordinance.* Please provide such written verification with the next submission, if available. Note that if funding does not become available for this project then the applicant would still be required to develop 96 ADUs in accordance with the CDP.

Plan Comments:

4. Add the FPST-2018-0007 to Note 2 on Sheet 1.
5. The application area listed in Note 1 does not match the application area in the zoning tabulations on Sheet 7. Reconcile this discrepancy.
6. Correct the Lot Coverage tabulation on Sheet 7 for the R-16 Multi-Family units. The Lot coverage tabulation currently states, “Single Family Attached” as opposed to “Multi-Family”.
7. The area of the O’Neil property in the Density Tabulation does not match Loudoun County land records. According to GIS the area of this property should be 1.24 ac. Clarify this discrepancy.
8. Sheet 9 shows what appears to be a travel way loop between two parking lots in Land Bay A, located within the Scenic Creek Valley Buffer. This impermeable surface must be relocated in accordance with Section 5-1003.
9. Zoning staff recommends removing required buffer yards from the CDP. Buffer yards will be required at the time of site plan based on the adjacent existing uses at that time.

ZMAP-2020-0005 Matters for Consideration (Section 6-1210(E)):

10. *6-1210(E)(1): Appropriateness of the proposed uses based on the Comprehensive Plan, trends in growth and development, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies and the encouragement of the most appropriate use of land throughout the locality.*

Zoning Administration staff defers to Community Planning regarding consistency with the Comprehensive Plan.

11. *6-1210(E)(2): The existing character and use of the subject property and suitability for various uses, compatibility with uses permitted and existing on other property in the immediate vicinity, and conservation of land values.*

Zoning Administration staff defers to Community Planning regarding whether the proposal is compatible with existing and permitted uses on property in the immediate vicinity, and the conservation of land values.

12. *6-1210(E)(3): Adequacy of sewer and water, transportation, and other infrastructure to serve the uses that would be permitted on the property if it were reclassified to a different zoning district.*

Zoning Administration staff defers to Loudoun Water and the Loudoun County Department of Environmental Health regarding the adequacy of sewer and water and to DTCI regarding the adequacy of transportation infrastructure to serve the uses that would be permitted on the property if the rezoning request is approved.

13. *6-1210(E)(4): The requirements for airports, housing, schools, parks, playgrounds, recreational areas and other public services.*

Zoning Administration staff defers to MWA in regard to airport requirements, to LCPS in regard to public school requirements, the Department of Parks and Recreation in regard to parks and recreational uses.

14. *6-1210(E)(5): Potential impacts on the environment or natural features including but not limited to wildlife habitat, wetlands, vegetation, water quality (including groundwater), topographic features, air quality, scenic, archaeological, and historic features, and agricultural and forestal lands and any proposed mitigation of those impacts.*

(b) For applications for rezoning or amendment to a zoning map not subject to the provisions of Virginia Code Section 15.2-2303.4, any proposed mitigation of those potential impacts.

The applicant's proposal avoids impacting major environmental features and archaeological and historic features. Additionally, the applicant is proposing 14.4 acres of dedication to the County that will be deeded to the Virginia Outdoor Foundation (VOF) to replace the 9.2 acres of land currently held that will be developed with this application. This provides the County with more opportunities for preservation within the open space area. It is important to note that for the current 9.2 acres to be developed as proposed the VOF will have to vacate the existing easement. Zoning Administration staff defers to Community Planning and the County Archeologist in regard to impacts of archaeological and historic features.

15. *6-1210(E)(6): The protection of life and property from impounding structure failures.*

There are no impounding structures on the property.

SPEX-2020-0012 Parking Reduction Comments:

16. The applicant states in the SOJ that the VHDA typically will not agree to parking covenants because they would be considered a "contingent liability". Section 5-1102(F)(1)(C) requires a covenant be executed for a period of 20 years, guaranteeing that the owner will provide the additional spaces if the Zoning Administrator, upon thorough investigation of the actual utilization of parking spaces at the building or complex, recommends to the

Board of Zoning Appeals that the approved reduction be modified or revoked. A condition of approval for the special exception must be to provide a parking covenant as described above. Alternatively, the applicant could request a zoning modification (ZMOD) of the multi-family parking requirement as opposed to a SPEX.

17. Amend the parking demand study to refer to the proposed multifamily units as “Affordable Dwelling Units” (ADU) as opposed to “Affordable Housing Units” (AHU). Until funding is verified to permit AHUs the application simply requires ADUs.

SPEX-2020-0012 Issues for Consideration (Section 6-1309):

18. *6-1309(1): Whether the proposed minor special exception or special exception is consistent with the Comprehensive Plan.*

Zoning Administration staff defers to the Community Planning Division as to whether the application is consistent with the Comprehensive Plan.

19. *6-1309(2): Whether the level and impact of any noise, light, glare, odor or other emissions generated by the proposed use will negatively impact surrounding uses.*

Zoning Administration staff defers to the Community Planning Division as to whether the proposed use will negatively impact surrounding uses.

20. *6-1309(3): Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and on adjacent parcels.*

Zoning Administration staff defers to the Community Planning Division as to the compatibility of proposed uses.

21. *6-1309(4): Whether the proposed special exception or minor special exception adequately protects and mitigates impacts on the environmental or natural features including, but not limited to, wildlife habitat, vegetation, wetlands, water quality including groundwater, air quality, topographic, scenic, archaeological or historic features, and agricultural and forestall lands.*

The special exception is for a parking reduction for the multi-family units proposed in the development. Having less parking on-site would reduce the impacts to environmental and natural features.

22. *6-1309(5): Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.*

This application proposes much needed affordable housing in the County and a reduction of the parking requirement allows the applicant to provide such housing and reduce the environmental impact by reducing impervious surface area.

23. 6-1309(6): *Whether the proposed special exception can be served adequately by public utilities and services, roads, pedestrian connections and other transportation services and, in rural areas, by adequate on-site utilities.*

Zoning Administration staff defers to the Loudoun County Department of Environmental Health and the Department of Transportation and Capital Infrastructure (DTCI) for specific comments.

County of Loudoun
Department of Planning & Zoning
MEMORANDUM

DATE: September 10, 2020
Josh Peters, Project Manager – Land Use Review Division

FROM: Josh Elkins, Planner – Zoning Administration Division

CC: Chris Mohn, Deputy Zoning Administrator

SUBJECT: **ZMAP-2020-0005 & SPEX-2020-0012**
Goose Creek Overlook

Pin #: 154-45-5373, 154-45-1833, 154-45-3829, 154-45-9680, 154-35-8154, 153-16-3488, and 154-45-5980

The subject properties listed above (application area) are zoned R-1 (Single Family Residential) and PD-H4 (Planned Development – Housing 4) under the Revised 1993 Loudoun County Zoning Ordinance (Zoning Ordinance). A portion of the application area is currently subject to the Zoning Map Amendment, ZMAP-2003-0009, Goose Creek Village South, approved October 19, 2004.

This application is for a Zoning Map Amendment to rezone the R-1 zoned portion of the application area to PD-H4 administered as R-8 (Single Family Residential) pursuant to the ADU requirements of the Zoning Ordinance to develop 142 single family attached units. The property currently zoned PD-H4 will be administered as R-16 (Townhouse/ Multi-family Residential) pursuant to the ADU requirements of the Zoning Ordinance to develop 96 multi-family units as attainable housing. The applicant is also proposing a land swap where 14.4 acres of land along Goose Creek will be dedicated to Loudoun County in exchange for 9.2 acres of PIN 153-16-3488. Zoning Administration staff has reviewed the second submission application materials and offers the following comments.

General Comments:

1. *Previous Comment: There is a conservation easement belonging to the Virginia Outdoors Foundation on PIN 153-16-3488. This conservation easement would need to be vacated to permit the proposed development.*

The applicant has revised the layout to only propose access, trailhead parking, and a trail on the PIN 153-16-3488. Zoning Administration staff defers to the Department of

Mapping to confirm if the proposed uses are permitted within the existing conservation easement.

- 2. Previous Comment: The applicant is proposing 96 ADUs with the proposed plan. In the SOJ the applicant states that the ADUs will be provided as AHUs. Section 7-109(D)(3) states that the applicant shall provide written verification to the Zoning Administrator from the applicable affordable housing program of the approval of funding to provide affordable housing units. Until such written verification is provided by the applicant, only affordable dwelling units shall be provided to meet the requirements of this Ordinance. Please provide such written verification with the next submission, if available. Note that if funding does not become available for this project then the applicant would still be required to develop 96 ADUs in accordance with the CDP.*

Proffer 3 should be amended to delete the first sentence as there is no reason to proffer to a zoning ordinance requirement. Secondly, the proffer should be amended to reflect that ADUs can only be located in one building if they are provided as AHUs. If funding is not available to provide such AHUs in Land Bay F then the required ADUs must be provided in each Land Bay in accordance with the requirements of Section 7-104(C).

3. Staff notes that there appear to be lots that are oriented toward open space. Please be advised that such lots must meet the lot access/frontage requirements of Section 1-205(A). If the only “frontage” provided is via an alley, then a modification of Section 1-205(A) should be requested.
4. The R-8 ADU tabulations on Sheet 7 state that the proposed use is SFA and Multi-Family units, but the density tabulation only indicates SFA units. Correct this discrepancy.

ZMAP-2020-0005 Plan Comments:

5. Update the zoning labels for each Land Bay on Sheet 7 to list the existing Zoning District as well as the proposed Zoning District.
6. Sheet 8 depicts 41,450 square feet of active recreation space. Update the square footage in Proffer 8 to match Sheet 8 of the CDP.

ZCPA-2020-0008 Plan Comments:

7. The applicant should clarify the open space tabulation on Sheet 2. The ZCPA application removes 9.2 acres from ZMAP-2003-0009 but the overall provided open space tabulation has not changed, and the “Revised Open Space Provided” tabulation has increased. The open space areas should be revised to remove the open space associated with ZMAP-2020-0005.

ZMOD-2020-0020 Comments:

8. The Parking Demand Study states that residents of ADUs typically only own one vehicle. Zoning staff defers to the Office of Housing for comment regarding the appropriateness of the proposed parking modification.

County of Loudoun
Department of Planning & Zoning
MEMORANDUM

DATE: October 14, 2020
Josh Peters, Project Manager – Land Use Review Division

FROM: Josh Elkins, Planner – Zoning Administration Division

CC: Chris Mohn, Deputy Zoning Administrator

SUBJECT: **ZMAP-2020-0005, SPEX-2020-0012, ZCPA-2020-0008, & ZMOD-2020-0020**
Goose Creek Overlook

Pin #: 154-45-5373, 154-45-1833, 154-45-3829, 154-45-9680, 154-35-8154, 153-16-3488, and 154-45-5980

The subject properties listed above (application area) are zoned R-1 (Single Family Residential) and PD-H4 (Planned Development – Housing 4) under the Revised 1993 Loudoun County Zoning Ordinance (Zoning Ordinance). A portion of the application area is currently subject to the Zoning Map Amendment, ZMAP-2003-0009, Goose Creek Village South, approved October 19, 2004.

This application is for a Zoning Map Amendment to rezone the R-1 zoned portion of the application area to PD-H4 administered as R-8 (Single Family Residential) pursuant to the ADU requirements of the Zoning Ordinance to develop 142 single family attached units. The property currently zoned PD-H4 will be administered as R-16 (Townhouse/ Multi-family Residential) pursuant to the ADU requirements of the Zoning Ordinance to develop 96 multi-family units as attainable housing. The applicant is also proposing a land swap where 14.4 acres of land along Goose Creek will be dedicated to Loudoun County in exchange for 9.2 acres of PIN 153-16-3488. Zoning Administration staff has reviewed the third submission application materials and offers the following comments.

General Comments:

1. It has been brought to Zoning Administration Staff's attention that PIN 154-45-5980 and 154-45-9680 may contain areas of disturbance in very steep slopes and FOD (Major Floodplain) for which no permit was obtained. Zoning Administration Staff defers to the Natural Resources Team and Zoning Enforcement Staff to determine if/how these areas should be properly mitigated with this application.

ZMAP-2020-0005 Plan Comments:

- 2. Previous Comment: Update the zoning labels for each Land Bay on Sheet 7 to list the existing Zoning District as well as the proposed Zoning District.*

The existing zoning of Land Bay D is labeled as R1 and PD-H4. The parcels of Land Bay D are currently zoned R1. Remove the reference to existing zone PD-H4.

- 3. Previous Comment: Sheet 8 depicts 41,450 square feet of active recreation space. Update the square footage in Proffer 8 to match Sheet 8 of the CDP.*

Proffer 10 states a minimum of 22,800 SF of active recreation space in Land Bay A and 18,600 SF in Land Bay C. However, Sheet 8 shows 18,600 SF (includes tot lot) of active recreation in Land Bay A and only 22,600 SF in Land Bay C. Revise the plan and/or Proffer to address this discrepancy. Additionally, the active recreation tabulation on Sheet 7 of the CDP should also be updated to match the plan and the Proffers.

- 4. The Road Corridor buffer from F1 to F2 is labeled as an enhanced Type 2 Road Corridor Buffer. A note has been provided stating that the enhancement will be either evergreen trees or an opaque fence. The applicant should be more specific as to what is proposed with the enhancement, i.e. how many additional evergreen trees, or how tall is the fence? Note that any “enhancements” proposed will need to be provided above and beyond the plant unit requirement. Please clarify what is being proposed with the enhanced Type 2 Road Corridor Buffer on the plan or in the proffers.*

ZMOD-2020-0026 Comments:

- 5. Zoning Administration Staff defers to Community Planning to confirm if the proposed modification is consistent with the 2019 General Plan.*

COUNTY OF LOUDOUN

DEPARTMENT OF PLANNING AND ZONING

MEMORANDUM

DATE: June 30, 2020

TO: Josh Peters, Project Manager
Land Use Review

FROM: Bradley R. Polk, CZA, Senior Planner 
Proffer Management

CC: Joseph Carter Jr., AICP, CZA, Program Manager
Proffer Management

CASE NUMBER AND NAME: ZMAP-2020-0005 SPEX-2020-0012
Goose Creek Overlook

PARCEL IDENTIFICATION

NUMBER (PIN): 154-45-5373 153-16-3488 154-45-1833
154-45-3829 154-45-9680 154-35-8154

PLAN SUBMISSION: **1st Submission**
Statement of Justification and Concept Development Plan

COMMENTS:

The Proffer Management Team (“Staff”) has reviewed the Statement of Justification (“SOJ”) dated May 14, 2020, and the Concept Development Plan dated April 2020, revised through May 11, 2020. Staff offers the following comments:

CRITICAL ISSUE

1. A Zoning Concept Plan Amendment (ZCPA) application is required to be processed to amend the proffers and CDP approved with ZMAP-2003-0009, Goose Creek Village South, associated with the inclusion of PIN 153-16-3488 in the Goose Creek Overlook application.

STATEMENT OF JUSTIFICATION

2. Revise the last paragraph on Page 1 to replace “2019 Loudoun County General Plan” with “Loudoun County 2019 General Plan”.

3. Revise the first paragraph of the Proposal to replace “Planned Development Housing 4” with “Planned Development – Housing 4”.
4. Revise the SOJ to eliminate the remaining track change edits.

CONCEPT DEVELOPMENT PLAN

5. Sheet 01. Revise the Plan Date as the Plan Date is “April, 2020”, but the plan also depicts a plan date of March 27, 2020. Please address this inconsistency.
6. Sheet 01. Revise the Title to delete the space between “ZMAP-2020-0005” and the comma.
7. Sheet 01. Revise General Note 1 to revise all recitations of the current zoning districts using the nomenclature for the zoning district abbreviations found in the Zoning Ordinance, e.g. “R-1” and “PD-H4”, rather than R1 and PDH4.
8. Sheet 01. Revise General Note 2 list the application numbers using the County’s adopted nomenclature for application numbers, which includes a dash after the application acronym, e.g. “ZMAP-2003-0009”, rather than ZMAP 2003-0009.
9. Sheet 01. Revise the information provided for Terra Dominion Group and Goose Creek Overlook LLC to delete “PHONE #”.
10. Sheet 02. Revise the Zoning Legend for the Zoning Map to use the nomenclature for the zoning district abbreviations found in the Zoning Ordinance, e.g. “PC-CC(CC)” and “PD-H3”, rather than PDCCCC and PDH3.
11. Sheet 07. Revise the Existing Zoning within Application Area to replace “R1” with “R-1”.
12. Sheet 07. Revise the Zoning Ordinance Requirements and Project Tabulations to replace “R8-ADU” with “R-8 ADU” and to replace “R16-ADU” with “R-16 ADU”.
13. Sheet 07. Revise the R-16 ADU Multi-Family Residential District Requirements to replace “Total R-8 ADU” with “Total R-16 ADU”.
14. Sheet 07. As the Provided Active Recreation Space for the R-8 ADU area is depicted to exceed the minimum required by the Zoning Ordinance, a proffer is recommended to commit to the increased square footage of active recreation space.
15. Sheet 07. Revise Note 4 to state “...in accordance with the Zoning Ordinance definition of Active Recreation Space” as active recreation space is required to be provided per Section 7-800 and Section 7-900 and is a term defined in Article 8.

16. Sheet 07. Note 7 states Bike and Pedestrian Facilities shall be designed in accordance with the 2019 CDP. Staff recommends the Applicant identify the specific Bike and Pedestrian Facilities to be provided in a proffer.
17. Sheet 07. Regarding Notes 13 and 14, a proffer is recommended requiring all existing wells and drainfields to be abandoned prior to the approval of the first zoning permit for the Property in accordance with Health Department regulations.
18. Sheet 07. Provide a Legend that defines all of the line types used on the Concept Development Plan. Also, please define what the labels “200’ SCVB” and “300’ RPB” represent.
19. Sheet 07. Staff recommends the Applicant use the County’s River and Stream Corridor Resources (RSCR) Management Buffer proffer template language, and also identify Replanting Areas on the CDP.
20. Sheet 07. Explain the necessity to include Land Bay B and Land Bay C as separate Land Bays when neither land bay is to be developed with residential units and the proposed pump station will be provided on both Land Bay B and Land Bay C. Staff recommends the two Land Bays be combined into one Land Bay.
21. Sheet 09. Revise the Legend to identify the “Active/Recreation Open Space” as “Active Recreation Space”.
22. Sheet 09. Revise the Legend to define what the labels “AR-1”, “AR-2”, “AR-3”, and “AR-4” represent as the labels are not defined on the sheet. These areas appear to be active recreation spaces and the different areas should be defined in an active recreation space proffer.
23. Sheet 10. Staff recommends the Applicant provide for the requirement of any easements and construction requirements of the “Proposed 5’ Min. Sidewalk”, “Proposed 10’ County Trail”, and “Proposed 10’ Min Trail” as depicted on Sheet 10.
24. Sheet 12. Revise Note 1 to replace “154-4559-80” with “154-45-5980”.
25. Sheet 12. Staff recommends the Applicant provide a proffer that provides for the interim condition improvements to Sycolin Road including right-of-way dedication, construction, etc.
26. Sheet 13. Revise Note 1 to replace “154-4559-80” with “154-45-5980”.
27. Sheet 13. Staff recommends the Applicant provide a proffer that provides for the ultimate condition improvements to Sycolin Road including right-of-way dedication, construction, etc.

MEMORANDUM

To: Joshua Peters, Project Manager, Land Use Review

From: Steve Thompson, PhD, RPA, County Archaeologist, Community Planning

Date: July 9, 2020

Re: ZMAP-2020-0005 & SPEX-2020-0012, Goose Creek Overlook; Archaeology
1st Referral

BACKGROUND

The applicant is requesting a Zoning Map Amendment to rezone approximately 49.62 acres from Single Family Residential (R-1) to the Planned Development Housing 4 (PD-H4), administered as Single Family Residential (R-8) and Townhouse/Multi-family Residential (R-16). The applicant is also requesting a Special Exception (SPEX) to reduce the number of parking spaces for the project's proposed multi-family Affordable Housing Units. The subject property lies east of Goose Creek and west of the Dulles Greenway (Route 267) and is bisected by Sycolin Road. The property consists of gently to steeply sloping terrain that declines to the west and north towards Goose Creek.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The *Loudoun County 2019 General Plan* (2019 GP) calls for the conservation and preservation of the County's cultural and scenic resources. Land development applications are required to include an archaeological and historic resources survey to identify resources and, if warranted, identify measures for preservation, mitigation, and adaptive reuse (*2019 GP, Chapter 3, Historic, Archaeologic, and Scenic Resources, Action 5.1.C*). The *Loudoun County Heritage Preservation Plan* (HPP) provides additional detail regarding survey requirements (*HPP, Chapter 2, Archaeological Resources, Policy 3*). The HPP further articulates policies regarding the preservation of significant heritage resources in the context of land development (*HPP, Chapter 9, Development Review*).

In compliance with the 2019 GP, the applicant has submitted a cultural resources survey report prepared by Thunderbird Archeology, Wetland Studies and Solutions in June 2020 titled *Phase I Cultural Resources Investigation, Goose Creek Overlook, Loudoun County, Virginia*.

ANALYSIS

Staff has reviewed the submitted Phase I cultural resources survey report. The Phase I survey included a review of existing research and documentary sources to establish the environmental and historical context of the subject property in addition to pedestrian reconnaissance of the entire property and systematic shovel testing at 50-foot intervals across all low relief, well-drained terrain not marked by prior disturbance. No shovel testing was conducted within the Goose Creek floodplain. All standing buildings greater than 50 years of age as well as all buildings of exceptional merit, regardless of age, on the property also were recorded by the study.

The Phase I survey identified four previously recorded archaeological sites (44LD0231, 44LD0235, 44LD0236, 44LD0395), three new archaeological sites (44LD1871, 44LD1872, 44LD1881), and two previously unrecorded architectural resources (053-6465, 053-6466) on the property.

Archaeological sites 44LD0231, 44LD0235, and 44LD0236 are map-projected stream navigation features associated with the nineteenth-century Goose Creek and Little River Navigation Company canal. No physical evidence of either of these features was observed within the project area, suggesting that they may not survive or may be buried within floodplain sediment along Goose Creek. Site 44LD0395, originally recorded in 1987 as a very small, low density scatter of prehistoric lithic artifacts of indeterminate date, could not be relocated and therefore is not considered a significant resource. Site 44LD1871 is located in parcel PIN 154459680000 south of Sycolin Road and appears to represent the remains of an historic dwelling occupied approximately 1800 – 1830. The site appears to possess good integrity, is considered potentially eligible for listing on the National Register of Historic Places (NRHP), and therefore avoidance or a Phase II archaeological significance evaluation is recommended. Nearby site 44LD1870, also identified by the Phase I survey and recommended as potentially NRHP-eligible, may be related to 44LD1871; however, 44LD1870 is not located within the current subject property. Site 44LD1872, located north of Sycolin Road in parcel PIN 154455373000, is a small cluster of probably twentieth-century artifacts likely associated with refuse disposal and not recommended as a significant resource. Site 44LD1881, located north of Sycolin Road in parcel PIN 153163488000, is a diffuse and low-density scatter of prehistoric Native American lithic artifacts of indeterminate date and is not recommended as a significant resource.

Architectural resource 053-6465 is a mid- to late-twentieth-century two-story frame dwelling with five associated late twentieth-century outbuildings located at 20776 Sycolin Road. A stone spring box of unknown date located approximately 650 feet northeast of the main dwelling at 20776 Sycolin Road is also associated with this resource. None of the components of 053-6465 are recommended eligible for NRHP listing. Resource 053-6466 is an approximately 350-ft-long section of abandoned, incised roadway located south of Sycolin Road associated with an earlier crossing of

Goose Creek. The road trace, which is bounded on its east side by a dry-laid stone fence, is not recommended as a significant resource.

COMMENTS and RECOMMENDATIONS

The fieldwork and reporting generally meet the standards for Phase I cultural resources investigation set forth in the County's HPP and the Virginia Department of Historic Resources' *Guidelines for Conducting Historic Resources Survey in Virginia*. Staff concurs with the consultant's recommendation that archaeological site 44LD1871 is potentially eligible for NRHP listing. **Site avoidance is the preferred preservation strategy, but if avoidance is not feasible staff recommends that 44LD1871 undergo a Phase II archaeological significance evaluation, and if necessary, Phase III data recovery excavations prior to the initiation of development-related ground disturbances.** Map-projected resources 44LD0231, 44LD0235, and 44LD0236 – if, in fact, these features area accurately mapped and survive – are located within the Goose Creek floodplain and appear not to be threatened by current project plans. Staff concurs with the consultant's recommendation that the remaining historic resources on the subject property, both archaeological and architectural, are not NRHP-eligible and that no further work is required.

Staff recommends that the applicant add an Archaeological Note to project plans that includes the full titles, company names, and completion dates for all archaeological reporting prepared for the property. Staff recommends the following text for the Archaeology Note:

Phase I Cultural Resources Investigation, Goose Creek Overlook, Loudoun County, Virginia was prepared for the subject property by Thunderbird Archeology, Wetland Studies and Solutions in June 2020. One potentially NRHP-eligible resource, archaeological site 44LD1871, was identified on the property and is recommended for Phase II significance evaluation if it cannot be avoided. No cemeteries, human graves, or other significant historic resources were identified by the Phase I survey.

cc: Alaina Ray, AICP, Director, Planning and Zoning (via e-mail)
Dan Galindo, AICP, Program Manager, Community Planning (via e-mail)

MEMORANDUM

To: Joshua Peters, Project Manager, Land Use Review

From: Steve Thompson, PhD, RPA, County Archaeologist, Community Planning

Date: September 8, 2020

Re: ZMAP-2020-0005 & SPEX-2020-0012, Goose Creek Overlook; Archaeology
2nd Referral

COMMENTS and RECOMMENDATIONS

Treatment of Site 44LD1871

As noted in staff comments submitted at first referral, the submitted Phase I archaeological survey of the Goose Creek Overlook property (*Phase I Cultural Resources Investigation, Goose Creek Overlook, Loudoun County, Virginia* prepared in June 2020 by Thunderbird Archeology, Wetland Studies and Solutions) identified archaeological site 44LD1871, the remains of an apparent late eighteenth – early nineteenth-century domestic occupation, in parcel PIN 154459680000 south of Sycolin Road. The site, which extends across both sides of the gravel drive that provides access to parcel PIN 154455980000, contains both domestic and architectural artifacts consistent with a residential site probably abandoned prior to the mid-nineteenth century. The short-lived occupation at 44LD1871 holds the potential for intact archaeological features and deposits little disturbed by later occupation that may provide important new information about a still poorly represented and poorly understood period of the County's early history.

At first referral, staff concurred with the consultant's recommendation that if site avoidance was not feasible that the resource be subject to a Phase II archaeological significance evaluation and, if necessary, Phase III data recovery excavations to mitigate development-related impacts to the site. Staff's recommendation was not acknowledged in the applicant's responses to comments letter dated August 20, 2020 and second submission plans continue to show proposed development across the location of 44LD1871.

To address the historic preservation goals articulated in the *Loudoun County 2019 General Plan* and the County's Heritage Preservation Plan, **staff continues to recommend that a Phase II archaeological significance evaluation and, if necessary, Phase III data recovery excavations be conducted at 44LD1871.** If completion of these investigations is not possible prior to approval of this

application, staff recommends that the applicant commit to this important heritage preservation work in the form of a proffer.

Archaeology Note

In accordance with staff's recommendation at first referral, the applicant has added an Archaeology Note to the Environmental Plan sheet of the submitted plan set.

cc: Alaina Ray, AICP, Director, Planning and Zoning (via e-mail)
Dan Galindo, AICP, Program Manager, Community Planning (via e-mail)

Peters, Joshua

From: Thompson, Stephen
Sent: Tuesday, September 22, 2020 1:56 PM
To: Peters, Joshua
Subject: RE: [EXTERNAL] Goose Creek Overlook - Response to Second Referral Comments

Josh,

The response appears to be in line with my recommendation at 2nd referral – do Phase II (and Phase III, if necessary) either now or include as a proffer, and the latter is chosen.
This works for me, but I'm happy to discuss if you have concerns.

Steve

From: Peters, Joshua <Joshua.Peters@loudoun.gov>
Sent: Tuesday, September 22, 2020 1:37 PM
To: Thompson, Stephen <Stephen.Thompson@loudoun.gov>
Subject: FW: [EXTERNAL] Goose Creek Overlook - Response to Second Referral Comments

Steve,
Please see these Submission 3 materials for Goose Creek Overlook **and either discuss with me or provide your further comments by October 16**. This being a 3rd referral, I would welcome your comments via discussion, email, or formal letterhead, at your discretion.

The materials will soon be uploaded to LOLA with filenames beginning "SUBMISSION 3..."

Thanks,
Josh

From: Packie Crown <pcrown@bowmanconsulting.com>
Sent: Tuesday, September 22, 2020 11:50 AM
To: Peters, Joshua <Joshua.Peters@loudoun.gov>
Cc: Tushar Awar <tushar.awar@goroveslade.com>; Matthew Leslie <mleslie@thelandlawyers.com>; George Gitchev <ggitchev@j2engineers.com>; Brauer, Sashenka J. <sbrauer@thelandlawyers.com>; Bob Brown <bbrown@j2engineers.com>; Pete Gulick <pgulick@gulickgroup.com>; Andrew A. Painter <apainter@thelandlawyers.com>; Colin Stiles <cstiles@terradominiongroup.com>; jpc (jpc@stewartcompanies.com) <jpc@stewartcompanies.com>
Subject: [EXTERNAL] Goose Creek Overlook - Response to Second Referral Comments

I'm using Mimecast to share large files with you. Please see the attached instructions.

Josh,

Attached, please find responses to the second referral comments for Goose Creek Overlook (ZMAP-2020-0005/ZCPA-2020-0008/ZMOD-2020-0020/ZMOD-20200026).

Please let me know if you require any additional information or materials to facilitate review of this project and preparation for the October 27th PCPH.

We sincerely appreciate your efforts to coordinate and facilitate discussions with the various referral agencies. We stand ready to answer questions or clarify any of the comment responses.

Best regards,

Packie



Jamie E. (Packie) Crown

Vice President, Planning | **BOWMAN**

101 South Street, S.E., Leesburg, VA 20175

O: (703) 443-2400 | M: (301) 908-0776

pcrown@bowmanconsulting.com



DEPARTMENT OF FINANCE AND BUDGET

MEMORANDUM

DATE: July 6, 2020

TO: Josh Peters, Project Manager, DPZ
Megan Bourke, Assistant Director

FROM: Proffer 1st Round Referral

SUBJECT: ZMAP-2020-0005, SPEX-2020-0012
Goose Creek Overlook

Background

This memorandum is in response to your request for comments regarding impacts on capital facilities submitted as part of ZMAP-2020-0005, SPEX-2020-0012, Goose Creek Overlook.

This application proposes to rezone approximately 49.62 acres from mostly Single Family Residential (R-1) to the Planned Development Housing 4 (PD-H4), administered as Single Family Residential (R-8) & Townhouse/Multi-Family Residential (R-16 ADU) for the development of up to 142 Single Family Attached and 96 Multi-Family units. The property is located to the North and South of Sycolin Road, between the Dulles Greenway to the East and the Goose Creek to the West. The property is in the Suburban Policy Area, the Ashburn and Blue Ridge election districts, and the Ashburn planning subarea.

This referral includes the capital facilities impact generated using the established calculations recommended by the Fiscal Impact Committee (FIC) and adopted by the Board of Supervisors. It provides an overview of capital facility impacts at full build-out and is not intended to suggest, request, amend or revise any specific proffer statement language.

The application proposes to develop the following:

Table 1. Increase in Population

Housing Unit Type	# of Units	Population Generation	Student Generation
Single-Family Attached (SFA)	142	439	98
Multi-Family Stacked (MFST)	96	232	47
Total	238	671	145

Based on the 2017 Capital Intensity Factor (CIF), the projected increase in County population is 671 residents and 145 students as a result of the increased units in the proposed rezoning at full build-out. Note that the student generation methodology established in the FIC Guidelines differs from Loudoun County Public Schools (LCPS) methodology.

Capital Facilities Impacts

Based upon the County’s adopted 2017 Capital Facilities Standards (CFS), the following table outlines the impact to the County’s capital facilities based upon the projected population increases at full build-out. This table lists facilities which are triggered in proportion to population, and for which the demand for the facility is at least one one-hundredth (0.01) of a facility. There are other types of facilities that are based on obtaining a certain number countywide (one animal shelter, five regional parks, etc.) that because they are not triggered by population, are not included in the table. In addition, the table focuses on facilities, and does not include the need for fire and rescue vehicles or transit vehicles.

Table 2. Impact on Capital Facilities

Capital Facility	Facility Impact	Square Feet
Sheriff Station	0.01	120.80
Fire & Rescue Station - East	0.03	483.19
General Government Support Facilities (sq. ft.)	-	2684.40
DS Residential Facility (beds)	0.11	386.74
MH Residential Facility (beds)	0.11	386.74
Park & Ride Lot (spaces)	7.72	-
Community Center	0.01	298.27
Senior Center	0.01	190.26
Adult Day Center	0.01	88.79
Community Park	0.03	21.48
Neighborhood Park	0.07	26.84
Recreational Trails (# of miles)	0.27	-

The proposed increase in residential units has an impact on capital facilities.

As a reference, Table 3 below provides the current and planned (in the FY 2021 – 2026 Adopted CIP) capital facilities in the Ashburn planning subarea, as well as facilities that are currently in deficit (or surplus). Of note, while the table shows a need for almost three Community Centers, this need will be fulfilled in part by the Ashburn Recreation and Community Center currently under construction. Also, a satellite sheriff’s office, collocated with the Moorefield Station Fire & Rescue Station, is not included in the table below.

Table 3. Current/Planned and Deficit Facilities in the Ashburn Planning Subarea

Capital Facility with Population Standard	Existing Facilities	Planned Facilities	2020 Estimated Deficit
Sheriff Station	1	-	0.2
Fire & Rescue Station - East	4	-	0.8
DS Residential Facility (# of beds)	-	-	20.4
MH Residential Facility (# of beds)	27	4	(10.6)
Park and Ride Lot (# of parking spaces)	2,243	-	(856.3)
Community Center	-	-	2.7
Teen Center	-	-	0.5
Senior Center	-	1	1.3
Adult Day Center	2	-	(0.5)
Community Park	1	-	3.8
Neighborhood Park	11	-	1.1
Recreational Trails (miles)	15	-	33.2
Library (sq. ft.)	23,000	-	49,351.0

* Numbers within parentheses in the deficit column indicate a surplus

Conclusion

The increase in residential units in the Goose Creek Overlook (ZMAP-2020-0005, SPEX-2020-0012) proposal has an impact on capital facilities, as summarized in Table 2.



DEPARTMENT OF FINANCE AND BUDGET

MEMORANDUM

DATE: September 1, 2020

TO: Josh Peters, AICP, Project Manager,
DPZ

FROM: Megan Bourke, Assistant Director

SUBJECT: Proffer 2nd Round Referral
ZMAP-2020-0005, SPEX-2020-0012
Goose Creek Overlook

Background

This memorandum is in response to your request for comments regarding impacts on capital facilities submitted as part of ZMAP-2020-0005, Goose Creek Overlook.

This application proposes to rezone approximately 49.62 acres from mostly Single Family Residential (R-1) to the Planned Development Housing 4 (PD-H4), administered as Single Family Residential (R-8) & Townhouse/Multi-Family Residential (R-16 ADU) for the development of up to 136 Single Family Attached and 115 Multi-Family units. The property is located to the North and South of Sycolin Road, between the Dulles Greenway to the East and the Goose Creek to the West. The property is in the Suburban Policy Area, the Ashburn and Blue Ridge election districts, and the Ashburn planning subarea.

This referral includes the capital facilities impact generated using the established calculations recommended by the Fiscal Impact Committee (FIC) and adopted by the Board of Supervisors. It provides an overview of capital facility impacts at full build-out and is not intended to suggest, request, amend or revise any specific proffer statement language.

The application proposes to develop the following:

Table 1. Increase in Population

Housing Unit Type	# of Units	Population Generation	Student Generation
Single-Family Attached (SFA)	136	420	94
Multi-Family Stacked (MFST)	115	278	56
Total	251	699	150

Based on the 2017 Capital Intensity Factor (CIF), the projected increase in County population is 699 residents and 150 students as a result of the increased units in the proposed rezoning at full build-out. Note that the student generation methodology established in the FIC Guidelines differs from Loudoun County Public Schools (LCPS) methodology.

Capital Facilities Impacts

Based upon the County’s adopted 2017 Capital Facilities Standards (CFS), the following table outlines the impact to the County’s capital facilities based upon the projected population increases at full build-out. This table lists facilities which are triggered in proportion to population, and for which the demand for the facility is at least one one-hundredth (0.01) of a facility. There are other types of facilities that are based on obtaining a certain number countywide (one animal shelter, five regional parks, etc.) that because they are not triggered by population, are not included in the table. In addition, the table focuses on facilities, and does not include the need for fire and rescue vehicles or transit vehicles.

Table 2. Impact on Capital Facilities

Capital Facility	Facility Impact	Square Feet
Sheriff Station	0.01	125.74
Fire & Rescue Station - East	0.03	502.95
General Government Support Facilities (sq. ft.)	-	2794.16
DS Residential Facility (beds)	0.12	402.55
MH Residential Facility (beds)	0.12	402.55
Park & Ride Lot (spaces)	8.03	-
Community Center	0.02	310.46
Senior Center	0.01	198.04
Adult Day Center	0.01	92.42
Community Park	0.03	22.35
Neighborhood Park	0.07	27.94
Recreational Trails (# of miles)	0.28	-

The proposed increase in residential units has an impact on capital facilities.

As a reference, Table 3 below provides the current and planned (in the FY 2021 – 2026 Adopted CIP) capital facilities in the Ashburn planning subarea, as well as facilities that are currently in deficit (or surplus).

Table 3. Current/Planned and Deficit Facilities in the Ashburn Planning Subarea

Capital Facility with Population Standard	Existing Facilities	Planned Facilities	2020 Estimated Deficit
Sheriff Station	1	-	0.2
Fire & Rescue Station - East	4	-	0.8
DS Residential Facility (# of beds)	-	-	20.4
MH Residential Facility (# of beds)	27	4	(10.6)
Park and Ride Lot (# of parking spaces)	2,243	-	(856.3)
Community Center	-	1	1.7
Teen Center	-	-	0.5
Senior Center	-	1	1.3
Adult Day Center	2	-	(0.5)
Community Park	1	-	3.8
Neighborhood Park	11	-	1.1
Recreational Trails (miles)	15	-	33.2
Library (sq. ft.)	23,000	-	49,351.0

* Numbers within parentheses in the deficit column indicate a surplus

Conclusion

The increase in residential units in the Goose Creek Overlook (ZMAP-2020-0005) proposal has an impact on capital facilities, as summarized in Table 2.

The Goose Creek Scenic River Advisory Committee
GooseCreekScenicRiver@yahoo.com



MEMO for Record

July 8, 2020

Goose Creek Overlook: ZMAP-2020-0005 and SPEX-2020-0012

The Goose Creek Scenic River Advisory Committee (GCSRAC) appreciates the opportunity to comment on subject land use application. We also appreciate the applicant's intent to provide affordable housing units in excess to that required/suggested in Loudoun's 2019 Comprehensive Plan. However, as the committee charged with overseeing and protecting the scenic values of Goose Creek, we have some reservations/comments regarding this application.

Referring to the applicants Statement of Justification:

III Land Exchange: We do not believe the offer to exchange (swap) 9.2 acres of County owned property (in easement to the VOF) for 14.2 acres along Goose Creek is in the best interest of the public or the Creek. The 9.2 acres was put in open space easement and has restrictions regarding grading, tree cutting/removal and other open space provisions. Additionally, this area is within the viewshed from and towards Goose Creek. We question the potential negative impact, depending on permitted building heights, that development in this area will have. The 14.2 acres offered as a trade-off, are already protected by the 300-foot Scenic River buffer proposed in the 2019 Comprehensive Plan, as well as restrictions, contained in that plan, on building in flood plains and steep slopes. **Bottom line, the proposed 'easement swap' results in a net loss of protected land that benefits the scenic values of Goose Creek.**

IV Layout and Open Space: Again, the committee questions the impact that building multistory housing on the overlook would have on the scenic values to/from the Goose Creek.

We do, however applaud the willingness of the applicant to provide the 5,500 pervious/natural surface trail and parking area(s). We suggest that both the GCSRAC and the County's PRCS staff be involved in locating trails and parking areas.

V Landscaping and Environmental Concerns: Recommend that landscape elements only include shrubs, trees and ground covers **native to the area** in order that such plantings provide maximum benefit to birds, butterflies and other wildlife.

VI Open Space Vacation/Relocation: Disagree with applicant's wording. The open space easement is held and overseen by the VOF. The purpose of open space easements is for the benefit of all residents- not the easement holder/overseer.

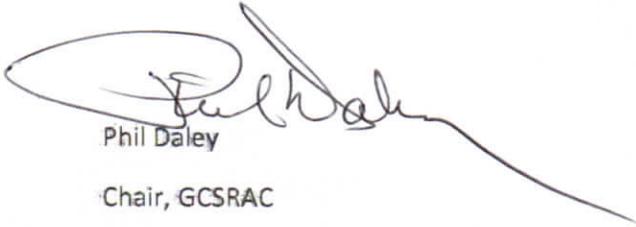
Chairman
Phil Daley

Vice-Chairman
Blake Netherwood

Committee Members
John Isom Mark Peterson Erin Smith
John Cox Jeff Millington Benn Winn

VII Transportation: Sanitary pump station location is not clearly indicated. It should be placed outside the 300-foot scenic river no-build buffer.

VIII Building Height and Density: Recommend any/all building heights be limited to extent that they do not negatively impact the scenic view shed from the Goose Creek



Phil Daley
Chair, GCSRAC

The Goose Creek Scenic River Advisory Committee
GooseCreekScenicRiver@yahoo.com



14 September 2020

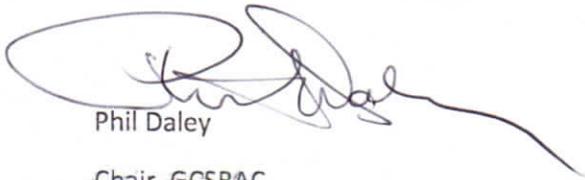
Memo for Record

Subject: Response to Submission 2: Goose Creek Overlook (ZMAP-20200005 and SPEX-2020-0012)

The Goose Creek Scenic River Advisory Committee (GCSRAC) supports the applicants revised proposal as most of our concerns have been adequately addressed and resolved. We again applaud the applicant's revised effort to meet the county's need for affordable housing units (ADUs) and increased open space held in easement by the Virginia Outdoor Foundation (VOF.)

The following comments the applicant's August 19, 2020 Proffers are suggested for consideration:

1. Ref Para 2d.and 2e. Concur; However, we believe the entire Land Bay D should also be placed in a conservation easement to/with the VOF.
2. Ref para 9: Goose Creek Conservation Park.
 - a. Land Bay D park site: Concur placing the entire land Bay D under permanent open space easement with VOF prior to conveyance to the County.
 - b. Emerald Ribbon Trail: Recommend the grantee of the open space easement be VOF, or another independent agency, rather than the county. (Rational-the county does not have the resources to adequately oversee open space easements)
 - c. Canoe/Kayak Launch: The specific location of the canoe/kayak launch shall be determined in consultation with PRCS and GCSRAC.
 - d. Land Bay D Trail Head improvements: Trailhead and parking improvements/locations in Land Bay D should be in consultation with PRCS and GCSRAC. (Note; Requirement for 30 parking spaces appears excessive)
 - e. Interpretive Installations: The language and text on commemorative/interpretive markers and signage shall be submitted/coordinated with the PRCS staff, The Loudoun County Heritage Committee and GCSRAC for review, consultation and comment.



Phil Daley

Chair, GCSRAC

Chairman
Phil Daley

Vice-Chairman
Blake Netherwood

Committee Members
John Isom Mark Peterson Erin Smith
John Cox Jeff Millington Benn Winn



Loudoun County, Virginia

www.loudoun.gov

Department of Building and Development

1 Harrison Street, SE, P.O. Box 7000, Mailstop #60A, Leesburg, VA 20177-7000

Telephone: 703/777-0220

Fax: Permits, Zoning, and Administration 703/771-5215 • Engineering 703/737-8993

DATE: July 6, 2020
TO: Josh Peters, Project Manager, Department of Planning and Zoning, MSC #62
FROM: Eric Blankenship, Planner, Land Development Division MSC #60A
THROUGH: Scott Berger, Division Manager
APPLICATION NUMBER: ZMAP-2020-0005, SPEX-2020-0012
APPLICATION NAME: Goose Creek Overlook
PLAN SUBMISSION NUMBER: 1st Submission (1st submission B&D Review)
PLANNER REQUESTS TO REVIEW SUBSEQUENT SUBMISSIONS

The Department of Building and Development, Land Development Division has completed the review of this application and provides the following comments:

1. Staff notes that the plat states that portions of the previous alignment of Sycolin Road are to remain abandoned while other areas are labeled as abandoned and to be included within this application. Has this segment of the previous alignment previously been abandoned? If not, when will the applicant submit an application to abandon these segments?
2. PIN 153-16-3488 is notated to consist of 9.2 acres not previously used for the required open space of Goose Creek South. Please provide tabulations demonstrating that the notated 9.2 acres is not needed to satisfy the open space requirements for Goose Creek South.
3. Landbay E1 and E2 as depicted on sheet 9 appears to only have one entrance and exit. If there were a road closure due to unforeseen circumstances, how would emergency services be able to access the structures located within these two landbays?
4. Staff notes that two trailhead parks and associated parking are proposed on the north side of Sycolin Road. These parks may have the potential to generate significant traffic and parking demand. Is the road design (width) and parking designed to meet these increased demands?

Thank you for the opportunity to review and comment on this application. Please feel free to contact me at (703)771-5753 or via email at eric.blankenship@loudoun.gov if you have any questions.

If substantial revisions are made to this application after review Building and Development requests further review of the application.



DATE: September 10, 2020
TO: Josh Peters, Project Manager, Department of Planning and Zoning, MSC #62
FROM: Eric Blankenship, Planner, Land Development Division MSC #60A
THROUGH: Scott Berger, Division Manager
APPLICATION NUMBER: ZMAP-2020-0005, SPEX-2020-0012
APPLICATION NAME: Goose Creek Overlook
PLAN SUBMISSION NUMBER: 2nd Submission (2nd submission B&D Review)
PLANNER REQUESTS TO REVIEW SUBSEQUENT SUBMISSIONS

The Department of Building and Development, Land Development Division has completed the review of this application and provides the following comments:

1. Staff has no further comments.

Thank you for the opportunity to review and comment on this application. Please feel free to contact me at (703)771-5753 or via email at eric.blankenship@loudoun.gov if you have any questions.

If substantial revisions are made to this application after review Building and Development requests further review of the application.

June 30, 2020

Josh Peters
Department of Planning and Zoning
1 Harrison Street, S.E.
P. O. Box 7000
Leesburg, Virginia 20177-7000

Re: Goose Creek Overlook
ZMAP-2020-0005 & SPEX-2020-0012

Dear Mr. Peters:

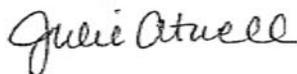
Loudoun Water has reviewed the referenced referral application and could provide public water and sewer through extension of existing facilities. The following comments are provided for your use:

- Sanitary sewer drainage divides and computations for the downstream sewer will be required at time of construction plan submission, to the nearest 16-inch trunk sewer. Any upgrades to the existing system needed as a result of the re-zoning will be the responsibility of the applicant.
- Prior to design of construction drawings we encourage the applicant to complete our pre-design meeting request form on our website. The location, depth and sewer shed of the proposed sewage pumping station (SPS) must be discussed prior to design. The proposed location must not preclude the ability to serve areas west of Goose Creek, thereby creating the need for another SPS west of Goose Creek.
- At time of first submission of construction drawings provide an overall water main hydraulic model.
- Should offsite easements be required to extend public water and/or sanitary sewer to this site, the applicant shall be responsible for acquiring such easements and dedicating them to the Authority at no cost to the County or to the Authority.

Public water and sanitary sewer service would be contingent upon the developer's compliance with the Authority's Statement of Policy; Rates, Rules and Regulations; and Design Standards.

Should you have any questions, feel free to contact me.

Sincerely,



Julie Atwell

August 31, 2020

Department of Planning
Josh Peters
1 Harrison Street, SE
PO Box 7000
Leesburg, VA 20177-7000

Re: Goose Creek Overlook; ZMAP-2020-0005

Dear Mr. Peters:

Loudoun Water has reviewed the referenced Zoning Map Amendment Petition. Public water and sanitary sewer service could be provided to this site through extension of existing facilities.

Should offsite easements be required to extend public water and/or sanitary sewer to this site, the applicant shall be responsible for acquiring such easements and dedicating them to the Authority at no cost to the County or to the Authority. Public water and sanitary sewer service would be contingent upon the developer's compliance with the Authority's Statement of Policy; Rates, Rules and Regulations; and Design standards.

Should you have any questions please feel free to contact me.

Sincerely,



Julie Atwell
Engineering Administrative Specialist



VIRGINIA DEPARTMENT OF TRANSPORTATION LOUDOUN LAND USE PROJECT REVIEW COMMENT AND RESOLUTION SHEET				TIA - ACCEPTED		COMMENT CATEGORIES: 1. REQUIREMENT 2. RECOMMENDATION	
COUNTY PROJECT NUMBER: ZMAP-2020-005 & SPEX-2020-0012			DEVELOPER/ENGINEER: GOROVE / SLADE		REVIEWER(S): GERALD MOORE		DATE: 6/1/20
PROJECT NAME: GOOSE CREEK OVERLOOK			REVIEW PHASE & TYPE: REZONING		DISCIPLINE: LAND USE & TE		
ITEM No.	DWG. No. ⁽¹⁾	COMMENTS	COMMENT CATEGORY	RESPONSE ⁽²⁾ DATE:		FINAL DISPOSITION ⁽³⁾	
1.1	G	VDOT has “No Objection” to the Rezoning. See below for additional requirements as the project progresses through future submittals.	1				
1.2	G	All new development access will need to meet the access management standards, regulations and design standards for minor arterials, collector and local streets. The design standards govern the design of intersections, turn lanes and entrances as well as providing spacing standards for entrances, intersections, crossovers and traffic signals on minor arterials, collectors and local streets.	1				

(1) Indicate drawing no./page no. or use “G” for general comment. (2) To be filled out by Applicant/Engineer. Date of Response is required. (3) The VDOT reviewer is responsible for the final disposition of all comments.	Note: This form is to be used by the VDOT land use team to provide comments or concerns associated with the rezoning applications, site plans or any other plans when requested by the county or the applicants.
---	--



**Loudoun County, Virginia
Department of Fire and Rescue
Fire Marshal's Office**



23675 Belmont Ridge Road, Suite 150
Ashburn Virginia 20148
Phone 703-737-8600 Fax 703-737-8595

Memorandum

DATE: September 8, 2020

TO: Josh Peters, Project Manager, Engineering Division

FROM: Kevin Federline, Fire Inspector

THRU: Linda Hale, Chief Fire Marshal

SUBJECT: ZMAP-2020-0005, ZCPA-2020-0008 & ZMOD-2020-0020, Goose Creek Overlook, Second Submission

The Loudoun County Fire Marshal's Office (FMO) has no objection to approval of this plan resulting from the review of the project:

The FMO reserves the right to ensure Fire Code compliance when more detailed information is made available on the construction drawings submission. For example, but not limited to, the FMO will be looking for more information on the following: approved fire apparatus access roads located within an emergency access easement, fire lane identification for fire apparatus access roads, hydrant location, hydrant coverage measured by 300 foot hose lay "as the hose lies" between and around obstructions from the hydrant to all portions of the building exterior, dead-end fire apparatus access roads in excess of 150 feet with an approved fire apparatus turn around (see attached FSM Figure 18 for approved turnarounds), fire apparatus access roads to be within 150 feet of the exterior of buildings first floor, turning radii/turning analysis using AASHTO - SU-40 on fire apparatus access roads, immediate unobstructed access to fire department connections, and if the building height, when measured from the average finished grade at the face of the building located adjacent to a fire apparatus access road to the highest eave of a pitched roof, intersection of the roof to an exterior wall, or top of a parapet wall, whichever is greater, exceeds 50 feet in height, an "Aerial Fire Apparatus Access Road" at least 26' in width along one side of the building will be required.

Prior to the issuance of an occupancy permit for any facility, building, or portion of a building hereafter constructed, Fire Lane Identification shall be provided, permitted, and an approved inspection along any Fire Apparatus Access Road serving such facility, building, or portion of a building.

If there are any changes to the plans include the Fire Marshal's Office in review to ensure fire code compliance.

- I. Requirements: From the current Loudoun County Facilities Standards Manual (FSM) and the current Loudoun County Fire Prevention Code (LCFPC)**
 - 1. None.
- II. Recommendations:**
 - 1. None.
- III. Questions:**
 - 1. None.

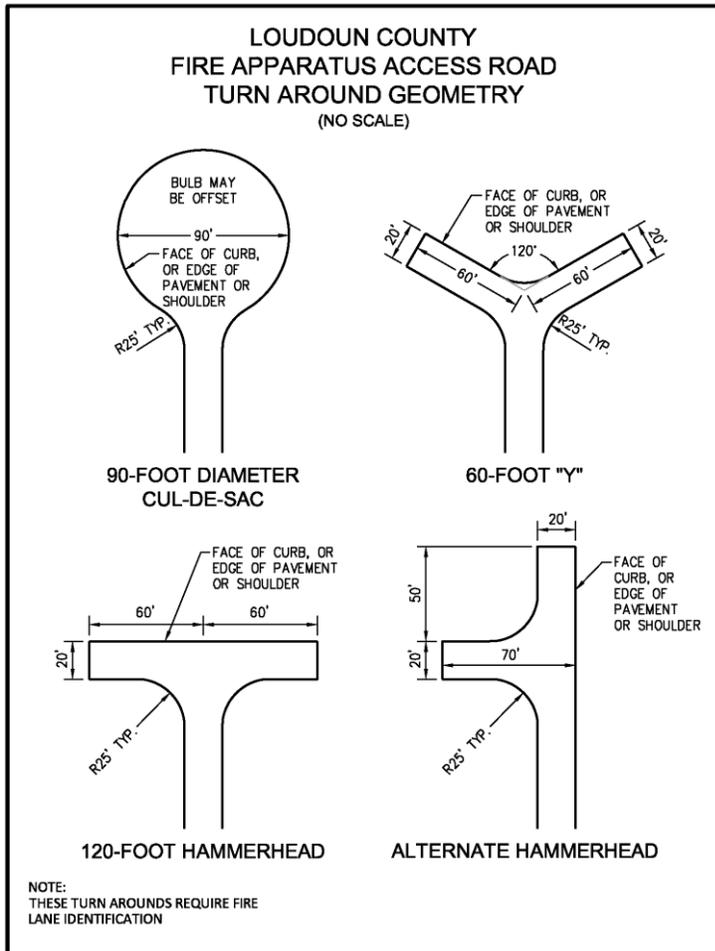
Information for requesting modifications to the LCFPC:

- 1. 106.5 Modifications. The fire official may grant modifications to any provision of the SFPC upon application by the owner or the owner's agent provided the spirit and intent of the SFPC are observed and public health, welfare, and safety are assured. Note: The current editions of many nationally recognized model codes and standards are referenced by the SFPC. Future amendments to such codes and standards do not automatically become part of the SFPC; however, the fire official should consider such amendments in deciding whether a modification request should be granted.
- 2. 106.5.1 Supporting data. The fire official shall require that sufficient technical data be submitted to substantiate the proposed use of any alternative. If it is determined that the evidence presented is satisfactory proof of performance for the use intended, the fire official shall approve the use of such alternative subject to the requirements of this code. The fire official may require and consider a statement from a professional engineer, architect or other competent person as to the equivalency of the proposed modification.

Pursuant to section 112.1 of the Fire Prevention Code:

If you have concerns about the application of the Fire Prevention Code (FPC) or to request a modification to the provisions of the FPC pursuant to section 106.5, please contact Chief Fire Marshal Linda Hale at 703/737-8600. The owner of a structure, the owner's agent or any other person involved in the design, construction or maintenance of the structure may appeal a decision of the fire official concerning the application of FPC or the fire official's refusal to grant modification. Persons wishing to file an appeal shall submit a written request for appeal to the Board of Building Code Appeals (BBCA), within 14 calendar days of receipt of the decision being appealed. Person's wishing to file an appeal shall address it to Deputy Fire Marshal at DutyFm@Loudoun.gov, or send by certified mail to the Loudoun Fire Marshal's Office at the above address. The appeal shall contain the name and address of the owner of the structure and the person appealing if not the owner. A copy of the written decision of the fire official shall be submitted along with the appeal. Failure to submit an appeal within the time limit established shall constitute acceptance of the fire official's decision.

FSM Figure 18 Approved Fire Apparatus Turn Arouds





**Loudoun County, Virginia
Department of Fire and Rescue
Fire Marshal's Office**



23675 Belmont Ridge Road, Suite 150
Ashburn Virginia 20148
Phone 703-737-8600 Fax 703-737-8595

Memorandum

DATE: July 6, 2020

TO: Josh Peters, Project Manager, Engineering Division

FROM: Kevin Federline, Fire Inspector

THRU: Linda Hale, Chief Fire Marshal

SUBJECT: ZMAP-2020-0005 & SPEX-2020-0012 Goose Creek Overlook, First Submission

The Loudoun County Fire Marshal's Office (FMO) has the following comments, which are required to be addressed prior to approval, resulting from the review of the project:

Prior to the issuance of an occupancy permit for any facility, building, or portion of a building hereafter constructed, Fire Lane Identification shall be provided, permitted, and an approved inspection along any Fire Apparatus Access Road serving such facility, building, or portion of a building.

If there are any changes to the plans include the Fire Marshal's Office in review to ensure fire code compliance.

- I. Requirements: From the current Loudoun County Facilities Standards Manual (FSM) and the current Loudoun County Fire Prevention Code (LCFPC)**
1. Please demonstrate that the entrance to Land Bays E1 and E2 is compliant with the current FSM Chapter 4.810.4.

The Loudoun County Fire Marshal's Office reserves the right to ensure Fire Code compliance when more detailed information is made available on the construction plan and profiles submission. For example but not limited to, the FMO will be looking for more information on the following: approved fire apparatus access roads located within an emergency access easement, fire lane identification for fire apparatus access roads, more than one point of access to site if any building exceeds thirty feet (30') in height and or gross building area is greater than 62,000 square feet (if any building is not sprinklered) or 124,000 square feet (all buildings shall be sprinklered), hydrant location, hydrant coverage measured by 300 foot hose lay "as the hose lies" between and around obstructions from the hydrant to all portions of the building exterior, dead-end fire apparatus access roads in excess of 150 feet with an approved fire apparatus turn around (see attached FSM Figure 18 for approved turnarounds), fire apparatus access roads to within 150 feet of the exterior of buildings first floor, turning

radii/turning analysis using AASHTO - SU-40 on fire apparatus access roads, immediate unobstructed access to fire department connections, and if the building height, when measured from the average finished grade at the face of the building located adjacent to a fire apparatus access road to the highest eave of a pitched roof, intersection of the roof to an exterior wall, or top of a parapet wall, whichever is greater, exceeds 50 feet in height, an “Aerial Fire Apparatus Access Road” at least 26’ in width along one side of the building will be required.

II. Concern:

1. None.

III. Recommendations:

1. For the following reasons, the FMO cannot support the rationale of reduced parking in Loudoun County despite being within a metro district as Loudoun County’s current residents do not have a reduced vehicle use/demand. Current parking allowances, to include higher density development and mixed use developments, have not proven to meet the end user demands, as evidenced by the complaints the FMO fields on a routine basis. The average number of vehicles per household has been on the rise. Once, an allotment of two cars was enough for families but now, each child has a car, visiting relatives and caregivers must have a place to park. It should be recognized that currently Loudoun County utilizes garages as part of the parking allocations when provided. And that unless there is a specific HOA requirement mandating garage parking, garages are often used for storage, workshops, or other purposes that do not accommodate the parking of multiple vehicles. Residents become frustrated when forced to shuffle stacked vehicles in a garage and/or driveway. Many times opting to park on the street to prevent this from occurring. When roads are not built to accommodate the minimum fire code requirements of 20 feet for emergency apparatus access plus additional space for vehicle parking, the roads become compromised, the tension and complaints are fielded by the jurisdiction.

IV. Questions:

1. None.

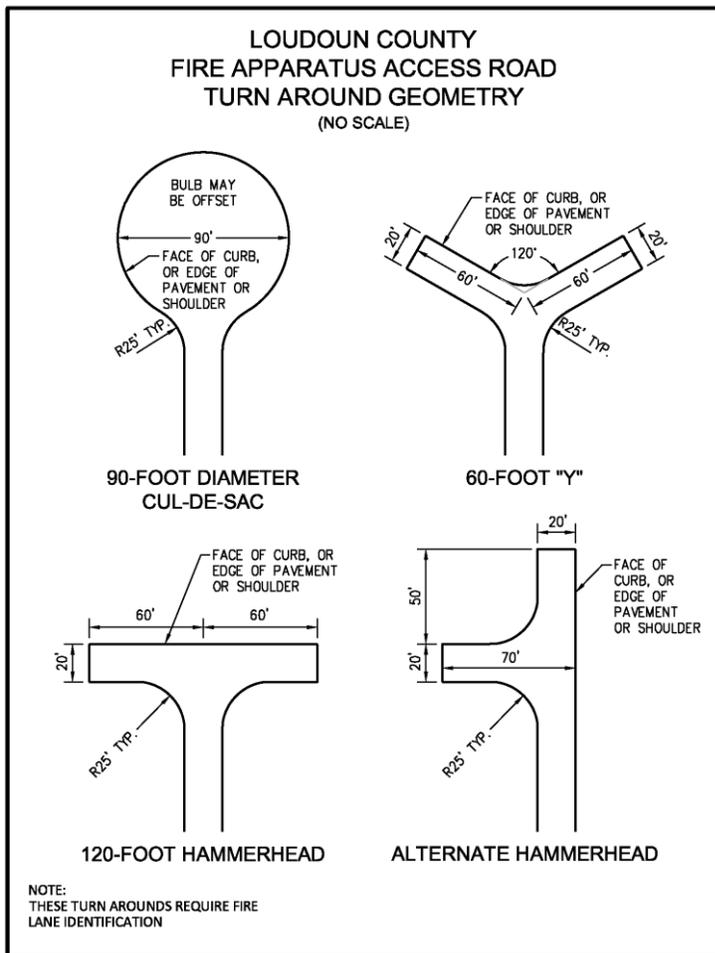
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2. 106.5.1 Supporting data. The fire official shall require that sufficient technical data be submitted to substantiate the proposed use of any alternative. If it is determined that the evidence presented is satisfactory proof of performance for the use intended, the fire official shall approve the use of such alternative subject to the requirements of this code. The fire official may require and consider a statement from a professional engineer, architect or other competent person as to the equivalency of the proposed modification.

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FSM Figure 18 Approved Fire Apparatus Turn Arouds





Loudoun County Fire and Rescue

PO Box 7100
801 Sycolin Road SE, Suite 200
Leesburg, VA 20177-7100
Phone 703-777-0333 Fax 703-771-5359



Memorandum

To: Josh Peters, Project Manager
From: Maria Figueroa Taylor, Fire-Rescue
Date: Planner July 10, 2020
Subject: Goose Creek Overlook
ZMAP-2020-0005 & SPEX-2020-0012

Thank you for the opportunity to review the above captioned application.

The Fire-Rescue GIS and Mapping coordinator offered the following information regarding estimated response times:

PIN	Ashburn, Station 6 Travel Time
154-45-5373	5 minutes

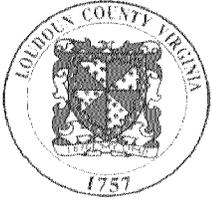
Travel times are determined using ESRI GIS network analyst along the county's street centerline with distance and speed limit being the criteria. Travel time is reported in minutes and seconds. For the approximate response time two minutes is added for turnout time.

Approximate Response Time for Ashburn, Station 6
7 minutes

The submitted plans do not provide enough detail to demonstrate adequate access and circulation of emergency vehicles to all areas of the proposed development. The Fire and Rescue Planning Staff understands that this concern may be best addressed at the time of site plan.

If you have any questions or need additional information, please contact me at 703-777-0333.

c: project file



Environmental Health
Phone: 703 / 777-0234
Fax: 703/771-5023

Loudoun County Health Department

P.O. Box 7000
Leesburg VA 20177-7000



Community Health
Phone: 703/777-0236
Fax: 703/ 771-5393

June 25, 2020

MEMORANDUM TO: Josh Peters, Project Manager
Planning Division, Building & Development

FROM: Roger R. Lewis, MSC #68
Sr. Environmental Health Specialist
Division of Environmental Health

SUBJECT: ZMAP-2020-0005 & SPEX-2020-0012 Goose Creek Overlook
PIN #'s: 154-45-5373, 154-45-1833, 154-45-3829, 154-45-9680, 154-35-8154, 153-16-3488

This Department reviewed the package and the plat prepared by J2 Engineers, Inc., dated April, 2020, revised May 11, 2020. Staff supports the approval of the application for the following reasons.

Application is for Special Exception and new zoning approval. Please note that prior to additional site approvals, the Health Department will require proper abandonment of wells and septic systems located on PIN 154-45-5373. Permits for the abandonments are required and may be obtained at the Health Department.

If further information or clarification on the above project is required, please contact Roger R. Lewis at 703-737-8849.

W: Referrals/ ZMAP-2020-0005 & SPEX-2020-0012 Goose Creek Overlook

RRL/JAH/trl

Via Electronic Mail

August 19, 2020

Josh Peters
Planner - Land Use Review
Loudoun County Department of Planning & Zoning
1 Harrison Street, SE, 3rd Floor
Leesburg, Virginia 20175

RE: **Goose Creek Overlook: ZMAP-2020-0005; ZCPA-2020-0008; ZMOD-2020-0020
Response to First Referral Comments**

Dear Josh:

On behalf of Goose Creek Overlook LLC and Good Works Development LP, the Applicants for the above-referenced applications (“Applicants”), we hereby submit the following materials that have been revised to address referral agency comments received to date. The responses also include revisions based on discussions held with the Virginia Outdoors Foundation, Parks and Recreation and the Natural Resources Team.

1. *Goose Creek Overlook Statement of Justification (ZMAP-2020-0005, ZCPA-2020-0008 and ZMOD-2020-0020)* dated April 22, 2020, revised August 19, 2020;
2. Land Development Application Form adding GC Property LLC;
3. *Goose Creek Overlook Rezoning Application ZMAP-2020-0005/ZMOD-2020-0020* plan set, prepared by J2 Engineers, dated April 20, 2020, revised August 19, 2020;
4. *Draft Proffers, Goose Creek Overlook, ZMAP-2020-0005 and ZMOD-2020-0020*, dated August 19, 2020, including *Exhibit A, Goose Creek Overlook Residential Design Guidelines* prepared by Bowman Consulting, dated August 19, 2020;
5. *Goose Creek Village South – Land Bay E, ZCPA-2020-0008* plan set, prepared by J2 Engineers, dated August 19, 2020;
6. *Proffer Statement Goose Creek Village South – Land Bay E, ZCPA-2020-0008* dated August 19, 2020;
7. *Traffic Impact Study Goose Creek Overlook*, prepared by Gorove Slade, dated May 6, 2020, revised August 18, 2020, including Technical Appendix; and,
8. *Parking Demand Study Memorandum*, prepared by Gorove Slade, updated August 19, 2020

In brief, the application has been revised to:

1. Incorporate the 6.023 acre parcel owned by GC Property LLC into the project;
2. Provide for the dedication of an additional 2+ acres of frontage along Goose Creek to the County, bringing the total proposed dedication area to 16.7+ acres (County Dedication Area);
3. Provide for the conveyance of a conservation easement to the Virginia Outdoors Foundation (VOF) over the County Dedication Area;
4. Provide for the construction of over 5,500 linear feet of continuous Emerald Ribbons Trail along Goose Creek, public access to the County Dedication Area and VOF area, two public trailhead parking areas and a canoe/kayak launch on the Goose Creek within the County Dedication Area/VOF Conservation area; and,

101 South Street, SE, Leesburg, Virginia 20175
p: 703.443.2400 | f: 703.443.2425
www.bowmanconsulting.com

5. Relocate the Affordable Dwelling Units (AHUs) from the County-owned parcel (that is subject to an existing VOF Conservation easement) west to the Hennessy parcel thereby removing all structures from the County-owned/VOF property.

RESPONSE TO REFERRAL AGENCY COMMENTS

ARCHEOLOGY

1. Comment: Staff recommends that the applicant add an Archaeological Note to project plans that includes the full titles, company names, and completion dates for all archaeological reporting prepared for the property. Staff recommends the following text for the Archaeology Note:

“Phase I Cultural Resources Investigation, Goose Creek Overlook, Loudoun County, Virginia was prepared for the subject property by Thunderbird Archeology, Wetland Studies and Solutions in June 2020. One potentially NRHP-eligible resource, archaeological site 44LD1871, was identified on the property and is recommended for Phase II significance evaluation if it cannot be avoided. No cemeteries, human graves, or other significant historic resources were identified by the Phase I survey.”

Response: The Applicant has added the June 2020 revision date for the Phase I Cultural Resources Investigation, Goose Creek Overlook, Loudoun County, Virginia to General Note 12 on Sheet 1 of the CDP and has added the requested note to Sheet 10 of the CDP. The June 2020 Phase I Cultural Resources Investigation includes the parcel owned by GC Property LLC and site 44DL1870.

COMMUNITY PLANNING

2. Community Planning Staff finds the density and the unit type is compatible with the surrounding developments. Additional details and commitments are needed to ensure the design of the site meets the intent of the 2019 GP, as discussed further below.

Response: See responses to the following issues.

3. **Parks/Open Space & Public/Civic Comment**

Community Planning Staff recommends the applicant provide active recreation areas internal to Land Bays A, E (E1 and E2), and F (now labeled Land Bays A, C and F). The applicant should consider providing open space amenities between Land Bays A and F linking these two land bays. If active recreation areas are not relocated, detailed drawings should be provided showing internal site access as well as how each of these areas will function on the periphery of the land bay. Amenities intended for each of these active recreation areas should also be provided. The CDP should be updated to show 10 percent public/civic uses.

Response: The Applicants are proffering to provide community owned and maintained active recreation areas internal to the Land Bays. Recreation uses including, but not limited to tot lots, open play fields and picnic areas will be provided. All active recreation areas have been located to provide for separation from adjacent public park amenities but will also be easily accessible to residents via the network of on-site sidewalks and trails.

The Applicants are also proffering to dedicate approximately 16.7 acres of land (approximately 30% of the land area), identified as Land Bay D on the CDP, along Goose Creek to the County for a public passive park. Improvements including construction of two public trailhead parking areas (on Land Bays D and E, respectively), a canoe/kayak launch on Goose Creek, and construction of a 5,500+ linear foot section of the Emerald Ribbons Trail along Goose Creek have also been proffered by the Applicants.

Finally, the Applicants are proffering to place a conservation easement over the 16.7+ acre County Dedication Area to the benefit of the Virginia Outdoors Foundation (VOF). This easement area is located adjacent to the existing conservation easement on the 18.4-acre County-owned parcel held by the VOF and will result in conserving over a mile of frontage in open space along Goose Creek between the Dulles Greenway and the Goose Creek Preserve community.

4. **Housing Comment**

Community Planning Staff recommends that subsequent submissions include commitments to a variety of unit sizes, green building, universal design, low-impact and sustainable design features, and other amenities intended for the AHU buildings as indicated in the SOJ.

Response: In response to discussions held with VOF, the ADUs have been shifted from the County-owned parcel (Land Bay E) onto Land Bay F. The ADUs are proposed to be developed in accordance with the provisions of Section 7-109 of Article VII of the Zoning Ordinance; i.e. Affordable Housing Units section. The Applicants are proposing to provide a maximum of 75 ADUs (42%), consisting of 1, 2 and 3-bedroom units, which will be provided in a single four-story over podium elevator served multi-family residential building on the property.

5. **Site Design**

Community Planning Staff recommends including design guidelines or illustrative details of the units proposed to ensure the intent of the 2019 GP is being met. If illustrative details are provided, specific commitments to those details should be provided as well as a review for conformance by the Department of Planning and Zoning. Commitments to specific building materials should also be included. Community Planning Staff further requests details regarding how the proposed development north and south of Sycolin Road will be integrated. Community Planning Staff recommends updating Sheet 10 to include the proposed 10-foot trail along all of the property's Sycolin Road frontage. Information should be provided regarding screening the proposed sanitary sewer pump station from Sycolin Road.

Response: The Applicant is proffering design guidelines. See Exhibit A to the Proffer Statement, Goose Creek Overlook Residential Design Guidelines, dated August 19, 2020 ("Design Guidelines"). The Design Guidelines include elevations to illustrate the quality and character of design anticipated for Goose Creek Preserve. Commitments to building materials are included. The Goose Creek Overlook community will be designed as a cohesive community that is governed by the same Design Guidelines north and south of Sycolin Road. The areas will be connected by the Emerald Ribbons Trail along Goose Creek. In addition to the internal pedestrian network, a 10 foot-wide multi-purpose trail is also planned to be constructed along the Sycolin Road frontage of the property where it can ultimately connect to off-site trails. The multi-purpose trail along the north side of Sycolin Road is proposed to connect to the Emerald Ribbons Trail and the multi-purpose trail along the southern side

of Sycolin Road is planned to connect to the existing trail located east of the property. The pump station will be screened in accordance with the requirements of the Zoning Ordinance.

6. **Parking Comment**

The applicant is requesting a SPEX to reduce the required number of parking spaces for the MFA AHUs. The applicant seeks to reduce the number of parking spaces from 1.5 spaces for 1- bedroom units and 2 spaces for 2 or 3- bedroom units to 1.4 spaces per unit regardless of bedrooms. Community Planning Staff has no issue with the SPEX request.

Response: Acknowledged. Zoning Staff requested the request for the parking reduction be made as a zoning modification instead of a SPEX. Therefore, ZMOD-2020-0020 replaces the SPEX.

7. **Capital Facilities**

Under the 2019 GP, all residential rezoning requests will be evaluated in accordance with the Capital Facility guidelines and policies of the Plan (2019 GP, Chapter 6, Fiscal Management, Strategy 8.3). A central objective of the 2019 GP is to balance land uses to promote an effective fiscal policy (2019 GP, Chapter 6, Fiscal Management, Strategy 8.2). The current capital intensity factor (CIF) is \$33,733.40 per SFA dwelling unit and \$25,016.56 per MFA dwelling unit in the Eastern CIF region. The total capital facility impact (minus the proposed AHUs) of this project is estimated at \$4,790,412.80 (See Attachment 1). Based on the existing zoning of the site, the proposal could apply a base density credit equivalent to the capital facility impact of 40 dwelling units, or \$1,902,170.80, for a total anticipated capital facility contribution of \$2,887,972. The anticipated capital facility impacts of the proposed development should be mitigated according to 2019 GP fiscal policies.

Response: The Applicant has proffered the capital facility contribution anticipated for this project.

8. **Environmental/Existing Conditions Comment**

The submitted plats should be updated identifying all the elements of the RSCR as well as the 300-foot no-build buffer. Community Planning Staff recommends committing to protection and preservation of the RSCR or the 300-foot no-build buffer, whichever affords the greatest protection in its entirety.

Response: The CDP has been clarified as requested and development is proposed in accordance with the policies of the 2019 GP.

9. **Comment:** Community Planning Staff recommends commitments to the use of permeable materials for trails proposed within the RSCR.

Response: The Applicants have proffered the use of pervious surface materials for the trailhead parking lots and trails located within the RSCR.

10. **Stormwater Management**

Community Planning Staff requests more information regarding stormwater management. If the applicant wishes to use SWM facilities as an open space feature, information needs to be provided regarding how these facilities will be an amenity for the community. Given the subject site's location within the Reservoir Protection Area, Community Planning Staff recommends the applicant commit to at least two LID techniques onsite consistent with the LID Proffer Template (see Attachment 2).

Response: The Applicant is committing to the use of at least two LID techniques for the project consistent with the LID Template. See Proffers.

11. **Wetlands**

Community Planning Staff recommends updating the CDP to show wetlands. Development should avoid existing wetlands to the greatest extent practicable.

Response: The CDP has been updated.

12. **Forests, Trees, and Vegetation**

Community Planning Staff recommends the applicant designate TCAs on the CDP with a preference for existing vegetation within the RSCR. Commitments to the preservation and management of the TCAs should be included consistent with the Tree Conservation Proffer Template (see Attachment 3).

Response: Existing vegetation within Land Bay D is to be retained except for construction of the passive park improvements. Additionally, a tree conservation area has been designated on the south side of the property and the Proffers commit to preservation of trees in accordance with the TCA Template provided by staff.

13. **Steep Slopes.** *Community Planning Staff recommends locating development outside of steep and moderately steep slopes. Information should be provided regarding any unavoidable impacts to moderately steep slopes including strategies to offset these impacts.*

Response: Consistent with General Plan policies, development has been located outside of very steep slopes. Development is prohibited on moderately steep slopes.

14. **Natural Heritage Resources.** Community Planning Staff recommends conducting a habitat survey to determine potential impacts to the green floater and wood turtle. Preservation of existing forest cover within the RSCR as well as avoidance of wetlands onsite, as recommended above, will help to offset any potential impacts to the dwarf wedgemussel.

Response: The Applicant has proffered to prepare a habitat study.

15. **Highway Noise.** *Community Planning Staff recommends a commitment to a noise study to evaluate and, if necessary, mitigate highway noise impacts along the Dulles Greenway and Sycolin Road consistent with the Noise Study Proffer Template (see Attachment 4).*

Response: The Applicant has proffered to provide a Noise Study consistent with County policy.

FIRE MARSHAL OFFICE

16. **Comment:** The FMO cannot support the rationale of reduced parking in Loudoun County despite being within a metro district as Loudoun County's current residents do not have a reduced vehicle use/demand. Current parking allowances, to include higher density development and mixed-use developments, have not proven to meet the end user demands, as evidenced by the complaints the FMO fields on a routine basis. The average number of vehicles per household has been on the rise. Once, an allotment of two cars was enough for families but now, each child has a car, visiting relatives and caregivers must have a place to park. It should be recognized that currently Loudoun County utilizes garages as part of the parking allocations when provided. And that unless there is a specific HOA requirement mandating garage parking, garages are often used for storage, workshops, or other purposes that do not accommodate the parking of multiple vehicles. Residents become frustrated when forced to shuffle stacked vehicles in a garage and/or driveway. Many times opting to park on the street to prevent this from occurring. When roads are not built to accommodate the minimum fire code requirements of 20 feet for emergency apparatus access plus additional space for vehicle parking, the roads become compromised, the tension and complaints are fielded by the jurisdiction.

Response: The Applicants are seeking a parking reduction for only the ADUs. The request is based on a Parking Demand Study that clearly shows that adequate parking will be provided, even with a reduction in the parking ratio. See updated Parking Demand Study.

DTCI

Traffic Study

17. DTCI requests the Applicant clarify the proposed site development. The Statement of Justification indicates that up to 238 townhomes/multifamily units may be developed with this application. However, the Applicant's TIS analyzes 266 dwelling units in the trip generation comparison table.

Response: The current plan as of August 16, 2020 shows 251 dwelling units. The study has been updated to analyze 251 multifamily housing (mid-rise) dwelling units.

18. The Applicant should revise the TIS to provide the existing trip generation for the site.

Response: The majority of the site is vacant with the exception of one residential home. The Trip Generation Comparison table on Page 16 has been revised to include the existing use. The existing use generates fewer than ten trips on a typical average day; in order to be conservative, no existing trips were accounted for in the analysis.

19. DTCI requests the Applicant clarify if the SimTraffic analysis analyzed Intersection #1 under the existing two-lane condition along Sycolin Road or the ultimate four-lane section. DTCI requests the Applicant analyze the intersection under the ultimate four-lane condition in order to confirm acceptable LOS under the 2019 CTP Ultimate Condition for Sycolin Road.

Response: The SimTraffic analysis was analyzed under the existing two-lane condition along Sycolin Road. Additional language has been added to Page 22 of the TIS to clarify. Additional analysis for the future with development under the ultimate four-lane condition has been provided on Page 23 of the TIS in order to confirm acceptable LOS under the 2019 CTP Ultimate Condition for Sycolin Road.

Roadway Network and Site Access

20. DTCI requests the Applicant revise the ZMAP and SPEX Plat to correct the route number of Sycolin Road to be “Route 625” rather than “Route 643”.

Response: The Route number has been revised.

Bicycle and Pedestrian Facilities

21. DTCI requests the Applicant commit to providing a 10-foot-wide shared use path along the entirety of the site frontage with Sycolin Road consistent with the 2019 CTP. Further the Applicant should commit to installing the shared use path such that it is outside of the roadway area needed for the widening of Sycolin Road.

Response: The Applicant has proffered to provide a shared use path along property frontage on the north side of Sycolin and to provide a shared use path along the property frontage (on and off site) between the second site entrance and the existing trail on the south side of Sycolin. A shared use path is not proposed to be installed along the property frontage on the south side of Sycolin Road south of the western site entrance due to slopes in this area of the property.

Proffers

22. DTCI requests the Applicant commit to dedicate the 90-foot-wide right-of-way necessary to accommodate the Sycolin Road widening from two- to four-lanes consistent with the 2019 CTP. Furthermore, the Applicant should provide additional right-of-way necessary for turn lanes and pedestrian facilities.
23. DTCI requests the Applicant commit to design and implement the “Interim Condition” roadway widening improvements along Sycolin Road as depicted on Sheet 12 of 14 of the ZMAP and SPEX Plat.
24. DTCI requests the Applicant provide a regional road and transit contribution on a per unit basis.

Response: The Applicant has committed to the above requested proffers.

Highway Noise

25. The application proposes residential uses in proximity to both Sycolin Road, a major collector roadway, and the Dulles Greenway, a principal arterial roadway. As such, the Applicant should commit to provision of a highway noise analysis and mitigation of noise impacts identified per the study in accordance with the noise policies as outlined in Chapter 7 of the 2019 CTP.

Response: The Applicant has proffered to provide a noise study per CTP policy.

HOUSING

The Application describes how “this application will include a substantial number of housing units to address the deficit of attainable housing in the County.” More specifically, it also discusses how it will utilize County-owned land for the development of AHUs. This is a policy that the adopted 2019 Comprehensive Plan strongly encourages.

The Office of Housing supports this Application because of its commitment to provide more than the required number of ADUs, serve persons with disabilities and of lower incomes, and create buildings of high quality, with green and universal design features.

Response: The Applicant has proffered the commitment to provide up to 75 ADUs for the project. This represents 42% of the total number of units proposed to be developed.

LOUDOUN WATER

Should offsite easements be required to extend public water and/or sanitary sewer to this site, the applicant shall be responsible for acquiring such easements and dedicating them to the Authority at no cost to the County or to the Authority.

Response: The Applicants have proffered to extend public water and sanitary sewer to the property, including the construction of a new pump station, at no cost to the County or Loudoun Water.

NATURAL RESOURCES TEAM

Natural Resources:

- 1) The property is subject to the Reservoir Protection Area requirements set forth in FSM 5.230.B.4. Please update the application as following (ZMAP Checklist Item 4.h):
 - a) Please add a note that the project is located within the Goose Creek Reservoir Protection Area and subject to the requirements set forth in FSM 5.230.B.4.

Response: A note has been added to the cover sheet. See Note 7 on Sheet 1.

- b) Please add the Reservoir Protection Area to the Special Exception Plat Sheet 8 and Open Space and Landscape Requirements Sheet 9.

Response: The Reservoir Protection Area has been added to Open Space and Landscape Requirements now on Sheet 08. The Special Exception Plat sheet has been removed from the plan set.

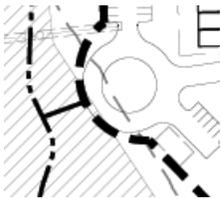
- c) Per FSM 5.230.B.4.a there is a 300-foot area (Reservoir Protection Buffer) from the existing or planned shoreline where no land disturbing activity can occur. From the information provided on other Sheets that depict the 300-Foot Reservoir Protection Buffer, it appears that development is proposed within this 300-foot area on Sheets 8 and 9. Please adjust the layout to move this development out of the 300-foot Buffer.

Response: The proposed layout has been revised to minimize encroachment upon the 300-foot Buffer. A waiver will be submitted to request minimal encroachment. Further, the proposed encroachment is to install a 10' linear county trail and associated trailhead parking lot. These features are to be constructed with permeable materials. Additionally, the existing impervious surfaces (house, pool, garage, basketball court, etc.) located within the RPB, Floodplain and environmental setbacks that total approximately 24,000 SF are planned to be removed and replaced with the proposed permeable area within the RPB and environmental areas, which measures 12,168 SF.

- 2) Please add a note to Sheet 1 that states that the project is subject to the Scenic Creek Valley Buffer requirements in R93ZO 5-1000.

Response: A note has been added to the cover sheet as Note 8. See Sheet 01.

- 3) Sheet 9 shows impervious development within the Scenic Creek Valley Buffer (SCVB) as noted by the image below. Per R93ZO 5-1003, the construction of buildings, structures, parking lots or other impermeable surfaces within the SCVB is prohibited. Please revise the layout to remove this area from the SCVB.



Response: The proposed layout has been revised to minimally encroach within the SCVB. The development that does encroach the SCVB will consist of pervious surface for trailhead parking.

- 4) Staff notes that there are Very Steep Slopes and Moderately Steep Slopes within the project area. Impacts to the Very Steep Slopes are not allowed per R93ZO 5-1508. The Very Steep Slopes need to be added to the CDP or Sheet 9 so that staff can verify that the proposed development will not impact the Very Steep Slopes.

Response: The hatches depicting Very Steep Slopes are now shown on the CDP sheet on Sheet 07. The proposed development does not encroach the Very Steep Slopes area except for the proposed 10' linear county trail, which is to be constructed with permeable materials.

Natural Resources:

- 5) Note 9 on Sheet 1 states that jurisdictional wetlands exist on the site and staff notes there appear to be wetlands and/or streams delineated on Sheet 5. Please update Note 9 to reference the source of the wetland information, including the Corps jurisdictional determination number and date, if it exists.

Response: Wetlands Delineation note has been added to the cover sheet as Note 11.

- 6) The impact of the proposed project on existing vegetation is a matter of consideration as part of a rezoning application. Consistent with Forest, Trees, and Vegetation Strategy 4.1 Actions A and B of the 2019 General Plan and to minimize the impact of the proposed project on existing vegetation staff recommends preserving forest cover within the site. Staff recommends that Tree Conservation Areas (TCA) be added to the plan. Staff notes areas outside of the various buffers (SCVB, Reservoir Protection Area, and the 50-Foot River and Stream Corridor Buffer) are excellent additional areas for TCA.

- a) In addition to the TCA, Staff further recommends a proffer consistent with the Tree Conservation Area proffer template. (R93ZO 6-1210 (E)(5))

Response: All County-Dedicated Open Space is to be conserved. In addition, a Tree Conservation Area consisting of approximately 49,670 SF is provided on the Open Space and Landscape Requirements on Sheet 08.

- 7) The impact of the proposed project on existing vegetation is a matter of consideration as part of a rezoning application. Consistent with Forest, Trees, and Vegetation Strategy 4.1 Actions A and B of the 2019 General Plan and to minimize the impact of the proposed project on existing vegetation staff recommends preserving specimen trees within the site. Staff notes that there are numerous Specimen Trees within the boundary of the project that staff recommends could be preserved. (R93ZO 6-1210 (E)(5))
- a) Staff further recommends a proffer consistent with the Specimen Tree proffer template spelling out which specimen trees will be preserved.

Response: All County-Dedicated Open Space is to be conserved. In addition, a Tree Conservation Area consisting of approximately 49,670 SF is provided on the Open Space and Landscape Requirements on Sheet 08. This additional conservation area is provided to offset the specimen trees that will be removed as a result of development.

- 8) Staff notes that consistent with the River and Stream Corridor Resources Strategy 2.2 Action B Policies of the 2019 General Plan, the River and Stream Corridor Resource (RSCR) Management Buffer is depicted off of the major floodplain and incorporates the Very Steep Slopes and the Moderate Steep Slopes on Sheet 7.
- a) Please extend the 50-foot RSCR Management Buffer along the northern portion of the project adjacent to Land Bay F.

Response: The 50-foot RSCR Management Buffer has been extended along the northern portion of the application area where appropriate.

- b) Staff notes that per the 2019 General Plan Strategy 2.2. Action A, the RSCR Management Buffer should extend 50-feet beyond the floodplain but also include the Very Steep Slopes and Moderately Steep slopes up to 100 feet. From the information submitted, it appears that the RSCR buffer is not depicted accurately. Please update the sheets accordingly.

Response: The depiction of the RSCR buffer has been revised to be 50' beyond the floodplain and include up to 100' of adjacent Very Steep Slopes.

- c) Staff notes that it appears there will be encroachments into the RSCR Management buffer. However, based on the information submitted, it is not clear what the extent of these encroachments are. Please update the sheets on the next submission so staff can clearly see where the proposed development will be occurring and what the impacts are to the RSCR Management Buffer.

Response: The depiction of the RSCR Management buffer has been revised per previous comment. While the proposed development does encroach this buffer, this encroachment consists of trailhead parking that will have a pervious surface. See Sheet 07.

- d) Staff recommends that proposed mitigation for the RSCR Management Buffer encroachments be depicted on the CDP. Staff needs to ensure that not only is there enough space for the mitigation but that the mitigation locations are suitable.

Response: Mitigation for any encroachments in the RSCR Management Buffer will be shown on construction plans for the affected area when more detailed engineering is available and the extent of mitigation measures needed is known.

- e) Staff recommends a proffer commitment based on the RSCR Management Buffer proffer template to mitigate encroachments consistent with plan policies (i.e. reforestation

Response: The proffer has been provided.

- f) Staff recommends that the labeling of the “50’ RSCR Management Buffer” be updated to say “RSCR Management Buffer”.

Response: The label for the RSCR Management Buffer has been revised to “RSCR Management Buffer.” See Sheet 07.

- 9) The property drains directly to Goose Creek which is located within the project boundaries or immediately adjacent. As previously mentioned the project is also located within the Goose Creek Reservoir and the associated Goose Creek Reservoir Protection Area. At the northern edge of the property, Goose Creek has been listed by the Virginia Department of Environmental Quality (DEQ) as impaired for fish consumption. Immediately downstream when Goose Creek is no longer in the Reservoir Protection Area, it is listed as impaired by DEQ for aquatic life (aquatic insects and other small organisms that live on the stream bottom), recreational use and fish consumption. In addition, there are two 2009 Countywide Stream Assessment Project data point downstream of the property along Goose Creek. The closest data point shows that the stream is severely stressed for aquatic life but optimal for habitat. The second data point further downstream identifies the stream as suboptimal for habitat and stressed for aquatic life. Impacts to water quality are an issue for consideration as part of the application (R93ZO 6-1210(E)(5)).

- a) River and Stream Corridor Resources Strategy 2.3 in the 2019 General Plan encourages low impact development (LID). Staff recommends that LID measures be implemented on the property and that a commitment consistent with the LID proffer template be provided. Due to the size of the project and the location and close proximity of the project to Goose Creek, staff recommends a minimum of 1 LID measure per land bay. The proffer template is available through the Project Manager in the Department of Planning and Zoning, Land Use Review

Response: Two potential LID facility locations have been provided. One for the land bays north of Sycolin Road and another for the land bays south of Sycolin Road. See Sheet 07.

- 10) The property will be adjacent to the Dulles Toll Road and Sycolin Road which is identified as a major collector road in the Loudoun County 2019 Countywide Transportation Plan (2019 CTP). Staff recommends that that the applicant commit to a noise analysis and implement noise

attenuation measures to ensure that the Noise Abatement Criteria for residential and outdoor uses are met as outlined in the 2019 CTP.

Response: No buildings will be located adjacent to the Dulles Greenway. A noise study has been proffered to determine mitigation measures that may be necessary for any units that are located adjacent to Sycolin Road.

- 11) Consistent with the FSM 6.120.B.2 and 8.107.A.27, staff recommends providing the following soils map certification: “The subject development site does contain Class III and/or Class IV soils, per the latest County soils map as identified by the Interpretive Guide to Soils Maps, Loudoun County, Virginia. Loudoun County recommends no construction of structures with subgrade levels within natural drainage swales or within soils or spots specifically identified as wet per the latest County soils map as identified by the Interpretive Guide to Soils Maps, Loudoun County, Virginia.”

Response: The specified note has been added to the Existing Conditions. See Sheet 05.

- 12) As previously noted, there are Very Steep Slopes and Moderately Steep Slopes located within the project area. There are extensive impacts to the Moderately Steep Slopes associated with Land Bays E1 and E2 per Sheet 9. Protecting the Steep Slopes helps reduce the chance of slope collapse due to the surrounding development which in turn helps to prevent erosion and sedimentation which aids in water quality. Erosion and sedimentation are also reduced by protecting the existing vegetative cover that is located on the Steep Slopes. In order to fully protect the Moderately Steep Slopes and Goose Creek, staff recommends that the project limits be located outside of the Moderate Steep Slopes to the greatest extent possible.

Response: The proposed layout has been revised so that no development will encroach upon the Very Steep Slopes.

- 13) Staff notes that the March 16, 2020 Threatened and Endangered Species Review Report submitted with the application notes both the wood turtle and the green floater. In addition, the report states that impacts to streams are proposed, a habitat study for the dwarf wedgemussel might be required. Staff notes that per the layout presented with this application, there are impacts to streams on the property and these streams flow into Goose Creek. Staff recommends that additional studies (i.e. habitat) be conducted.

Response: The Applicant has included a proffer to provide a Habitat Study.

- 14) In order to fully evaluate impacts to natural resources within the project area, staff requests an additional sheet (or sheets if the information is not legible on one sheet) be added to the plat set that overlays the natural resource features (wetlands, streams, SCVB, Reservoir Protection Area, RSCR buffers, floodplain, tree cover, specimen trees, soils) and the proposed concept development plan. (R93ZO 6-1210 (E)(5))

Response: All the above requested info is now shown on the Environmental Features on Sheet 10.

Floodplain Management:

15) Please provide a Source of Floodplain Note as outlined below and pursuant to Section 8.101.A.20 of the FSM:

“There is floodplain on the property that is the subject of this application. The current Flood Insurance Rate Map (FIRM) of Loudoun County Community Panel Numbers for the property that is the subject of this application are 51107C0245E and 51107C0242E effective February 17, 2017. The depicted boundary of the existing floodplain is based on the FIRM”

Response: The specified note has been added to the coversheet as Note 10. See Sheet 01.

16) Include a note on Sheet 1 indicating that all future development on the site must comply with R93ZO Section 4-1500.

Response: The specified note has been added to the coversheet as Note 20. See Sheet 01.

17) Please be aware that prior to the approval of a development plan, a Floodplain Study will need to be completed in order to properly delineate the limits of the Major Floodplain and to ensure the proposed development is not inadvertently located within the limits of the Floodplain Overlay District. (FSM 5.411 & R93ZO 4-1505(A))

Response: A floodplain study will be provided at the time of development plan submission.

18) If any of the development falls within the limits of the Floodplain Overlay District (FOD), be advised that the appropriate floodplain application (e.g., Floodplain Alteration) will need to be submitted to address the associated floodplain impacts. Only uses listed under Section 4-1505(A) are permitted within the FOD, Major Floodplain. (FSM 5.442 & R93ZO 4-1505(A))

Response: No development, except the County trail, proposed within the Floodplain Overlay District. The County trail is a permitted use according to Section 4-1505-A-2.

19) If the limits of the FOD change as a result of a Floodplain Study or Alteration, the layout of the site may need to be updated with the land development application to be compliant with R93ZO 4-1500.

Response: Site layout impacts will be determined once floodplain study is conducted at the time of development plan submission.

20) On one of the sheets please provide both the approximate limits of the trail and the limits of the FOD to better show the trails location in proximity to the FOD.

Response: The 100-year floodplain has been added to the Open Space and Landscape Requirements on Sheet 08.

21) Under section VIII. Zoning Map Amendment Criteria in the SOJ, #5, include additional information on the potential impacts within the limits of the FOD. In particular, the proposed trail system and how those impacts will be mitigated.

Response: The Applicant is working with PRCS staff to determine details for construction of the improvements that are proposed to be located in the FOD. This information will be included in the application as soon as it is available.

County Urban Forester:

22) Sheets 3 & 4- I like the way the forests are depicted on the illustrative plan. This site is unique in terms of its forest cove types. The planted pines juxtaposed with the upland and bottomland hardwoods is unique when factored in with the tract's location next to Goose Creek and within distinctive river bluff geography. I suggest that upon development, TCAs are proposed similar to what is shown on the sheets.

Response: A proposed Tree Conservation Area of approximately 49,670 SF is now shown. Additional Tree Conservation Area details will be provided at time of development plan.

PARKS & RECREATION

PRCS finds the 14.4 acres suitable for development of a linear park and trail along the Goose Creek stream valley corridor.

1. In the Statement of Justification the applicant states;
 - a. The applicant will commit to designing, engineering, and installing a field-located natural surface trail approximately 5,500 feet in length along the Goose Creek frontage of the property. Please provide detailed proffer language addressing the applicant's commitment.
 - b. The applicant will commit to designing, engineering, and installing two separate public trailhead parking lots to accommodate approximately 32 parking spaces in aggregate. Please provide detailed proffer language addressing the applicant's commitment.

Response: The Applicants have committed to the construction of the above-listed improvements in the proffers. In response to meetings held with PRCS, the Applicants have provided an exhibit to illustrate the proposed improvements and is awaiting further input from PRCS to refine the proffers. The Applicants anticipate an ongoing discussion with PRCS to finalize the proffers.

2. In addition to the parking and trail, PRCS request the applicant identify two locations for canoe/kayak access and how they will function.

Response: Per direction received from PRCS after issuance of these referral comments, the Applicant has committed to construct one canoe/kayak launch on the property near the Sycolin Road bridge.

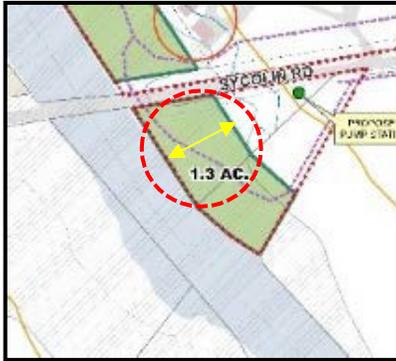
3. During the June 8, 2020 site visit, there was discussion on a structure (studio) remaining for potential reuse as part of the park for special events/visitor center. Please confirm or provide more information.

Response: In order to address PRCS concern regarding the maintenance and operation cost of the Hennessy garage if it is retained for public use, and the desire to provide adequate parking at the trailhead park that is proposed to be located at the west end of the property near Goose Creek, the Applicants are proffering to provide an expanded (pervious surface) trailhead parking area

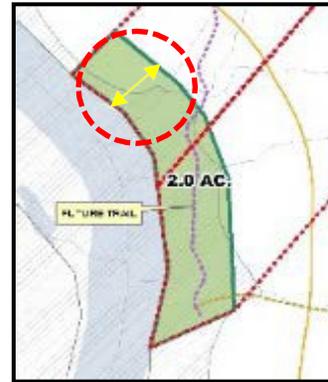
in lieu of retaining the Hennessy garage. In addition, the Applicant is proffering to provide interpretive signage to inform the public about Goose Creek as a state designated scenic creek and the significant contributions of the William Hennessy's art.

4. Please provide information on the width for the 1.3 acre and 2.0 acre (see below).

Response: The areas are shown on the CDP



1.3 Acre



2.0 Acre

PROFFER MANAGEMENT TEAM

1. A Zoning Concept Plan Amendment (ZCPA) application is required to be processed to amend the proffers and CDP approved with ZMAP-2003-0009, Goose Creek Village South, associated with the inclusion of PIN 153-16-3488 in the Goose Creek Overlook application.

Response: ZCPA-2020-0008 has been added to this project and submitted for staff review.

CONCEPT DEVELOPMENT PLAN

2. Sheet 01. Revise the Plan Date as the Plan Date is "April, 2020", but the plan also depicts a plan date of March 27, 2020. Please address this inconsistency.

Response: The plan dates have been listed.

3. Sheet 01. Revise the Title to delete the space between "ZMAP-2020-0005" and the comma.

Response: Completed

4. Sheet 01. Revise General Note 1 to revise all recitations of the current zoning districts using the nomenclature for the zoning district abbreviations found in the Zoning Ordinance, e.g. "R-1" and "PD-H4", rather than R1 and PDH4.

Response: Completed

5. Sheet 01. Revise General Note 2 list the application numbers using the County's adopted nomenclature for application numbers, which includes a dash after the application acronym, e.g. "ZMAP-2003-0009", rather than ZMAP 2003-0009.

Response: Completed

6. Sheet 01. Revise the information provided for Terra Dominion Group and Goose Creek Overlook LLC to delete "PHONE #".

Response: Completed

7. Sheet 02. Revise the Zoning Legend for the Zoning Map to use the nomenclature for the zoning district abbreviations found in the Zoning Ordinance, e.g. "PC-CC(CC)" and "PD-H3", rather than PDCCCC and PDH3.

Response: Completed

8. Sheet 07. Revise the Existing Zoning within Application Area to replace "R1" with "R-1".

Response: Completed

9. Sheet 07. Revise the Zoning Ordinance Requirements and Project Tabulations to replace "R8-ADU" with "R-8 ADU" and to replace "R16-ADU" with "R-16 ADU".

Response: Completed

10. Sheet 07. Revise the R-16 ADU Multi-Family Residential District Requirements to replace "Total R-8 ADU" with "Total R-16 ADU".

Response: Completed

11. Sheet 07. As the Provided Active Recreation Space for the R-8 ADU area is depicted to exceed the minimum required by the Zoning Ordinance, a proffer is recommended to commit to the increased square footage of active recreation space.

Response: The notes have been revised.

12. Sheet 07. Revise Note 4 to state "...in accordance with the Zoning Ordinance definition of Active Recreation Space" as active recreation space is required to be provided per Section 7-800 and Section 7-900 and is a term defined in Article 8.

Response: Completed

13. Sheet 07. Note 7 states Bike and Pedestrian Facilities shall be designed in accordance with the 2019 CDP. Staff recommends the Applicant identify the specific Bike and Pedestrian Facilities to be provided in a proffer.

Response: See proffers

14. Sheet 07. Regarding Notes 13 and 14, a proffer is recommended requiring all existing wells and drainfields to be abandoned prior to the approval of the first zoning permit for the Property in accordance with Health Department regulations.

Response: A proffer has been provided as requested.

15. Sheet 07. Provide a Legend that defines all of the line types used on the Concept Development Plan. Also, please define what the labels “200’ SCVB” and “300’ RPB” represent.

Response: Completed

16. Sheet 07. Staff recommends the Applicant use the County’s River and Stream Corridor Resources (RSCR) Management Buffer proffer template language, and also identify Replanting Areas on the CDP.

Response: The Applicant is not proposing development of structures within the River and Stream Corridor Resources Management Buffer. The Applicants have proffered that trails and parking areas will be constructed with pervious surface materials.

17. Sheet 07. Explain the necessity to include Land Bay B and Land Bay C as separate Land Bays when neither land bay is to be developed with residential units and the proposed pump station will be provided on both Land Bay B and Land Bay C. Staff recommends the two Land Bays be combined into one Land Bay.

Response: The Land Bay nomenclature has been revised.

18. Sheet 09. Revise the Legend to identify the “Active/Recreation Open Space” as “Active Recreation Space”.

Response: Completed.

19. Sheet 09. Revise the Legend to define what the labels “AR-1”, “AR-2”, “AR-3”, and “AR-4” represent as the labels are not defined on the sheet. These areas appear to be active recreation spaces and the different areas should be defined in an active recreation space proffer.

Response: The plan notes have been clarified and active recreation has been addressed in the proffers.

20. Sheet 10. Staff recommends the Applicant provide for the requirement of any easements and construction requirements of the “Proposed 5’ Min. Sidewalk”, “Proposed 10’ County Trail”, and “Proposed 10’ Min Trail” as depicted on Sheet 10.

Response: The requirement for easements has been addressed in the proffers.

21. Sheet 12. Revise Note 1 to replace “154-4559-80” with “154-45-5980”.

Response: Completed

22. Sheet 12. Staff recommends the Applicant provide a proffer that provides for the interim condition improvements to Sycolin Road including right-of-way dedication, construction, etc.

Response: Completed

23. Sheet 13. Revise Note 1 to replace “154-4559-80” with “154-45-5980”.

Response: Completed

24. Sheet 13. Staff recommends the Applicant provide a proffer that provides for the ultimate condition improvements to Sycolin Road including right-of-way dedication, construction, etc.

Response: Completed

VDOT - TIA Accepted

ZONING

General Comments:

1. There is a conservation easement belonging to the Virginia Outdoors Foundation on PIN 153-16-3488. This conservation easement would need to be vacated to permit the proposed development.

Response: As a result of discussions with VOF, the proposed layout has been revised so that only a vehicular entrance and trailhead parking area to provide access to the Emerald Ribbons Trail and the residential community located on the adjacent parcel remain within this parcel. See Sheet 07. The Applicant has met with VOF

2. The proposed development would require a Zoning Concept Plan Amendment to amend the proffers of ZMAP-2003-0009, Goose Creek Village South. The Proffer Statement would need to be revised to amend Proffer II.2 which requires the dedication of 18.4 acres to the County and that 18.4 acres be subject to the existing Deed of Open Space Easement, benefitting the Virginia Outdoors Foundation. Additionally, the existing CDP associated with ZMAP-2003-0009 would need to be amended to change the open space calculations which currently state that the total provided open space is 26.1 which is inclusive of the full 18.4 acres.

Response: ZCPA-2020-0008 has been included in the project to amend the open space calculations for ZCPA-2003-0009.

3. The applicant is proposing 96 ADUs with the proposed plan. In the SOJ the applicant states that the ADUs will be provided as AHUs. Section 7-109(D)(3) states that *the applicant shall provide written verification to the Zoning Administrator from the applicable affordable housing program of the approval of funding to provide affordable housing units. Until such written verification is provided by the applicant, only affordable dwelling units shall be provided to meet the requirements of this Ordinance.* Please provide such written verification with the next submission, if available. Note that if funding does not become

available for this project then the applicant would still be required to develop 96 ADUs in accordance with the CDP.

Response: The application has been revised to provide a maximum of 75 ADUs. ADUs will be provided in accordance with the requirements of Article VII of the ZO. See the Proffer Statement.

Plan Comments:

4. Add the FPST-2018-0007 to Note 2 on Sheet 1.

Response: The specified related plan has been added to Note 2 on Sheet 01.

5. The application area listed in Note 1 does not match the application area in the zoning tabulations on Sheet 7. Reconcile this discrepancy.

Response: The application areas have been revised per field-verified survey information. The parcel areas shown on Sheet 01 are consistent with those shown on Sheet 07.

6. Correct the Lot Coverage tabulation on Sheet 7 for the R-16 Multi-Family units. The Lot coverage tabulation currently states, "Single Family Attached" as opposed to "Multi-Family".

Response: The Zoning Table shown on Sheet 07 has been revised according to the new proposed layout. See Sheet 07.

7. The area of the O'Neil property in the Density Tabulation does not match Loudoun County land records. According to GIS the area of this property should be 1.24 ac. Clarify this discrepancy.

Response: The O'Neil property has been revised per field-verified survey information. The correct area of the O'Neil property is 1.1043 acres. See Sheet 07.

8. Sheet 9 shows what appears to be a travel way loop between two parking lots in Land Bay A, located within the Scenic Creek Valley Buffer. This impermeable surface must be relocated in accordance with Section 5-1003.

Response: The proposed layout has been revised to remove this travel way loop. The proposed development no longer encroaches upon the 200' SCVB.

9. Zoning staff recommends removing required buffer yards from the CDP. Buffer yards will be required at the time of site plan based on the adjacent existing uses at that time.

Response: A note has been added to the CDP on Sheet 07 as Note 19.

SPEX-2020-0012 Parking Reduction Comments:

10. The applicant states in the SOJ that the VHDA typically will not agree to parking covenants because they would be considered a “contingent liability”. Section 5-1102(F)(1)(C) requires a covenant be executed for a period of 20 years, guaranteeing that the owner will provide the additional spaces if the Zoning Administrator, upon thorough investigation of the actual utilization of parking spaces at the building or complex, recommends to the Board of Zoning Appeals that the approved reduction be modified or revoked. A condition of approval for the special exception must be to provide a parking covenant as described above. Alternatively, the applicant could request a zoning modification (ZMOD) of the multi-family parking requirement as opposed to a SPEX.

Response: A ZMOD has been requested in lieu of the SPEX.

11. Amend the parking demand study to refer to the proposed multifamily units as “Affordable Dwelling Units” (ADU) as opposed to “Affordable Housing Units” (AHU). Until funding is verified to permit AHUs the application simply requires ADUs.

Response: The Parking Demand Study has been revised.

PROFFER MANAGEMENT

Concept Development Plan

12. Sheet 01. Revise the Plan Date as the Plan Date is “April, 2020”, but the plan also depicts a plan date of March 27, 2020. Please address this inconsistency.

Response: The Plan Date has been revised to March, 2020. See all sheets.

13. Sheet 01. Revise the Title to delete the space between “ZMAP-2020-0005” and the comma.

Response: The space has been removed on the cover sheet between “ZMAP-2020-0005 and the comma. See Sheet 01.

14. Sheet 01. Revise General Note 1 to revise all recitations of the current zoning districts using the nomenclature for the zoning district abbreviations found in the Zoning Ordinance, e.g. “R-1” and “PD-H4”, rather than R1 and PDH4.

Response: All instances where recitations of zoning districts have been revised to show the proper district abbreviations. See Sheets 01, 02, and 07.

15. Sheet 01. Revise General Note 2 list the application numbers using the County’s adopted nomenclature for application numbers, which includes a dash after the application acronym, e.g. “ZMAP-2003-0009”, rather than ZMAP 2003-0009.

Response: General Note 2 has been revised to show the proper nomenclature for all related plans. See Sheet 01.

16. Sheet 01. Revise the information provided for Terra Dominion Group and Goose Creek Overlook LLC to delete “PHONE #”.

Response: The “PHONE #” for both Terra Dominion Group and Goose Creek Overlook LLC has been removed. See Sheet 01.

17. Sheet 02. Revise the Zoning Legend for the Zoning Map to use the nomenclature for the zoning district abbreviations found in the Zoning Ordinance, e.g. “PC-CC(CC)” and “PD-H3”, rather than PDCCCC and PDH3.

Response: The zoning district abbreviations have been revised to be consistent with the Zoning Ordinance. See Sheet 02.

18. Sheet 07. Revise the Existing Zoning within Application Area to replace “R1” with “R-1”.

Response: The Existing Zoning shown in the Zoning Table has been revised to “R-1.” See Sheet 07.

19. Sheet 07. Revise the Zoning Ordinance Requirements and Project Tabulations to replace “R8-ADU” with “R-8 ADU” and to replace “R16-ADU” with “R-16 ADU”.

Response: The Zoning Ordinance Requirements and Project Tabulations have been revised to show the proper nomenclature that is consistent with the Zoning Ordinance. See Sheet 07.

20. Sheet 07. Revise the R-16 ADU Multi-Family Residential District Requirements to replace “Total R-8 ADU” with “Total R-16 ADU”.

Response: The R-16 ADU Multi-Family Residential District Requirements have been revised to state “Total R-16 ADU.” See Sheet 07.

21. Sheet 07. As the Provided Active Recreation Space for the R-8 ADU area is depicted to exceed the minimum required by the Zoning Ordinance, a proffer is recommended to commit to the increased square footage of active recreation space.

Response: The proposed layout of Active Recreation Space has been revised to depict just over the minimum required per the Zoning Ordinance. See Sheets 07 and 08.

22. Sheet 07. Revise Note 4 to state “...in accordance with the Zoning Ordinance definition of Active Recreation Space” as active recreation space is required to be provided per Section 7-800 and Section 7-900 and is a term defined in Article 8.

Response: Note 4 has been revised accordingly. See Sheet 07.

23. Sheet 07. Note 7 states Bike and Pedestrian Facilities shall be designed in accordance with the 2019 CDP. Staff recommends the Applicant identify the specific Bike and Pedestrian Facilities to be provided in a proffer.

Response: A 10' shared use path, as required by the Loudoun County 2019 Comprehensive Transportation Plan, is provided adjacent to the ultimate condition for Sycolin Road. See Sheet 09.

24. Sheet 07. Regarding Notes 13 and 14, a proffer is recommended requiring all existing wells and drainfields to be abandoned prior to the approval of the first zoning permit for the Property in accordance with Health Department regulations.

Response: A proffer has been provided.

25. Sheet 07. Provide a Legend that defines all of the line types used on the Concept Development Plan. Also, please define what the labels "200' SCVB" and "300' RPB" represent.

Response: A Legend is now provided on Sheet 07 that includes the 200' SCVB and the 300' RPB.

26. Sheet 07. Staff recommends the Applicant use the County's River and Stream Corridor Resources (RSCR) Management Buffer proffer template language, and also identify Replanting Areas on the CDP.

Response: Other than construction of the Park Improvements (pervious surface parking lot, canoe/kayak launch and trails), the Applicant is not proposing to develop structures in the RSCR. Additional landscape screening, consisting of native species plants, is proposed to be installed between the single family attached units and active recreation areas to separate public and private realms on the north side of Sycolin. Detailed landscape plans will be submitted with the subdivision/site plans for the Property.

27. Sheet 07. Explain the necessity to include Land Bay B and Land Bay C as separate Land Bays when neither land bay is to be developed with residential units and the proposed pump station will be provided on both Land Bay B and Land Bay C. Staff recommends the two Land Bays be combined into one Land Bay.

Response: Land Bays B and C have been combined. Additional Land Bays are now shown in plan view and computations on Sheet 07.

28. Sheet 09. Revise the Legend to identify the "Active/Recreation Open Space" as "Active Recreation Space".

Response: The Legend has been revised to "Active Recreation Space." See Sheet 08.

29. Sheet 09. Revise the Legend to define what the labels "AR-1", "AR-2", "AR-3", and "AR-4" represent as the labels are not defined on the sheet. These areas appear to be active recreation spaces and the different areas should be defined in an active recreation space proffer.

Response: These labels have been revised to no longer show numbers. The labels now state "Active Recreation Space" with the area in square feet. See Sheet 08.

30. Sheet 10. Staff recommends the Applicant provide for the requirement of any easements and construction requirements of the “Proposed 5’ Min. Sidewalk”, “Proposed 10’ County Trail”, and “Proposed 10’ Min Trail” as depicted on Sheet 10.

Response: The proffers provide that sidewalks and trails will be located in public access easements.

31. Sheet 12. Revise Note 1 to replace “154-4559-80” with “154-45-5980”.

Response: The interim condition sheet for the layout of Sycolin Road has been removed from the plan.

32. Sheet 12. Staff recommends the Applicant provide a proffer that provides for the interim condition improvements to Sycolin Road including right-of-way dedication, construction, etc.

Response: The improvements have been proffered.

33. Sheet 13. Revise Note 1 to replace “154-4559-80” with “154-45-5980”.

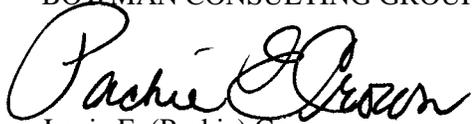
Response: Note 1 has been revised to replace “154-4559-80” with “154-45-5980.” See Sheet 11.

34. Sheet 13. Staff recommends the Applicant provide a proffer that provides for the ultimate condition improvements to Sycolin Road including right-of-way dedication, construction, etc.

Response: The improvements have been proffered.

Please let me know if you have any questions regarding the above responses and enclosed materials.

Sincerely,
BOWMAN CONSULTING GROUP, LDT.



Jamie E. (Packie) Crown
Principal | Vice President – Planning

Enclosures

Cc: Joseph Clark
Pete Gulick
Kim Hart
Colin Stiles
Andrew Painter
Matt Leslie
Bob Brown
George Gitchev
Tushar Awar



Via Electronic Mail

September 22, 2020

Josh Peters
Planner - Land Use Review
Loudoun County Department of Planning & Zoning
1 Harrison Street, SE, 3rd Floor
Leesburg, Virginia 20175

RE: **Goose Creek Overlook: ZMAP-2020-0005; ZCPA-2020-0008; ZMOD-2020-0020 and ZMOD-2020-0026**
Response to Second Referral Comments

Dear Josh:

On behalf of Goose Creek Overlook LLC and Good Works Development LP, the Applicants for the above-referenced applications (“Applicants”), hereby submit the following materials to address the second referral agency comments. The responses also include revisions based on discussions held with the Virginia Outdoors Foundation, Parks and Recreation and the Natural Resources Team staff.

1. *Goose Creek Overlook Rezoning Application ZMAP-2020-0005/ZMOD-2020-0020/ZMOD-2020-0026* plan set, prepared by J2 Engineers, dated April 20, 2020, revised September 18, 2020;
2. *Proffer Statement, Goose Creek Overlook, ZMAP-2020-0005*, dated August 19, 2020, revised September 22, 2020, including *Exhibit A, Goose Creek Overlook Residential Design Guidelines* prepared by Bowman Consulting, dated September 18, 2020 and *Exhibit B: Proposed Canoe/Kayak Landing*, prepared by Bowman Consulting, dated September 18, 2020;
3. *Goose Creek Village South Zoning Concept Plan Amendment, ZCPA-2020-0008*, plan set, prepared by J2 Engineers, dated September 18, 2020;
4. *Proffer Statement, ZCPA-2020-0008, Goose Creek Village South – Land Bay E, (Revision to ZMAP-2003-0009), dated August 19, 2020, as revised September 18, 2020; and,*
5. *Statement of Justification, Goose Creek Overlook, ZMAP-2020-0005, ZCPA-2020-0008, ZMOD-2020-0020 and ZMOD-2020-0026*, dated September 21, 2020.

RESPONSE TO REFERRAL AGENCY COMMENTS

ARCHEOLOGY

1. Comment: Staff continues to recommend that a Phase II archaeological significance evaluation and, if necessary, Phase III data recovery excavations be conducted at 44LD1871.

Response: For site 44LD1871, the Applicant has included a proffer as requested. See Proffer 28.

COMMUNITY PLANNING

2. Parks/Open Space & Public/Civic

Community Planning Staff recommends the following revisions to the application materials to address issues with open space and public/civic uses:

1. The CDP should be updated to show 10 percent public/civic uses.
2. Active recreation uses should be relocated outside of the RSCR.
3. Proffer 8 and/or the CDP should be updated to accurately show the amount of active recreation space provided. Proffer 8 should also be updated committing to providing active recreation uses earlier in the development of the project.
4. Proffer 9 should be revised to include a trigger for the passive park improvements that is achievable and early in the development of the project.

Response:

1. **The Project proposes to provide 16.73 acres (30%) of public/civic space in the form of dedication of Land Bay D to the County for the Goose Creek Stream Valley Park. The Applicant is also proffering to construct over a mile of the Goose Creek Stream Valley Trail within Land Bays D and E (i.e. the County-owned parcel), a canoe/kayak landing, and 2 trailhead parking areas, all for use by the general public.**
 2. **The Applicant has proffered to limit active recreation uses in the RSCR to passive recreation uses that are permitted by the Zoning Ordinance definition of Active Recreation Spaces, as well as permitted by Comprehensive Plan policy in the RSCR. A tot lot is proposed to be located within the RSCR; however, the Applicant is proffering to reforest 25,000 square feet within Land Bays A and F to mitigate any impacts within the RSCR. See Proffer 26 and Sheet 10 of the CDP.**
 3. **Proffer 8 has been revised as requested.**
 4. **The timing triggers for dedication of Land Bay D to the County and construction of improvements within Land Bay D have been discussed with PRCS. Timing triggers have been established to minimize conflicts between the public and site construction to ensure the safety of the public. See Proffer 11.**
-

Housing

Community Planning Staff recommends the applicant update the proffers to include a commitment to universal design, low-impact and sustainable design features, and other amenities intended for the AHU building as indicated in the SOJ.

Response: The proffers have been updated to commit to Universal Design and Low Impact Design (LID) for Land Bay F, i.e. the AHU parcel. The AHU building will also be constructed as a certified green building. See Proffers 1.f and 20.

Comment

Proffer 2f should be updated to include the total number of AHUs proposed.

Response: Proffer 2.f. has been revised as requested.

Site Design

Community Planning Staff recommends the following revisions to address outstanding issues regarding site design:

1. The Design Guidelines should be revised to clarify views from streets and architectural treatments for side and rear elevations..
2. The height of all structures should be limited to a maximum of 4-stories consistent with the Suburban Neighborhood Place Type.
3. Sheet 9 should be updated to include the proposed 10-foot trail along all of the property's Sycolin Road frontage.
4. The applicant should commit to additional evergreen plantings in addition to the Type 2 buffer required along Sycolin Road to help screen the proposed sanitary sanitary sewer pump station from the roadway.

Response:

1. **The Design Guidelines provide for the use of at least two building materials on the sides and rears of units, unless building indentation or offsets are utilized. The Design Guidelines have been revised to clarify the guidelines apply to wall elevations that are visible "from" any street and that the rear elevations must also incorporate at least two building materials in order to avoid a blank wall appearance of the buildings.**
2. **The SFA and Stacked Townhouse units will not exceed 4 stories and the AHU Building is proposed to be 4-story over podium parking. The AHU building is proposed to incorporate a podium in order to reduce the amount of impervious surface and runoff that would be generated by more expansive surface parking that would otherwise be required for the AHU Building. The approach has been to reduce the amount of impervious surface as much as possible, while providing an increased number of affordable units to expand housing opportunities in the county.**
3. **The Applicant has proffered to provide a multi-purpose trail along the full length of the project on the north side of Sycolin Road and along the south side of Sycolin Road to connect the existing multi-purpose trail to the east (near Goose Creek Village South) to the second site entrance. Public access easements are also proffered along the full frontage of the Property, north and south of Sycolin Road, to provide for construction of the multi-purpose trail. The section of the trail south of the western site entrance south of Sycolin Road has not been**

proffered since a connection point at Goose Creek will not be available until the Goose Creek Bridge is widened, sometime in the future. In lieu of constructing the trail along this western section, the Applicant is proffering to provide a cash-in-lieu payment to the County for said multipurpose trail construction which will be paid concurrent with site plan approval of the pump station. In the meantime, the onsite and offsite pedestrian network will provide full connectivity to the multipurpose trails, including the Goose Creek Stream Valley Trail that will be constructed with this project.

4. The Applicant has added a requirement for installation of enhanced buffering along the Sycolin Road frontage of the pump station. See Buffer Yard Requirements table on proffered Sheet 08 of the CDP.

Parking

The applicant is requesting a ZMOD to reduce the required number of parking spaces for the MFA AHUs. The applicant seeks to reduce the number of parking spaces from 1.5 spaces for 1-bedroom units and 2 spaces for 2- or 3-bedroom units to 1.5 spaces per unit regardless of bedrooms. Community Planning Staff has no issue with the ZMOD request.

Capital Facilities

The anticipated capital facility impacts of the proposed development should be mitigated according to 2019 GP fiscal policies.

Response: The Applicant has revised the capital facility proffer contribution consistent with County policy.

Environmental/Existing Conditions

River and Stream Corridor Resources

The submitted plans should be updated identifying all the elements of the RSCR as well as the 300-foot no-build buffer.

Community Planning Staff recommends reconfiguring development of the site (residential uses and active recreation uses) outside the RSCR or the 300-foot no-build buffer, whichever affords the greatest protection in its entirety. Further, mitigation for impacts associated with the trailhead permeable parking within the RSCR should be provided.

Response: Sheet 10 has been added to the ZMAP CDP plan set and depicts, in color, the various buffers, environmental features, existing impervious surfaces and proposed reforestation area. Sheet 10 identifies approximately 25,700 ± square feet of existing impervious surfaces (i.e. house, garage, basketball court, pool, pool deck and sidewalks) that are located within the 300-foot no-build buffer and floodplain. As discussed with NRT staff, the approximately 25,700 SF of existing impervious surface is proposed to be removed with this application. The plan proposes approximately 10,190 SF of impervious surface to encroach within the RSCR management buffer (outside the 300-foot no-build area), which represents approximately 1.8% of the total RSCR for the project. This results in a net reduction of 16,810 SF of existing to proposed impervious surfaces and provides for mitigation through removal of all of the existing impervious surfaces within the 300-foot no-build area of the site. The proposed 10,190 SF of impervious surface within the RSCR will be mitigated through reforestation of an area equivalent in size to the area of encroachment (i.e. 11,000 SF). See Sheet 10.

Steep Slopes

Community Planning Staff continues to request information regarding any unavoidable impacts to moderately steep slopes including strategies to offset these impacts.

Response: The Applicant is proffering to install super silt fencing in areas designated on Sheet 10 to mitigate unavoidable impacts to the moderately steep slopes.

Natural Heritage Resources

Community Planning Staff recommends revising Proffer 23 to state that a habitat survey will be conducted and provided to the Department of Planning and Zoning for review. If it is determined at that time that a species-specific survey is warranted, the applicant should commit to providing such a survey to the Department of Planning and Zoning for review. If the green floater or the wood turtle is identified within an area identified for land disturbing activities, the applicant should further commit to a plan for impact avoidance. Preservation of the RSCR, as recommended above, will help to offset potential impacts to the dwarf wedgemussel.

Response: As indicated by Staff, the Applicant has proffered to prepare and submit a habitat study (“Habitat Study”) to the Virginia Department of Game and Inland Fisheries and/or U.S. Fish & Wildlife Service prior to the approval of the first site plan, including any site plan amendments, whichever is first in time. A copy of the Habitat Study will also be provided to the County’s Department of Building and Development concurrent with submission to the Virginia Department of Game and Inland Fisheries and/or U.S. Fish & Wildlife Service. If the Virginia Department of Game and Inland Fisheries and/or U.S. Fish & Wildlife Service finds that a species-specific survey is warranted due to the land disturbing activities on the Property that may affect the freshwater mussel and/or wood turtle habitats, the Owner has proffered to perform a species-specific survey and submit it to the Department of Game and Inland Fisheries, with a copy to the County’s Department of Building and Development. And, if required, the Owner shall implement any recommended protective measures determined by the study prior to the approval of the first zoning permit on the Property.

See response to NRT Comments below and revised Proffer 25.

NATURAL RESOURCES

Natural Resources:

- 1) The property is subject to the Reservoir Protection Area requirements set forth in FSM 5.230.B.4. Please update the application as following (ZMAP Checklist Item 4.h):
 - a) Note 7 on Sheet 1 was added referencing that the project is located within the Goose Creek Reservoir Protection Area and subject to the requirements set forth in FSM 5.230.B.4. As this project contains development within the Reservoir Protection Area, please add a note that states that any development within the Reservoir Protection Area must be approved through a waiver through the Department of Building and Development.

Response: The note has been added as requested.

- b) Please add the Reservoir Protection Area to Sheet 8 so that staff can accurately see where the Reservoir Protection Area Development Buffer is in relation to the proposed development so that the impacts can be assessed.

Response: The RPA has been added as requested.

- c) Per FSM 5.230.B.4.a there is a 300-foot area (Reservoir Protection Buffer) from the existing or planned shoreline where no land disturbing activity can occur. From the information provided on other sheets that depict the 300-Foot Reservoir Protection Buffer, it appears that development is proposed within this 300-foot area on Sheets 7 and 8 that is in addition to the trail head parking that was previously discussed. Specifically, the 18,600 square-foot active recreation space located in Land Bay A along the northern portion of the project. Any portion of the recreational space that is located within the Reservoir Protection Area Development Buffer needs to be relocated outside of the Development Buffer.

Response: As discussed with NRT Staff, the existing structures located within the 300-foot RPA are to be removed. A trailhead parking area and trails are proposed to be located within the RPA; however, the Applicant has proffered that these improvements will be constructed of pervious materials.

- 2) The Scenic Creek Valley Buffer line needs to be added to Sheet 8 so that staff can confirm that there is no impervious development within the Scenic Creek Valley Buffer (SCVB). Per R93ZO 5-1003, the construction of buildings, structures, parking lots or other impermeable surfaces within the SCVB is prohibited.

Response: A color Environmental Features Overlay Plan (Sheet 10) has been added to the plan set that clearly delineates the various buffers and environmental features of the property.

- 3) Staff notes that there are Very Steep Slopes and Moderately Steep Slopes within the project area. Impacts to the Very Steep Slopes are not allowed per R93ZO 5-1508. Per Sheet 7, the line delineating the development area includes Very Steep Slopes. Please adjust the line delineating the development area to be outside all Very Steep Slope areas.

Response: All proposed development has been removed from very steep slopes. See Sheet 10.

Natural Resources:

- 4) This is a repeat comment. Note 11 on Sheet 1 states that jurisdictional wetlands exist on the site and staff notes there appear to be wetlands and/or streams delineated on Sheet 5. Please update Note 11 to reference the source of the wetland information, including the Corps jurisdictional determination number and date, if it exists.

Response: The source and date of wetland delineation is stated in Note 11, Sheet 1. However, jurisdictional wetland determination will be provided at the time of permit/construction drawing review.

- 5) As previously mentioned, there is development proposed within the Reservoir Protection Area Development Buffer. As discussed with the applicant, the trailhead parking lot located within the western portion of the project would be located within the Development Buffer along with the canoe/kayak launch. Staff recommends approximating the area of disturbance within the Development Buffer and depicting mitigation areas within the CDP to ensure that the mitigation and the area are appropriate.

Response: The approximate area associated with the permeable trailhead parking lot that is located within the 300-foot no-build is 11,772 SF. Sheet 10 identifies approximately 25,700 ± square feet of existing impervious surfaces (i.e. house, garage, basketball court, pool, pool deck and sidewalks) that are located within the 300-foot no-build buffer and floodplain that is planned to be replaced with the trailhead parking area. The plan proposes approximately 10,190 SF of impervious surface to encroach within the RSCR management buffer (outside the 300-foot no-build area). This results in a net reduction of 16,810 SF of existing to proposed impervious surfaces and provides for mitigation through removal of all of the existing impervious surfaces within the 300-foot no-build area of the site. The proposed 10,190 SF of impervious surface within the RSCR will be mitigated through reforestation in Land Bays A or F of an area equivalent in size to the area of encroachment (i.e. 11,000 SF). See Sheet 10.

- 6) Staff recommends that additional Tree Conservation Areas (TCA) be added to the plan. Staff notes that while areas outside of the various buffers (SCVB, Reservoir Protection Area, and the 50-Foot River and Stream Corridor Buffer) are excellent additional areas for TCA, the areas within those buffers are also candidates for TCA and staff recommends expanding the TCA in those areas specifically in Land Bay D.

Response: The Applicant has proffered to dedicate Land Bay D to the County for a Goose Creek Stream Valley Park and, further, to subject Land Bay D to a conservation easement that will run to the benefit of the Virginia Outdoors Foundation. The terms of the conservation easement will limit tree removal within this 16.73 acre area that will be owned and maintained by Loudoun County.

- 7) The impact of the proposed project on existing vegetation is a matter of consideration as part of a rezoning application. Consistent with Forest, Trees, and Vegetation Strategy 4.1 Actions A and B of the 2019 General Plan and to minimize the impact of the proposed project on existing vegetation staff recommends preserving specimen trees within the site. Staff notes that there are numerous Specimen Trees within the boundary of the project that staff continues to recommend could be preserved. (R93ZO 6-1210 (E)(5))

- a) Staff further recommends a proffer consistent with the Specimen Tree proffer template spelling out which specimen trees will be preserved.

Response: The majority (49) of the 74 specimen trees on the property are listed in poor or fair condition. Of the 74 specimen trees, 28 (37.8%) are located within the development area of the site, of which 6 of are listed in fair/poor condition. The Applicant has proffered a Tree Conservation Area on the southwestern side of the property, as well as proffered to dedicate approximately 16.73 acres along Goose Creek to the County which will also be subjected to a VOF easement and which, together with the Land Bay E that is also owned by the County and subjected to a VOF easement, contains over half of the specimen trees in the project.

- 8) Staff notes that consistent with the River and Stream Corridor Resources Strategy 2.2 Action B Policies of the 2019 General Plan, the River and Stream Corridor Resource (RSCR) Management Buffer is depicted off of the major floodplain. However, as previously mentioned, the RSCR needs to incorporate the Very

Steep Slopes.

- a) Staff notes that per the 2019 General Plan Strategy 2.2. Action A, the RSCR Management Buffer should be located beyond the floodplain and also include the Very Steep Slopes. From the information submitted, it appears that the RSCR buffer is not depicted accurately. Please update the sheets accordingly.

Response: The RSCR buffer was revised on the south side of the development to incorporate areas of very steep slopes. See sheet 10.

- i) In follow-up, where the project allows, staff recommends incorporating Moderately Steep Slopes into the RSCR Management Buffer. By providing a buffer to the Very Steep Slopes through protection of the Moderately Steep Slopes, this helps reduce the chance of slope collapse due to the surrounding development which in turn helps to prevent erosion and sedimentation of which aids in water quality. Erosion and sedimentation are also reduced by protecting the existing vegetative cover that is located on the Steep Slopes. In order to fully protect the Very Steep Slopes and Goose Creek, staff recommends that the project limits be located outside of as much of the Steep Slopes as possible and as a result, incorporate those Steep Slopes into the RSCR Management buffer.

Response: Comment noted. Based on discussions with staff on 9/18/20, it was agreed that in areas where the development is near steep slopes, enhanced E&S measures will be provided to mitigate any potential impacts. The Applicant has proffered to install a double layer of super silt fence adjacent to some of the steep slopes on the south side of Sycolin Road. See Sheet 10 for location.

- b) Please update the sheets on the next submission so staff can clearly see where the proposed development will be occurring and what the impacts are to the RSCR Management Buffer.

Response: Sheet 10 was updated to overlay the proposed development with the various environmental buffers, steep slopes and flood plain. The RSCR management buffer is depicted on sheet 10.

- c) Please add the RSCR Management Buffer to Sheet 8.

Response: Sheet 10 was updated to overlay the proposed development with the various environmental buffers, steep slopes and flood plain. The RSCR management buffer is depicted on sheet 10.

- d) Staff recommends that proposed mitigation for the RSCR Management Buffer encroachments be depicted on the CDP. Staff needs to ensure that not only is there enough space for the mitigation but that the mitigation locations are suitable.

Response: Reforestation area has been added to proffered Sheet 10.

- e) Staff continues to recommend a proffer commitment based on the RSCR Management Buffer proffer template to mitigate encroachments consistent with plan policies (i.e. reforestation).

Response: The Applicant has added a RSCR management proffer. See Proffer 26.

- 9) The property drains directly to Goose Creek which is located within the project boundaries or immediately adjacent. As previously mentioned the project is also located within the Goose Creek Reservoir and the associated Goose Creek Reservoir Protection Area. At the northern edge of the property, Goose Creek has been listed by the Virginia Department of Environmental Quality (DEQ) as impaired for fish consumption. Immediately downstream when Goose Creek is no longer in the Reservoir Protection Area, it is listed as impaired by DEQ for aquatic life (aquatic insects and other small organisms that live on the stream bottom), recreational use and fish consumption. In addition, there are two 2009 Countywide Stream Assessment Project data points downstream of the property along Goose Creek. The closest data point shows that the stream is severely stressed for aquatic life but optimal for habitat. The second data point further downstream identifies the stream as suboptimal for habitat and stressed for aquatic life. Impacts to water quality are an issue for consideration as part of the application (R93ZO 6-1210(E)(5)).
- a) River and Stream Corridor Resources Strategy 2.3 in the 2019 General Plan encourages low impact development (LID). Staff recommends that LID measures be implemented on the property and that a commitment consistent with the LID proffer template be provided. Due to the size of the project and the location and close proximity of the project to Goose Creek, staff recommends a minimum of 1 LID measure per land bay. Staff notes that per the draft proffer provided (Proffer 18), LID is proposed for Land Bays A and C. Staff recommends that the proffer be updated to include one for Land Bay F.

Response: The Applicant has added a commitment to provide LID in Land Bay F. See Proffer 20.

- 10) Within draft Proffer 23, staff recommends the following:
- a) Please add a sentence to the end of the proffer that states “Should the species- specific surveys be deemed to not be necessary, documentation will be provided to the Department of Building and Development Staff that shows the Department of Game and Inland Fishers, Department of Conservation and Recreation, and/or U.S Fish and Wildlife Service did not require these surveys”.

Response: The provision has been added to Proffer 25.

- b) Please add the Virginia Department of Conservation and Recreation to the list of agencies referenced in the proffer.

Response: The Proffer has been revised as requested.

- c) Please adjust the wording within the proffer to state that all species-specific survey’s will be required prior to the approval of the grading permit if there are seasonal constraints and not with the first building/zoning permit as these surveys will need to be conducted before any clearing and grading occurs within the project.

Response: The Proffer has been revised as requested.

- 11) This is a repeat comment. In order to fully evaluate impacts to natural resources within the project area, staff requests an additional sheet (or sheets if the information is not legible on one sheet) be added to the plat set that overlays the natural resource features (wetlands, streams, SCVB, Reservoir Protection Area, RSCR

buffers, floodplain, tree cover, specimen trees, soils) and the proposed concept development plan. Sheet 10 contains the natural resource features (minus the tree cover and specimen trees), but does not contain the development layout overlaid over these natural resources. (R93ZO 6-1210 (E)(5))

Response: Sheet 10 was updated to show the proposed development and corresponding environmental features/buffers, steep slopes, flood plain as well as proposed mitigation practices.

Floodplain Management:

- 12) Per Applicant response to Comment #21, when available please include with the application additional information on the potential impacts within the limits of the FOD. In particular, the proposed trail system and how those impacts will be mitigated.

Response: The proposed trail will be natural earth bearing type of trail with variable width. The trail will not have an impervious surface and it will be field located to avoid trees and provide for minimal impact to the natural surroundings. As a result, additional mitigation is not required.

County Urban Forester:

- 13) The storm drain easement to the west of the pine stand cannot be claimed as TCA in the future site plan.

Response: Acknowledged.

- 14) Please see my proffer edits attached.

Response: No proffer edits were attached to the NRT referral.

Please ensure that any future submissions are referred to the Natural Resources Team and contact me if you have any questions or need additional information.

FIRE MARSHAL OFFICE

Comment: No further comments

DTCI

1. **DTCI requests the Applicant commit to provide a cash in-lieu or escrow payment for the portions of the shared use path west of Intersection #2 that will not be constructed as a part of this application along the site frontage. Further, DTCI requests the Applicant commit to provide all necessary easements for the future implementation of the shared use path at a later date at the request of, and at no cost to the County.**

Response: The Applicant has proffered the requested cash-in-lieu payment as well as the public access easement. See Proffers 16. c. and d.

2. **DTCI also requests the Applicant depict the tie-in to the shared use path with the existing path on the south side of Sycolin Road near Houseman Terrace.**

Response: The tie in has been added to Sheet 9 of the CDP and the public access easement to accommodate said extension has been added to Sheet 11 of the CDP.

Noise Comment: The proffers should be revised to reference the 2019 CTP currently in effect and update the text to be consistent with the current CTP policy.

Response: Proffer 23 references the 2019 CTP , as requested.

Bicycle & Pedestrian Facilities / Proffers: DTCI requests the Applicant update the ZMAP plan and commit to provide the sidewalk along the north side of Sycolin Road between Intersection #1 (Eastern Site Entrance) and the Dulles Greenway Bridge consistent with the 2019 CTP and page 27 of the Applicants' TIS.

Response: The Applicant has proffered to extend the multipurpose trail along the Sycolin Road frontage of the project. The portion of the County parcel located east of the site entrance north of Sycolin Road is not included in the application. That area is encumbered by an existing VOF easement which limits encroachments into the easement area, particularly when said encroachments cannot be definitively located within the easement. The exact location of the sidewalk on the north side of Sycolin Road between the eastern site entrance and the Dulles Greenway Bridge will be determined when the bridge is designed in the future. Therefore, it is premature to request amendment of the VOF to accommodate a speculative location, or construct, the sidewalk that will not connect to a sidewalk to the east. The Applicant has committed to construct the other sections of the multipurpose trail that will connect the existing Goose Creek Village South and Goose Creek Overlook communities, as well as has proffered to construct over a mile of the Goose Creek Stream Valley Trail. These improvements will provide a more robust and extensive pedestrian network to serve the residents of this area of the County.

HOUSING

Staff supports the commitment to provide 75 AHUs, including 67 more than the required number of ADUs.

However, the application does not address what will be provided other than the minimum set forth via Article 7 of the Loudoun County Zoning Ordinance and does not provide for a diversity in housing prices or housing type consistent with Plan policies. Staff recommends additional affordability provided throughout the development.

Response: In addition to provision of 75 ADUs (AHUs), the Applicant has proffered to provide a maximum of 40 Stacked Townhouse units and up to 136 single family attached units that will range in size from 18-foot wide to 24-foot wide units. See Proffer 4. This commitment will provide up to 4 additional unit sizes (and prices) for the market rate units to address the County's goals of providing a diversity of unit types and sizes in the project.

LOUDOUN WATER

No further comments.

PARKS & RECREATION (Second Referral Comments)

In review of the proffers ZMAP 2020-0005, dated August 19, 2020, PRCS offers the following comments:

1. Proffer 9 (a.) Goose Creek Conservation Park.

- Request dedication of Land Bay D upon approval of ZMAP 2020-0005 or approval of the first record plat, site plan, or site plan amendment for the Property.

Response: The Applicant has proffered to construct the Goose Creek Stream Valley Park improvements located in Land Bay D and to dedicate Land Bay D to the County prior to issuance of the occupancy permit for the first residential unit in Land Bays A or F.

- With the exception of the VOF easement on existing County land, PRCS does not support placement of a VOF easement on the proposed dedicated park land bay D.

Response: PRCS recently advised the Applicant that they do not oppose placement of a VOF easement on Land Bay D and requested the terms of any such easement be coordinated with the County to provide for permitted uses and maintenance of the Goose Creek Stream Valley Park. The Applicant has addressed this concern in Proffer 11.a.

2. Proffer 9 (b). Emerald Ribbons Trail.

- Please revise all reference of Emerald Ribbons Trail to Goose Creek Stream Valley Trail.

Response: The reference has been revised, as requested.

- Please revise the following, “*The Emerald Ribbons Trail shall generally remain in a natural state to only be used for walking, hiking, or biking purposes*” to; The Goose Creek Stream Valley Trail shall generally remain in a natural state to be used for walking, hiking, biking purposes however, equestrian use may be optional if conditions warrant.

Response: The reference has been revised, as requested.

Proffer language, “*Those portions of the Emerald Ribbons Trail located north of Sycolin Road and within the Sycolin Road right-of-way shall be bonded prior to the approval of the first site plan for Land Bay A, and constructed and available for use prior to the issuance of an occupancy permit for the 152nd residential dwelling units within Land Bay A; provided, however, that in the event VDOT does not approve construction of those portions of the Emerald Ribbons Trail prior to the approval of the first site plan for Land Bay A, the Applicant shall have no obligation to construct the portion of the Emerald Ribbons Trail within the Sycolin Road right-of-way and shall instead make a cash contribution to the County in the amount of \$10,000.00 to be used for park and recreation purposes in the Ashburn Planning Subarea of the County. Those portions of the Emerald Ribbons Trail located south of Sycolin Road shall be bonded prior to the approval of the first site plan for Land Bay B, and constructed and available for use prior to the issuance of an occupancy permit for the 50th residential dwelling unit within Land Bay C*”.

- Sycolin Road right-of-way, please clarify if the applicant is referencing the trail access under the bridge (Sycolin Road right-of-way). It is critical that the trail connection is contiguous north to south. In the past, PRCS has worked with VDOT on other trail access under VDOT bridges and Right-Of-Way (ROW). PRCS suggest the applicant reach out to VDOT for direction and support for access. Furthermore, the proffers should reflect that it would be the applicant’s responsibility to acquire necessary easements for public ingress/egress in the ROW.

Response: The proffer has been revised to clarify the Sycolin Road connection refers to the construction of the trail under Sycolin Road that will connect the trail segments located north and south of Sycolin Road.

- PRCS request trail construction and available for use by the issuance of the 50th zoning permit for residential dwelling units within Land Bay A.

Response: In consultation with PRCS Staff, the proffer has been revised to provide for construction of the trail prior to issuance of the occupancy permit for the first residential occupancy permit and that, subject to County approval, may be available for use prior to issuance of the first residential occupancy permit.

3. Proffer 9 (c). Canoe/Kayak Launch.

Proffer language, *“The specific design and location of the Canoe/Kayak Launch shall be determined in consultation with PRCS, shall be bonded prior to approval of the first record plat or site plan for any portion of the Property located north of Sycolin Road, whichever is first in time, and shall be constructed and open for use prior to the approval of the zoning permit for the 152 residential dwelling unit on Land Bay A”*,

- PRCS request that the construction and open for use prior to the approval of the zoning permit for the 50th residential dwelling unit on Land Bay A”.

Response: In consultation with PRCS Staff, the proffer has been revised to provide for construction of the Canoe/Kayak Landing prior to issuance of the occupancy permit for the first residential unit in Land Bays A or F and, subject to County approval, available for use not sooner than issuance of the 152nd occupancy permit for units located in Land Bays A and F. As discussed with staff, public use of the Canoe/Kayak Landing will be delayed to prevent conflicts with construction activities on the site thereby enhancing safety for the public.

4. Proffer 9 (d). Land Bay D Trailhead Improvements.

Proffer language, *“As depicted on Sheet 8 of the CDP, the Owner shall, at no public cost and in consultation with PRCS, install improvements (the “Land Bay D Trailhead Improvements”) on Land Bay D for the benefit of allowing the general public to access Land Bay D and the Emerald Ribbons Trail. Said Land Bay D Trailhead Improvements shall consist of a pervious parking lot containing a minimum of 30 parking spaces, a parking/traffic control gate, trash and recycling cans, and a 10-foot-wide natural surface trail connecting the parking lot to the Emerald Ribbons Trail and the canoe/kayak launch. The Land Bay D Trailhead Improvements shall be bonded prior to approval of the first record plat or site plan for any portion of the Property, whichever is first in time, and shall be constructed and conveyed to the County prior to the approval of the zoning permit for the 152nd residential dwelling unit in Land Bay A. Following conveyance of the Land Bay D Trailhead Improvements to the County, the Owner shall have no further obligation to operate or maintain the Land Bay D Trailhead Improvements. The Owner shall receive a credit against the Capital Facilities Contribution required by Proffer 10 equal to the verified actual reasonable cost, as reviewed and approved by the Zoning Administrator, of the installation of the Land Bay D Trailhead Improvements (inclusive of engineering, surveying, bonding, permit fees, utility relocation, easement acquisition, and other soft and hard costs of construction); provided, however, that any entitlement to any such credit shall not entitle the Owner to demand, recover, receive, or require any*

cash payment or refund from the County for any payments or contributions made to the County prior thereto”.

- The proffers reference, “*shall consist of a pervious parking lot containing a minimum of 30 parking spaces*”. PRCS request the applicant coordinate with PRCS on type of material proposed. PRCS has experienced erosion and washouts on exiting trailhead parking lot that are pervious (gravel/crushed stone) which require ongoing maintenance. PRCS recommends an impervious surface such as asphalt or an alternative surface such as pervious concrete.

Response: In consultation with PRCS Staff, the proffer has been revised to provide for installation of pervious concrete in the trailhead parking areas.

- Signage should be included for each trailhead for associated amenities. See comment 6 below.

Response: See response to Comment 6 below.

Proffer language, “*The Land Bay D Trailhead Improvements shall be bonded prior to approval of the first record plat or site plan for any portion of the Property, whichever is first in time, and shall be constructed and conveyed to the County prior to the approval of the zoning permit for the 152nd residential dwelling unit in Land Bay A*”.

- PRCS request the trailhead be constructed and conveyed to the County prior to the approval of the zoning permit for the 50th residential dwelling unit in Land Bay A.

Response: In consultation with PRCS Staff, the proffer has been revised to provide for construction of the trailhead parking prior to issuance of the occupancy permit for the first residential unit in Land Bays A or F and, subject to County approval, available for use not sooner than issuance of the 152nd occupancy permit for units located in Land Bays A and F. As discussed with staff, delayed opening of the trailhead parking lot will prevent conflicts with construction activities on the site thereby enhancing safety for the public.

5. Proffer 9 (e). Land Bay E Improvements. Proffer Language, “*As depicted on Sheet 8 of the CDP, the Owner shall, at no public cost and in consultation with PRCS and the grantee of the Existing Open Space Easement, install improvements on Land Bay E for the benefit of allowing the general public to access the Park Site and the Emerald Ribbons Trail. Said improvements shall consist of a pervious parking lot containing a minimum of 12 parking spaces, trash and recycling cans, a 10-foot-wide natural surface trail connecting the parking lot to the Emerald Ribbons Trail, one bicycle rack which shall accommodate a minimum of six bicycles, one bicycle repair station with an air pump, and a 30-foot wide access road connecting said parking lot, Sycolin Road, and the Property (together, the “Land Bay E Improvements”). The Land Bay E Improvements shall be installed and conveyed to the County upon completion and the Owner shall have no further obligation to operate or maintain the Land Bay E Improvements following their acceptance by the County. The Land Bay E Improvements shall be bonded prior to approval of the first record plat or site plan for any portion of the Property, whichever is first in time, and shall be constructed and open for use prior to the approval of the zoning permit for the 152 residential dwelling unit on the Property provided, however, that in the event the grantee of the Existing Open Space Easement on the County Parcel determines that construction of the Land Bay E Improvements would be prohibited under the terms of the Existing Open Space Easement, and the Existing Open Space Easement is not, prior to the first site plan for the Property, amended by the grantee in a manner that would permit construction of the Land Bay E Improvements, then the Owner shall have no further obligation under this proffer. The*

Owner shall receive a credit against the Capital Facilities Contribution required by Proffer 10 equal to the verified actual reasonable cost, as reviewed and approved by the Zoning Administrator, of the installation of the Land Bay D Improvements (inclusive of engineering, surveying, bonding, permit fees, utility relocation, easement acquisition, and other soft and hard costs of construction); provided, however, that any entitlement to any such credit shall not entitle the Owner to demand, recover, receive, or require any cash payment or refund from the County for any payments or contributions made to the County prior thereto.

The proffers reference, “install improvements on Land Bay E for the benefit of allowing the general public to access the Park Site and the Emerald Ribbons Trail. Said improvements shall consist of a pervious parking lot containing a minimum of 12 parking spaces, trash and recycling cans, a 10-foot-wide natural surface trail connecting the parking lot to the Emerald Ribbons Trail, one bicycle rack which shall accommodate a minimum of six bicycles, one bicycle repair station with an air pump, and a 30-foot wide access road connecting said parking lot, Sycolin Road, and the Property (together, the “Land Bay E Improvements”)”.

- PRCS request the applicant coordinate with PRCS on type of material proposed. As stated in comments under proffer 9.d. (above). PRCS has experienced erosion and washouts on exiting trailhead parking lot that are pervious (gravel/crushed stone) which require ongoing maintenance. PRCS recommends an impervious surface such asphalt or an alternative surface such as pervious concrete. In addition, PRCS request that gates (2) be installed at the north and south access points of the trailhead parking lot to control vehicle access when park is closed.

Response: In consultation with PRCS Staff, the proffer has been revised to provide that the Trailhead parking lot will be constructed of pervious concrete, or other similar materials acceptable to the County. The Applicant has also committed to install two gates at the north and south access points to the trailhead parking lot to control vehicle access when the park is closed.

- PRCS request Land Bay E Improvements shall be bonded prior to approval of the first record plat or site plan for any portion of the Property, whichever is first in time, and shall be constructed and open for use prior to the approval of the zoning permit for the 50th residential dwelling unit on the Property.

Response: In consultation with PRCS Staff, the proffer has been revised to provide for construction of the trailhead parking lot improvements prior to issuance of the occupancy permit for the first residential unit in Land Bays A or F and, subject to County approval, available for use not sooner than issuance of the first occupancy permit for units located in Land Bays A and F.

- Signage should be included for each trailhead for associated amenities. See comment 6 below.

Response: See response to Comment 6 below.

6. Proffer 9 (f). Park Wayfinding Signage.

Proffer Language, *The Owner shall, in coordination with PRCS, develop a directional/wayfinding signage system for the Property to ensure residents and visitors can easily identify and access Land Bays D and E’s public recreational amenities and trails. The initial location of such directional/wayfinding signage*

system shall be depicted with the first record plat, CPAP, site plan, or site plan amendment submitted for the Property; however, the Owner may, in its sole discretion, alter the final location of such signage, in conjunction with the approval of subsequent record plats, CPAPs, site plans, or site plan amendments submitted for the Property. The design of the directional/wayfinding signage system shall be subject to the Design Guidelines. Said wayfinding signs shall be installed by the Owner in conjunction with the associated lots, streets, infrastructure, and dwelling units proposed on said plans.

- In addition to directional/wayfinding signage system for the property. PRCS request that the applicant proffer PRCS entrance signage (park/trailhead name w/address) for each trailhead (attached), secondary entry/rules sign, information kiosk (two), canoe/kayak launch, trail directional markers and park hour's signs. All signs located with parkland are to follow PRCS Comprehensive Sign Plan and Standards dated August 9, 2010.

Response: The Applicant has proffered to provide signage in substantial conformance with the August 9, 2010 Loudoun County PRCS Comprehensive Sign Plan and Standards. See Proffer 11.g.

- Dog waste should be included at both trailheads.

Response: The Applicant has proffered to provide trash receptacles at the trailhead parking lots, which may include dog waste stations.

ZONING

General Comments:

1. The applicant has revised the layout to only propose access, trailhead parking, and a trail on the PIN 153-16-3488. Zoning Administration staff defers to the Department of Mapping to confirm if the proposed uses are permitted within the existing conservation easement.

Response: The Applicant is working with VOF to update the terms of the easement to provide for the proposed improvements.

2. Proffer 3 should be amended to delete the first sentence as there is no reason to proffer to a zoning ordinance requirement. Secondly, the proffer should be amended to reflect that ADUs can only be located in one building if they are provided as AHUs. If funding is not available to provide such AHUs in Land Bay F then the required ADUs must be provided in each Land Bay in accordance with the requirements of Section 7-104(C).

Response: The proffers have been revised. See Proffer 2.f.

3. Staff notes that there appear to be lots that are oriented toward open space. Please be advised that such lots must meet the lot access/frontage requirements of Section 1-205(A). If the only "frontage" provided is via an alley, then a modification of Section 1-205(A) should be requested.

Response: The Applicant has added a request to modify Section 1-205(A) to provide for frontage of some of the single family attached and multi-family lots to front on open space. See the revised Statement of Justification for a discussion of the requested zoning modification (ZMOD-2020-0026) and the insert map on Sheet 07 that shows the location of the proposed

ZMOD.

4. The R-8 ADU tabulations on Sheet 7 state that the proposed use is SFA and Multi-Family units, but the density tabulation only indicates SFA units. Correct this discrepancy.

Response: Density tabulations for SFA and MF units are provided under the R-8 ADU and R-16 ADU sections of the Zoning Tabulations tables on Sheet 07 of the CDP. The discrepancy has been corrected to exclude multifamily designation from the R-8 portion of the zoning table.

ZMAP-2020-0005 Plan Comments:

5. Update the zoning labels for each Land Bay on Sheet 7 to list the existing Zoning District as well as the proposed Zoning District.

Response: Existing and proposed zoning district now shown for each land bay. See sheet 07.

6. Sheet 8 depicts 41,450 square feet of active recreation space. Update the square footage in Proffer 8 to match Sheet 8 of the CDP.

Response: The Proffers have been revised to reflect the correct area.

ZCPA-2020-0008 Plan Comments:

7. The applicant should clarify the open space tabulation on Sheet 2. The ZCPA application removes 9.2 acres from ZMAP-2003-0009 but the overall provided open space tabulation has not changed, and the "Revised Open Space Provided" tabulation has increased. The open space areas should be revised to remove the open space associated with ZMAP-2020- 0005.

Response: The total open space provided with ZMAP-2003-0009 is 26.1 acres. This application (ZCPA-2020-0008) revises the open space to 16.9 acres by removing 9.2 acres and granting it to companion application ZMAP-2020-0005. Therefore the line for "Total Open Space Provided: 26.1 AC" has been crossed out and a line for revised open space of 16.9 ac has been added at the bottom of the table to demonstrate that it still meets the requirement for open space. See Sheet 02.

ZMOD-2020-0020 Comments:

8. The Parking Demand Study states that residents of ADUs typically only own one vehicle. Zoning staff defers to the Office of Housing for comment regarding the appropriateness of the proposed parking modification.

Response: Acknowledged

SPEX-2020-0012 Parking Reduction Comments:

1. The applicant states in the SOJ that the VHDA typically will not agree to parking covenants because they would be considered a “contingent liability”. Section 5-1102(F)(1)(C) requires a covenant be executed for a period of 20 years, guaranteeing that the owner will provide the additional spaces if the Zoning Administrator, upon thorough investigation of the actual utilization of parking spaces at the building or complex, recommends to the Board of Zoning Appeals that the approved reduction be modified or revoked. A condition of approval for the special exception must be to provide a parking covenant as described above. Alternatively, the applicant could request a zoning modification (ZMOD) of the multi-family parking requirement as opposed to a SPEX.

Response: A ZMOD has been requested in lieu of the SPEX.

2. Amend the parking demand study to refer to the proposed multifamily units as “Affordable Dwelling Units” (ADU) as opposed to “Affordable Housing Units” (AHU). Until funding is verified to permit AHUs the application simply requires ADUs.

Response: The Parking Demand Study has been revised.

PROFFER COMMENTS

Proffer Management Comments: (See Comments Responses in the attached revised Proffers for ZMAP-2020-0005 dated September 18, 2020)

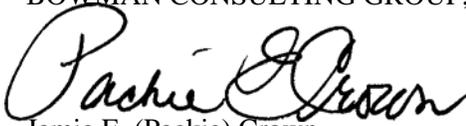
GOOSE CREEK SCENIC ADVISORY COMMITTEE (Comments dated September 14, 2020)

Refer to the responses to the above County Referral Agency comments and the draft Proffers dated September 22, 2020 for responses to GCSAC comments.

Please let me know if you have any questions regarding the above responses and enclosed materials.

Thank you for your continued assistance with this project.

Sincerely,
BOWMAN CONSULTING GROUP, LDT.



Jamie E. (Packie) Crown
Principal | Vice President – Planning

Enclosures

Cc: Joseph Clark
Pete Gulick
Kim Hart
Colin Stiles

Josh Peters
Goose Creek Overlook - Response to 2nd Referral Comments
September 22, 2020
Page **19** of **19**

Andrew Painter
Matt Leslie
Bob Brown
George Gitchev
Tushar Awar



Via Electronic Mail

October 20, 2020

Josh Peters
Planner - Land Use Review
Loudoun County Department of Planning & Zoning
1 Harrison Street, SE, 3rd Floor
Leesburg, Virginia 20175

RE: **Goose Creek Overlook: ZMAP-2020-0005; ZCPA-2020-0008; ZMOD-2020-0020 and ZMOD-2020-0026**
Response to Third Referral Comments

Dear Josh:

Thank you for forwarding copies of the third referral comments yesterday and for also coordinating a meeting with Marie Genovese and Anna Dougherty yesterday to discuss the resource area issues. Based on our discussions with staff, and a review of the referral comments, we have attached the following revised documents:

1. *Goose Creek Overlook Rezoning Application ZMAP-2020-0005/ZMOD-2020-0020/ZMOD-2020-0026* plan set, prepared by J2 Engineers, dated April 20, 2020, revised October 20, 2020 (the "CDP");
2. *Proffer Statement, Goose Creek Overlook, ZMAP-2020-0005*, dated August 19, 2020, revised October 20, 2020 (the "Proffers"); and
3. *Memorandum from Good Works Inc., dated October 20, 2020 addressing several of the Housing Services comments.*

As indicated in your email transmittal yesterday, our team will provide a more detailed response letter to address the issues not addressed in the attached revised CDP and Proffers. Below is a summary of the key issues addressed in the attached documents:

- Sheet 10 of the CDP has been revised to clearly delineate the areas of encroachment within the RSCR and the mitigation measures for the encroachments. Mitigation will consist of the removal of existing impervious surfaces on both the north and south sides of the Property and reforestation. As discussed yesterday, the active recreation uses have been shifted from areas previously proposed on the CDP. For the active recreation areas located north of Sycolin Road, the Applicant is now proposing to utilize impervious areas on the Property that currently are utilized for private recreation areas (i.e. multi-purpose

court, trails, existing house, garage, pool, travelways) as well as areas outside the RSCR for active recreation. The active recreation uses proposed to be located within the floodplain (i.e. that will replace the existing active recreation/impervious areas) will comply with the provisions and uses permitted by the Floodplain Overlay District (FOD). The existing impervious surfaces (25,700 ± SF) will be removed and replaced with permeable surfaces, thereby reducing the impacts to the area.

- Sheet 10 designates two areas on the Property as Civic Spaces.
- The alignment of the on-site trail connecting from the “Webster Overlook” area to the Emerald Ribbon Trail in Land Bay D has been relocated to utilize the existing (previously cleared) path on the Webster property.
- The Applicant has added a commitment to provide 4 AMPPUs (Unmet Housing Needs units), in addition to the required ADUs in Land Bays A and C, if the 75 multi-family AHUs are not constructed.
- The landscape plan has been revised to specify the details of the Enhanced Buffer proffered along the Sycolin Road frontage of the proposed sanitary sewer pump station.
- The Applicant has revised the Regional Road Cash Contribution proffer to provide for use of the funds for construction of the off-site multi-purpose trail on the north side of Sycolin Road between the eastern Property line and the Dulles Greenway bridge and improvements to the Goose Creek and/or Dulles Greenway bridges, at the County’s discretion.
- The Applicant has revised the amount of the cash contribution for the section of multi-purpose trail between the western site entrance and the Goose Creek bridge landing south of Sycolin Road based on the County’s bond estimate schedule. It should be noted that the Applicant is also proffering to provide an easement at no cost to the County for said section of multi-purpose trail.
- The Applicant has proffered to provide an updated tree inventory for the area in which diseased trees along the southern Webster property boundary were previously removed by the property owner.
- The Applicant has added a commitment to install additional super silt fencing to protect very steep slopes and Goose Creek, if recommended at CPAP/subdivision stage of development.

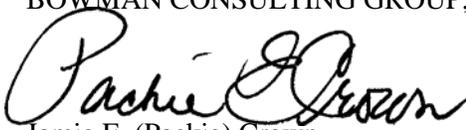
Our team continues to review the other issues not specifically addressed in the attached documents and will work with you and staff to finalize same.

Thank you for your continued assistance with this project.

Please feel free to reach out to me or Colin if you have any questions.

With best regards,

Sincerely,
BOWMAN CONSULTING GROUP, LDT.



Jamie E. (Packie) Crown
Principal | Vice President – Planning

Enclosures

Josh Peters
Goose Creek Overlook - Response to 2nd Referral Comments
October 20, 2020
Page 3 of 3

Cc: Joseph Clark
Pete Gulick
Kim Hart
Colin Stiles
Andrew Painter
Sasha Braurer
Matt Leslie
Bob Brown
George Gitchev
Tushar Awar

Peters, Joshua

From: Ajay Rawat <Ajay.Rawat@lcps.org>
Sent: Tuesday, December 1, 2020 4:10 PM
To: Peters, Joshua
Subject: [EXTERNAL] RE: ZMAP 2020-0005, ZCPA 2020-0008 & ZMPD 2020-0020 Goose Creek Overlook (2nd Submission)
Attachments: Goose Creek Overlook Updated Enrollments & Res Dev.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

The attached PDF includes 2020-21 school year enrollments and capacities, and projected enrollments (2021-22 thru 2026-27 school years) for all Ashburn Planning District schools. Also, included is the residential development information for the same planning district. The information detail is an excerpt from the Superintendent's Recommended FY 2022-FY 2027 Capital Improvement Program, dated November 10, 2020. The highlighted schools are currently assigned to the lot where this development is proposed.

Loudoun County Public Schools (LCPS) calculates a base building capacity for each elementary, middle, and high school facility. This base building capacity identifies the number of students that can be reasonably accommodated by a school based on the number of classrooms, specialized instruction programs, and identified student-teacher ratios.

The School Board's Capital Improvement Program (CIP) provides current year September 30 enrollment as well as projected enrollments for the next six years by school and LCPS-defined planning district. Planning district considerations for the schools, including the need to address identified enrollment concerns for individual schools, are reviewed annually by the School Board and staff.

There is not a defined enrollment or capacity threshold that results in School Board action to construct a classroom addition, a new school, initiate an attendance zone adjustment, and/or potentially reassign regional programs for an individual school. Schools exhibiting consistent enrollment growth and/or reported enrollments which exceed capacity year-over-year by ± 10 percent utilization are closely monitored by LCPS staff and the School Board, with a more maximum threshold of 125% utilization being identified by the prior School Board. The current School Board is reviewing and providing further guidance during this year's FY 2022 capital budget process on the maximums for individual schools.

It will be in this lens that the Goose Creek Overlook application, currently reflecting a proposed 251 residential units, will be assessed at both the elementary and secondary school levels – including if future attendance zone adjustments will be needed.

ELEMENTARY & SECONDARY SCHOOL SUMMARY: ASHBURN

General Planning District Description

North of Route 267 (Dulles Greenway), East of Goose Creek, South of the Potomac River, West of Route 28 (Sully Road)

FY 2022 - FY 2027 CIP PLANNING PERIOD

ELEMENTARY SCHOOLS	2020-2021	30-Sep-20	2021-22			2022-23			2023-24			2024-25			2025-26			2026-27		
	BASE	ACTUAL	PROJECTION																	
	CAPACITY	ENROLLMENT	ENROLL	SPACE	UTILIZE															
ASHBURN ES	697	523	558	139	80%	560	137	80%	528	169	76%	508	189	73%	503	194	72%	488	209	70%
BELMONT STATION ES	812	747	832	(20)	102%	830	(18)	102%	821	(9)	101%	836	(24)	103%	800	12	99%	785	27	97%
CEDAR LANE ES	812	770	867	(55)	107%	836	(24)	103%	811	1	100%	821	(9)	101%	808	4	100%	786	26	97%
DISCOVERY ES	983	734	752	231	77%	736	247	75%	702	281	71%	696	287	71%	691	292	70%	681	302	69%
DOMINION TRAIL ES	697	643	670	27	96%	661	36	95%	660	37	95%	657	40	94%	636	61	91%	631	66	91%
NEWTON-LEE ES	904	607	650	254	72%	629	275	70%	584	320	65%	593	311	66%	574	330	63%	565	339	63%
SANDERS CORNER ES	697	449	473	224	68%	453	244	65%	438	259	63%	430	267	62%	420	277	60%	412	285	59%
SELDENS LANDING ES	904	591	616	288	68%	554	350	61%	527	377	58%	528	376	58%	512	392	57%	498	406	55%
STEUART W WELLER ES	904	700	798	106	88%	767	137	85%	755	149	84%	739	165	82%	724	180	80%	713	191	79%
	7410	5764	6216	1194		6026	1384		5826	1584		5808	1602		5668	1742		5559	1851	

SOME ELEMENTARY SCHOOL STUDENTS RESIDING IN THE DULLES NORTH PLANNING DISTRICT ARE CURRENTLY ATTENDING ELEMENTARY SCHOOL IN THE ASHBURN PLANNING DISTRICT.

General Planning District Description

North of Route 267 (Dulles Greenway), East of Goose Creek, South of the Potomac River, West of Route 28 (Sully Road)

FY 2022 - FY 2027 CIP PLANNING PERIOD

MIDDLE SCHOOLS	2020-2021	30-Sep-20	2021-22			2022-23			2023-24			2024-25			2025-26			2026-27		
	BASE	ACTUAL	PROJECTION																	
	CAPACITY	ENROLLMENT	ENROLL	SPACE	UTILIZE															
BELMONT RIDGE MS	1227	1124	1132	95	92%	1099	128	90%	1090	137	89%	1047	180	85%	1010	217	82%	981	246	80%
FARMWELL STATION MS ^{A,B}	1246	1149	1142	104	92%	1071	175	86%	1059	187	85%	1016	362	82%	1024	354	74%	1003	375	73%
TRAILSIDE MS	1265	1234	1220	45	96%	1232	33	97%	1261	4	100%	1251	14	99%	1288	(23)	102%	1298	(33)	103%
	3738	3507	3494	244		3402	336		3410	328		3314	556		3322	548		3282	588	

SOME MIDDLE SCHOOL STUDENTS RESIDING IN THE ASHBURN PLANNING DISTRICT ARE CURRENTLY ATTENDING MIDDLE SCHOOL IN THE DULLES NORTH PLANNING DISTRICT.

SOME MIDDLE SCHOOL STUDENTS RESIDING IN THE DULLES NORTH PLANNING DISTRICT ARE CURRENTLY ATTENDING MIDDLE SCHOOL IN THE ASHBURN PLANNING DISTRICT.

A - THE 2020-21 BASE CAPACITY FOR FARMWELL STATION MS REFLECTS TWO (2) MODULAR CLASSROOMS ON SITE; WITHOUT THE MODULAR CLASSROOMS, CAPACITY AT FARMWELL STATION MS WOULD BE 1208.
 B - A NINE (9) CLASSROOM ADDITION IS PROPOSED AT FARMWELL MS, TO BE COMPLETE BY THE START OF 2024-25 SCHOOL YEAR. THE PROPOSED ADDITION WILL REMOVE THE TWO (2) MODULAR CLASSROOMS; ANTICIPATED CAPACITY FOR FARMWELL MS IN FALL 2024 IS 1378.

General Planning District Description

North of Route 267 (Dulles Greenway), East of Goose Creek, South of the Potomac River, West of Route 28 (Sully Road)

FY 2022 - FY 2027 CIP PLANNING PERIOD

HIGH SCHOOLS	2020-2021	30-Sep-20	2021-22			2022-23			2023-24			2024-25			2025-26			2026-27		
	BASE	ACTUAL	PROJECTION																	
	CAPACITY	ENROLLMENT	ENROLL	SPACE	UTILIZE															
BROAD RUN HS	1856	1584	1603	253	86%	1609	247	87%	1619	237	87%	1598	258	86%	1540	316	83%	1496	360	81%
RIVERSIDE HS	1861	1849	1863	(2)	100%	1870	(9)	100%	1813	48	97%	1778	83	96%	1746	115	94%	1686	175	91%
STONE BRIDGE HS	1731	1778	1833	(102)	106%	1851	(120)	107%	1853	(122)	107%	1835	(104)	106%	1820	(89)	105%	1844	(113)	107%
	5448	5211	5299	149		5330	118		5285	163		5211	237		5106	342		5026	422	

SOME HIGH SCHOOL STUDENTS RESIDING IN THE ASHBURN PLANNING DISTRICT ARE CURRENTLY ATTENDING HIGH SCHOOL IN THE DULLES NORTH PLANNING DISTRICT.

SOME HIGH SCHOOL STUDENTS RESIDING IN THE DULLES NORTH PLANNING DISTRICT ARE CURRENTLY ATTENDING HIGH SCHOOL IN THE ASHBURN PLANNING DISTRICT.

**ASHBURN PLANNING DISTRICT
RESIDENTIAL DEVELOPMENT**

LCPS Planning staff tracks residential building permit activity for Loudoun County and its incorporated towns. The monitoring includes both rezoned and by-right developments (i.e., approved, proposed, inactive) and construction status. Tracking the approved under construction and approved future "pipeline" development assists staff in estimating student growth.

Residential development detail is provided for approved, but not yet completed, residential projects in LCPS geographic planning districts. Complete, proposed, inactive, and/or age-restricted residential applications are excluded from the below provided information. Utilizing 2019 student generation factors, the number of potential LCPS students has been calculated based on the remaining number of residential units to be constructed.

**Ashburn Planning District
Approved, Unbuilt Residential Development
as of September 2020**

SFD - Single Family Detached SFA - Single Family Attached MF - Multifamily

Residential Development	Approved Residential Units				Potential LCPS Students			% Complete, as of 9/2020
	SFD	SFA	MF	Total	Elementary School	Middle School	High School	
ASHBROOK RESIDENTIAL	0	0	152	152	20	11	15	0%
ASHBURN CHASE (Regency @ Belmont)	0	0	96	96	13	7	9	0%
ASHBURN STATION/REGENCY	0	0	224	224	30	16	22	0%
ASHBURN OVERLOOK	0	71	0	71	5	3	4	73%
GOOSE CREEK VILLAGE EAST	0	0	282	282	37	20	27	0%
LOUDOUN STATION	0	0	924	924	33	18	24	73%
ONE LOUDOUN CENTER	265	376	446	1067	31	17	22	67%
TRAIL VIEW ASHBURN	0	0	46	46	6	3	4	0%
WELLERS CORNER	11	8	0	19	6	3	5	0%
Planning District Total, as of September 2020	276	455	2170	2881	180	98	131	

TECHNICAL MEMORANDUM

To: Loudoun County

From: Tushar Awar, P.E., PTOE
Erin Steel, P.E.

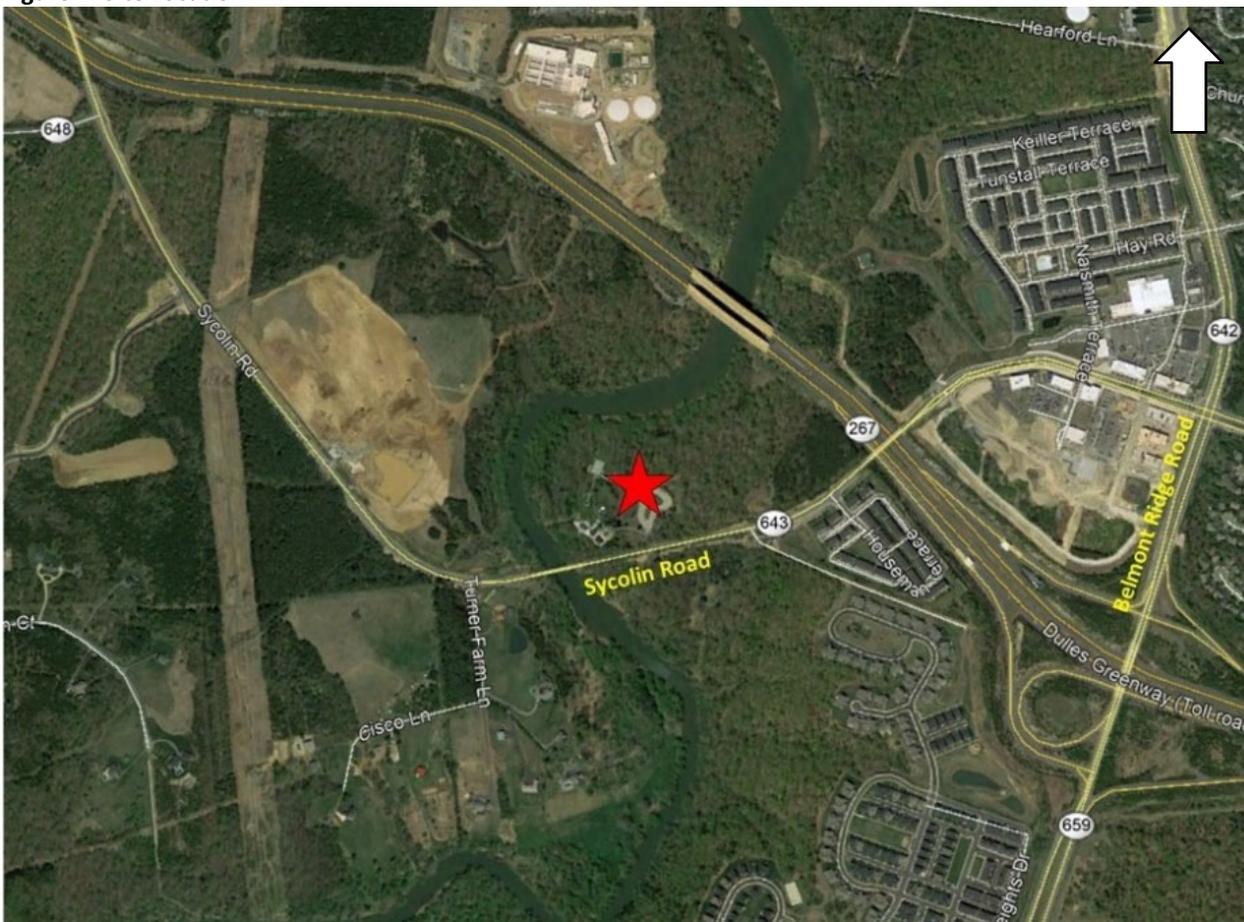
Date: August 19, 2020

Subject: Parking Demand Study (2nd Submission) – Goose Creek Overlook

INTRODUCTION

This memorandum provides justification for a reduction in parking for the proposed Goose Creek Overlook development in Loudoun County, Virginia. The site is located north and south of Sycolin Road and east of Goose Creek as shown in Figure 1. The information in this memorandum supports the applicant's request to modify the parking requirements for the project's multi-family units to better align with the actual number of parking spaces required to serve residents of the proposed affordable dwelling units (ADUs). This memorandum summarizes parking occupancy observed on similar sites in the County as justification for this modification.

Figure 1: Site Location



PARKING REQUIREMENTS

This site currently proposes 75 affordable units, including 15 1-bedroom units and 60 2-to 3-bedroom units. The required zoning regulation of the Revised 1993 Loudoun County Zoning Ordinance and the requested modifications are shown in Table 1. As shown in Table 1, the number of parking spaces required by the Zoning Ordinance is **143 spaces** (average rate of 1.9/DU), and the requested 1.5/DU rate would result in **113 spaces**.

Table 1: Required and Proposed Parking Space

Zoning Ordinance Section Reference	Residential Type	Number of Dwelling Unit	Zoning Regulation (per DU)	Number of Parking Spaces Required by Zoning Regulation	Requested Modification (per DU)	Number of Parking Spaces Required After Modification
5-1102 Off-Street Parking	1 Bedroom	15	1.5	23	1.5	23
	2-3 Bedrooms	60	2.0	120	1.5	90
	Average	-	1.9	-	1.5	-
	Total	75	-	143	-	113

ZONING MODIFICATION JUSTIFICATION

This section presents a review of parking inventory and parking occupancy of similar existing ADU(AHU) projects in the County. The purpose of the survey was to determine the parking supply and demand on similar sites.

Empirical data derived from existing AHU projects in the County indicates that the majority of residents of ADUs own one vehicle. This reduced amount of vehicle ownership is directly attributable to both the number of ADU households headed by a single person and the household income of ADU residents. Three similar existing ADU (AHU) sites in Loudoun County are surveyed in this memorandum, including:

- Stone Springs Apartments
- Shreveport Ridge Apartments
- Heronview Apartments

The parking occupancy counts of these three sites were conducted on Tuesday, May 5, 2020 and Wednesday, May 6, 2020. Parking sweeps were conducted from 8:00 PM to 9:00 PM, which represents peak parking demand during typical weekdays. The results of the survey are summarized in Table 2.

Table 2: Parking Occupancy Summary of Existing AHU Projects

Project	Dwelling Units (DU)	Spaces Required by Zoning Ordinance		Actual Usage			
		Parking Spaces	Spaces/DU(Average)	5-May		6-May	
				Spaces Used	Spaces/(DU)	Spaces Used	Spaces/(DU)
Stone Springs Apartments	128 units	267 Spaces	2.1	145 spaces	1.1	143 spaces	1.1
Shreveport Ridge Apartments	98 units	223 Spaces	2.3	140 spaces	1.4	135 spaces	1.4
Heronview Apartments	96 units	180 Spaces	1.9	114 spaces	1.2	110 spaces	1.1
Average			2.1		1.2		1.2

As shown in Table 2, the parking demand of the studied AHU sites averaged at 1.2 spaces per dwelling unit, much lower than the required Zoning Ordinance rate (2.1 Spaces/DU) and lower than the requested parking rate (1.5 Spaces/DU) for the Goose Creek Overlook site.

CONCLUSIONS

This memorandum presents the results of a Parking Demand Study conducted for the proposed Goose Creek Overlook site in Loudoun County, Virginia. The memorandum supports the following major conclusions:

- The Applicant is proposing to modify the parking ratio to **1.5 spaces/DU** for the multifamily units (ADUs), which would result in 113 required parking spaces.
- Parking occupancy data was collected on two days at 3 similar ADU(AHU) sites in Loudoun County and was observed to have a peak demand of **1.2 spaces/DU**.
- It is also noted that ITE's Parking Generation Rate for Affordable Housing (ITE Code 223) is **0.99 space/DU**, even lower than the proposed reduced rate.
- Hence, the proposed modified parking ratio, 1.5 Spaces/DU, which results in 113 spaces, provides adequate parking available to accommodate the parking demand at this type of site.