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HAND DELIVERY

September 18, 2009

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1 Harrison Street, S.E.  
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**RE: White's Ford Park Applications - SPEX 2008-0061, SPEX 2008-0062 and CMPT 2008-0020 – Second Referral Comment Response Letter**

Dear Nicole:

This letter constitutes the Applicant's response to staff and agency second submission review comments that we received August 26 and September 14 regarding the above-referenced applications. Each staff and agency comment is noted in italics, followed by the Applicant's response.

**Department of Building and Development – Zoning Referral (comments dated August 18, 2009)**

**Special Exception**

1. *SPEX-2008-0061 is an application for a special exception to permit boat rentals and incidental structure (boat launch) associated with that use. The SPEX plat needs to be updated to list the use as permitted in Section 4-1500 of the zoning ordinance.*

The plat has been updated to list the boat ramp and incidental structure as permitted uses in the floodplain.

2. *In addition to Section 6-1300, Section 4-1507(A) through (G) will need to be addressed as part of the Statement of Justification for the use located in the floodplain.*

The Statement of Justification has been updated to address Sec. 4-1507 (A) through (G).

**Commission Permit**

3. *Per Checklist Item C, a site plan should be submitted with the application for commission permit to establish the park use. On this plan, all park amenities need to be shown. The applicant has indicated a residual lot of approximately 20 acres will be created along the eastern portion of the property. The Concept Sketch included with the application shows a portion of the hiking/equestrian trail to be located on this residual lot. This residual lot will need to be shown*

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*within the limits of the commission permit or the trail will need to be relocated to be within the park limits.*

A plat for the Commission Permit has been included with the plan set. As requested by staff during the meeting on Tuesday, August 25, 2009, the plat includes a list of envisioned uses within White's Ford Park and includes the 20-acre residual lot. The Park Authority will have an easement to allow park and recreation uses on the 17 acres of the residual lot south of Hibler Road, although only a trail is planned at this time.

**Department of Planning – Community Planning (comments dated August 18, 2009)**

**Compatibility**

1. *Staff recommends that a condition of approval be developed to prohibit the launching of motorized boats from the subject property in conformance with Plan policies.*

The adjacent Potomac River is one of the site's most attractive and unique amenities and providing much-needed access to the Potomac River is a central tenet of this application. Today, access to the river from Loudoun is limited to a boat launch at Algonkian Park and at Point of Rocks. In order to better serve Loudoun's citizens and the many recreational boaters who reside in the County, the Applicant is excited to be proposing a boat ramp at White's Ford Park for small boats.

Although it is anticipated that the majority of launches at White's Ford Park will be by non-motorized kayaks and canoes, the Applicant believes it is appropriate and desirous for some small motorized boats to gain access to the river from the park. Providing access to recreational waters for both motorized and non-motorized watercraft is one of the two most critical needs for outdoor recreation identified in the state's 2007 Virginia Outdoors Plan. The Applicant is looking forward to helping meet this need by providing this access.

Recognizing staff's desire to limit the launching of motorized boats, the Applicant is willing to agree to prohibit jet skis and to restrict motorized boats to those with 10 horsepower or smaller engines. This will allow fishermen and small john boats access to the river, while prohibiting louder more noxious vessels. In addition, as stated earlier, the Applicant anticipates just 20 boat launches per weekend, the majority of which would be non-motorized vessels.

2. *Staff recommends that a condition of approval be developed to prohibit Recreation Vehicles (RV) and/or large travel trailer camping on the subject property because of safety and access constraints associated with the existing road network and the infrastructure demands associated with these types of self-contained camping vehicles which are not in conformance with the performance standards of the Plan.*

The Applicant recognizes the rural condition of Hibler Road and is willing to agree to limit camping trailers to those no longer than 22 feet in length and 89 inches in width. This would permit campers, commonly referred to as "pop ups" that are pulled behind a vehicle while prohibiting larger RVs.

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3. *Staff recommends that the overall layout and design of the proposed campgrounds, cabins and associated restroom facilities be scaled and sited to respect and preserve the rural character and scenic quality of the subject property.*

In designing the park, the Applicant was very careful to locate the campgrounds and associated facilities toward the interior of the Property and believes the current layout is respectful of the rural setting. The Property is considerable, measuring approximately 275 acres, and the campgrounds are grouped in four strategic locations. The number of campgrounds and the area in which they are located is far less than the maximum permitted by the Zoning Ordinance for a site this size and are set well within the 200-foot required setback.

### **Historic Resources**

4. *The Lloyd Fry House (also identified as the Colonel White House) and farm complex (VDHR 053-0012-0082) are an important historic feature of the subject property and should be properly stabilized, mothballed and maintained for future use within the park in compliance with Plan policies. Staff recommends that the applicant commit to the protection, preservation and rehabilitation of these historic buildings as part of the development of a cultural resource management plan for the subject property.*

Preserving the Colonel White House for future generations is important to the Applicant and establishing it as an interpretive facility is part of the Park's master plan. The Applicant recently met with County staff on the Property and determined that locking the house's doors, boarding up any unsecure windows or openings and installing a cattle fence around the Colonel White House will protect the house until the Applicant is able to incorporate it into the Park's amenities.

As for any other buildings on the Property, the Applicant agrees with Staff's determination that there are only two other buildings that are of the same period as the house and should be stabilized: the corn crib, which is structure H on the Commission Permit Sheet, and the cow barn, which is structure F. Per the recommendation of Staff, the Applicant will erect a cattle fence around those individual structures.

### **Department of Building and Development – Environmental Review (comments dated August 14, 2009)**

1. *Staff requests that the applicant provide the County with digital data depicting the Corps-approved wetland delineation (including jurisdictional wetlands and waters). Loudoun County's GIS uses ESRI software and can import .DXF data. Our coordinate system is Virginia State Plane. Datum NAD 83 data is preferable if available. Documentation on the digital data (e.g., map scale, age, etc) would be helpful.*

The jurisdictional determination is in process, but the Applicant has not yet received it. Upon receipt, we will be happy to provide it to Staff in digital format.

2. *Staff requests that the applicant commit to a condition of approval to develop a management plan for controlling and removing invasive and less desirable species of trees and*

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*vegetation from existing fencerows, and to promote the natural re-growth of desirable species in open areas while controlling and eliminating invasive trees. Including forest and tree conservation measures within the project is consistent with Forest, Trees and Vegetation Policies on Page 5-32 of the RGP.*

The Applicant is committed to ensuring the viability of native trees on the Property and has included a note on the Tree Conservation Plan that commits to the removal and/or treatment of invasive trees and the replanting with native deciduous plantings when possible.

*3. In evaluating the effect of the proposed special exception on water quality as required by Section 6-1310.H of the Revised 1993 Zoning Ordinance, staff notes that there are no proposed stormwater management facilities serving the property. To ensure that impervious surface areas are minimized, steep slopes are not eroded by stormwater runoff, and available areas of permeable soil are used for infiltration, staff recommends further discussion with the applicant regarding a stormwater pollution prevention plan for the proposed uses. Further, staff desires an agreement with the applicant on the scope of said plan prior to consideration by the planning commission.*

As a steward of the land, the Applicant has worked to create a development plan that is respectful of the site's environmentally sensitive areas. Although exact locations of the Park's amenities are unknown, the Applicant has designed the campgrounds, picnic areas and other features to avoid the Property's wetlands and archeological sites. Furthermore, the Applicant has added a note to the Plat stating it will mitigate added imperviousness. Identifying what those stormwater management techniques will be or where they will be located is premature however, since the exact location and size of the park's features is still unknown.

*4. Staff recommends that the applicant commit to a sustainable building design of the proposed buildings within the park site, with a focus on conservation of energy and water, and indoor air quality, among other goals. The Revised General Plan encourages these goals in the General Water Policies supporting long-term water conservation (Policy 1, Page 2-20); and the Solid Waste Management Policies supporting waste reduction, reuse, and recycling (Policy 2, Page 2-23)*

The Applicant will install energy efficient appliances and lighting, low-flow water fixtures and programmable thermostats in the cabins and restrooms. Where appropriate, the Applicant will strive to incorporate recycled and pervious materials into the Park's design.

*5. Staff requests a commitment from the applicant to provide the Preliminary Soils Report for the Potomac Floodplain at the first submission of the site plan for this project.*

The Applicant has completed the Preliminary Soils Report for the majority of the site and will complete this work for the floodplain area and submit it to the County with its site plan submission.

*6. It has come to staff's attention that the park site may be open for recreational vehicle use. Staff recommends a condition of approval that noise generating activities, such as*

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*generators, motorboats, and other similar machinery is limited from dawn to dusk to protect the rural character of the area and to decrease the likelihood of disturbance to present and future neighboring residences. This recommendation is meant to address noise requirements in ZO section 5-1507.*

In its effort to be a good neighbor, the Applicant has positioned noise-generating activities toward the interior of the site. In addition, NVRPA campground rules require that campers must observe quiet hours between 10:00 p.m. and 7:00 a.m., which includes limiting the noise-generating machines, such as generators and motors.

**Department of Fire, Rescue and Emergency Management (comments dated August 11, 2009)**

1. *Staff requested more details regarding the internal road network. While the Applicant stated that the roadways will meet FSM specifications, the Fire and Rescue Planning Staff respectfully requests an opportunity to review the site plan to ensure adequate emergency vehicle access and circulation throughout the parcel. Review of the site plan will also allow the Fire-Rescue Staff to learn more specifics of the proposed structures and pre-plan emergency response to the facility.*

The Applicant has not yet designed the roads through the site but will work with Fire-Rescue staff at time of site plan to ensure the roads provide adequate emergency vehicle access and circulation.

**Virginia Department of Transportation (comments dated August 17, 2009)**

1. *The estimated traffic generation using acreage is much greater than the estimates using number of employees.*

The Institute of Transportation Engineers data does not differentiate between active and passive parks. Therefore, according to ITE numbers, a 275-acre park developed with ball fields, a swimming pool and golf course would generate the same amount of traffic as a 275-acre passive park outfitted only with trails. Recognizing that that would not be the case, the Applicant found it more appropriate and accurate to estimate the traffic at White's Ford Park based on the number of employees, since the number of park employees has a direct correlation to the number of park users and thus traffic coming to the site.

2. *Are there traffic counts from similar sites available to substantiate the NVRPA attendance estimates and related vehicle occupancy assumptions (Tables 4A and 4B and Appendix A)?*

NVRPA operates a number of parks throughout the region, but none is quite like the one proposed at White's Ford. However, there are components from these parks that are comparable or similar in nature. Hence, existing rentals/bookings data for components from other NVRPA parks was studied. This data was deciphered to calculate the approximate vehicles per day data that will be generated by certain uses, specifically, boat launches, picnic

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shelters and camping rentals. The calculations are presented in the appendix section. The results presented show that the assumptions used in the traffic study with respect to trip generation from the proposed components for White's Ford Park are on the conservative side and match with the data received from existing NVRPA parks.

3. *We believe that some site-generated trips would use Route 657 Spinks Ferry Road in preference to Route 661 Limestone School Road to access the site, if they are aware of the option. Since Route 657 is paved from Route 15 to Route 661, it may be desirable to publicize Route 657 as a route to the park.*

The majority of the park visitors will be coming from Leesburg and points south making Limestone School Road the primary point of access from Rt. 15. It would be very unlikely that these users would continue north on Rt. 15 to access the park from Spinks Ferry Road. When this project was originally scoped, it was agreed that Limestone School Road would be the Park's access point to Rt. 15 making it unnecessary to study the intersection of Rt. 15 and Spinks Ferry Road. As requested by OTS, the Applicant will install a sign at Hibler Road directing outbound park traffic to Spinks Ferry Road to limit the potential conflict between inbound and outbound traffic.

4. *This development will at least double the weekday traffic on Route 656 Hibler Road, and significantly increase traffic on Route 661 Limestone School Road, which are narrow, unpaved, substandard roads. Any improvements provided through the development process will be desirable. We support any recommendations by county staff to that effect. At a minimum, we would expect this development to improve the lanes, shoulders, and ditches of Route 656 Hibler Road along the site frontage in accordance with standard GS-4. While the applicant's response expresses concern with impact on trees along the road, most such trees do not appear to be very close to the road.*

Although the proposed park will attract visitors who otherwise would not have traveled on Hibler Road, it's important to note that the traffic generated by the park is small with just 335 trips expected on a weekend day and less than half that on a weekday. Hibler Road, like Limestone School Road, is a rural, gravel road of varying widths, a condition that would not be unexpected for park users who would be traveling to White's Ford to benefit from its rural environs. That said, the Applicant is studying Hibler Road to identify areas where spot improvements could be made and what those improvements could be. However, upgrading Hibler Road to GS-4 standards may require additional right-of-way acquisition and easements outside of the Applicant's control, as well as clearing historic fencerows, making a total upgrade impractical.

#### **Parks and Recreation (dated August 20, 2009)**

1. *PRCS maintains our original stance, that while it is admirable that the Applicant desires to maintain the rural quality of the roadways per the Revised General Plan, Limestone School Road and Hibler Road may jeopardize patron safety. Portions of Hibler Road are much narrower than the Applicant's claim of a 20' width, and the several blind curves and hills (regardless of the road width), make travel precarious in its current condition, not even speaking*

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*of the potential recreational vehicles (RVs), large travel trailers (5th-wheels), and/or boat trailers that would patronize this facility. In addition, Staff concurs with the initial comments from VDOT and OTS that recommend restricting traffic to use Spinks Ferry Road instead of Limestone School Road. While it may cause a longer trip to the park, it is a much safer road. Staff also supports the recommendation from OTS to restrict RVs and 5th-wheel trailers from the park for patron safety concerns due to the nature of Hibler Road. Furthermore, with these recommendations and the Applicant's projected user increase from the initial traffic study, Staff recommends that a revised Traffic Impact Analysis (TIA) be completed and submitted for review.*

The scope of the Traffic Study, including what roads would be studied, was agreed upon by the Applicant and the County's professional traffic engineers at a scoping meeting Oct. 29, 2008. At that meeting, it was determined that the majority of park users would be coming from points south and would use Limestone School Road to access the site. Nothing has changed that would alter that assumption, making it unnecessary to conduct a revised TIA. In respect to RVs, the Applicant has agreed to prohibit RVs and 5<sup>th</sup>-wheel trailers about which PRCS staff has raised concerns.

*2. In regards to the "Colonel White House Interpretive Area", the Applicant must demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the requirements of Section 6-1101(A) of the Revised 1993 Zoning Ordinance will be satisfied.*

Sec. 6-1101(A) requires "the general location or approximate location, character and extent..." of a public road to be shown on an application for a Commission Permit. A separate plat has been included with this application that illustrates the general location of the existing roads that lead to Colonel White's House

*3. In addition to Comment 2, Staff notes that there are two separate Plat Notes (#7 and #18) on Sheet 1 discussing different identified Archeological Resources. Please revise or explain this discrepancy.*

*Applicant Response: The notes on Sheet 1 have been clarified.*

*Issue Status: Resolved.*

Comment acknowledged and appreciated.

*4. In order to preserve the existing driveway conditions along the proposed secondary road to the Colonel White House and to minimize wetland and stream impacts, Staff recommends gating and/or signing the secondary road to keep campsite traffic from entering and/or exiting via this route.*

This road is currently gated and will remain gated for the foreseeable future.

*5. Staff has reviewed the provided Wetlands Delineation Report on the subject property. The report states that there are several locations where areas of palustrine emergent wetlands*

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*and stream channels have been significantly disturbed by previous and current cattle operations on the subject property. PRCS recommends that the Applicant consult with the United States Army Corps of Engineers (USACE) and the Loudoun County Environmental Review Team (ERT) on methods for restoring and enhancing these critical environmental resources and habitats. Specific restoration methods should be included as a Special Exception Condition of Approval prior to Site Plan (STPL) approval.*

*Applicant Response: As noted above, the wetlands were disturbed by past operations and are not a cause of the proposed park use; therefore, the restoration of those areas cannot be required as a Special Exception condition. However, the Applicant will consult with the Army Corps of Engineers and/or ERT for recommendations on mitigating the existing disturbances that are identified in the Wetlands Delineation Report and will implement the appropriate methods at its discretion as funding permits.*

*Issue Status: Resolved. While Staff understands the fact that the Applicant did not originally cause the existing, disturbed wetland conditions, Staff recommends that the Applicant work toward mitigating these impacts as appropriate.*

The Applicant appreciates that this comment is resolved.

6. *In order to preserve the existing driveway conditions along the proposed secondary road to the Colonel White House and to minimize steep slope impacts, Staff recommends gating and/or signing the secondary road to keep campsite traffic from entering and/or exiting via this route.*

This road is currently gated and will remain gated for the foreseeable future.

7. *In order to preserve the existing driveway conditions along the proposed secondary road to the Colonel White House and to minimize minor floodplain impacts, Staff recommends gating and/or signing the secondary road to keep campsite traffic from entering and/or exiting via this route.*

This road is currently gated and will remain gated for the foreseeable future.

8. *The Applicant must demonstrate how the standards of Section 4-1507 of the Revised 1993 Zoning Ordinance will be satisfied. Staff again reminds the Applicant that structures such as picnic pavilions and/or playground equipment are not typically permitted within the major floodplain, as shown on the revised Concept Sketch. Such structures become barriers to the natural flow of floodplain waters and debris, and can be damaged causing a greater expense to the Applicant.*

Per section 4-1505 A(3), picnic areas and play areas are permitted uses in floodplains. The applicant has not formalized the design of either of these amenities, but commits that the picnic pavilion will be an open-air structure without walls and the play area will be unenclosed, meaning water can expeditiously flow across and through both uses. During severe storms,

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Park staff will remove any play or picnic equipment that is not secured and is in danger of being washed away, a practice the Park Authority already employs at its other riverside parks.

9. *Please provide a Phasing Plan for the proposed development of the park. Staff notes that phasing appears to be proposed in the Traffic Study, but not clearly discussed on the Plat or within the Statement of Justification.*

*Applicant Response: The uses requested in this Special Exception application – the boat ramp and campsites – are all included in the Phase 1 identified in the traffic study. A detailed phasing plan is not required as part of a Special Exception application.*

*Issue Status: Resolved.*

The Applicant appreciates the resolution.

10. *Staff notes that a land development application for the subject property, Gianna Terra (SBPL 2006-0084) was approved on July 10, 2007. Please revise the Preliminary Soils Review (PSR) note on Sheets 1 and 2 to include the previous land development application number for which the PSR was submitted.*

*Applicant Response: These notes have been revised.*

*Issue Status: Resolved.*

The Applicant appreciates the comment.

11. *The Applicant must demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the standards of Section 4-1507 and Section 6-1101(A) of the Revised 1993 Zoning Ordinance will be satisfied. Staff understands the Applicant's permitted by-rights uses (e.g., restrooms and picnic shelters); however, they are shown as a part of the application, and Staff notes that they will have an impact on the environment.*

Planning of the passive park is still in the early stages and the exact location of the uses has not been determined. However, the Applicant has already performed a wetland delineation and extensive archeological studies to determine where these environmentally sensitive areas are located and has designed the park to avoid those areas. The Concept Sketch that is included with the submission shows the general areas in which the park amenities will be located. It's important to note that the amenities will be provided within the color-coded bubbles, they will not fill the entire areas depicted by the bubbles and therefore will take up only a portion of that land.

12. *The Applicant must demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the standards of Special Exception Checklist Items 6b and 11 and Section 4-1507 of the Revised 1993 Zoning Ordinance will be satisfied. Staff requests additional information on the size and materials of proposed boat ramp. While Staff notes that the State of Maryland wholly incorporates the Potomac River and the land beneath it, "Virginia has a proprietary right on the south shore to low water-mark, and, appurtenant thereto, has a privilege*

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*to erect any structures connected with the shore which may be necessary to the full enjoyment of her riparian ownership, and which shall not impede the free navigation or other common use of the river as a public highway" per the Black-Jenkins Award of 1877, which upheld the original Compact of 1785, defining the boundary between Maryland and Virginia. Staff recommends that the Applicant coordinate with the Potomac River Fisheries Commission and the Interstate Commission on the Potomac River Basin on the design and construction of the boat ramp to avoid any potential boat ramp disputes. Furthermore, Staff recommends that as a Condition of Approval, the Applicant restrict the launching of watercraft to non-powered boats, per the aforementioned Revised General Plan policies. While the Applicant permits all types of watercraft to launch from Algonkian Regional Park, the Potomac River is much wider and deeper in that area. The shallow nature of the river adjacent to the site would preclude most powered watercraft. Non-powered watercraft is also better suited with the rural and scenic nature of the park that the Applicant is proposing.*

Parking areas are depicted on both the Special Exception Plat for the campgrounds and for the boat ramp. In addition to the group parking area, each campsite will be able to accommodate one car. The exact dimensions of these parking areas is not known, which is why the Applicant requested and received a waiver from Checklist Item 6B. The boat ramp, as well as the Park's other amenities, is being designed to have minimal impact on the natural environment and is located to avoid areas of archeological significance and wetlands. Its exact location and dimensions are not yet known. After meeting with Staff at the Property, it was determined that the Applicant will show an area along the river that could accommodate the ramp and leave the exact location until time of site plan when more refined engineering and site work will be completed.

In respect to what types of boats will be permitted to access the river, the Applicant anticipates that the majority of launches will be by non-motorized kayaks and canoes. However, the Applicant believes it is appropriate and desirable for some small motorized boats to gain access. River access is one of the two highest outdoor recreation needs identified in the state's 2007 Virginia Outdoors Plan, and the Applicant is very excited about its ability to provide this access and help fill this gap.

Recognizing staff's desire to limit the launching of motorized boats, the Applicant agrees to prohibit jet skis and restrict boats to those with 10 horsepower engines or less. This will allow fishermen and small john boats access to the river, keeping in character with the rural setting while prohibiting louder more noxious vessels.

13. *Please provide the proposed number and type (individual vs. group) of campsites within the park. In addition, the Applicant's TIA states that "no Recreational Vehicles or 5th-wheel trailers will be allowed in the park." However, in response to the OTS Comment #8 (dated April 13, 2009) which supported this restriction, the Applicant states that they do not intend to restrict RVs and trailers less than 25' in length. There is no reference to RV and/or trailer camping in the Statement of Justification or identified on the SPEX Plat or Concept Sketch.*

*Staff supports the recommendation from OTS to restrict RVs and 5th-wheel trailers from the park for patron safety concerns due to the nature of Hibler Road. Should it be desirable to*

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*permit other travel trailers and campers, the Applicant will have to provide more information about the location of these different vehicular camp sites, including electrical and water hookups and gray water facilities.*

There will be up to 100 campsites at White's Ford Park. The Loudoun County Zoning Ordinance does not distinguish between group or individual campsites, making it impractical for this application to distinguish between the two. Fifth wheel trailers will not be permitted at White's Ford. Tow-behind, pop up trailers/campers will be permitted at White's Ford so long as they are 22 feet in length or smaller. The Applicant envisions providing individual electric and water connections at each campsite, as well as a centralized sewage dump station to serve the entire Park.

*14. Please provide more information on uses and structures within the proposed Future Equestrian Facility per the colored Concept Sketch. The Applicant must demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the requirements of Section 6-1101(A) of the Revised 1993 Zoning Ordinance will be satisfied. Staff understands the Applicant's permitted by-rights uses; however, the equestrian facility is shown as a part of the application, and Staff notes that it will have an impact on the environment and traffic conditions along Hibler Road.*

Section 6-1101(A) addresses whether a park is appropriate at this location. To make this determination, Planning and Zoning staff have requested a list of the proposed uses. The Applicant has included a note on the plat for the Commission Permit listing the envisioned uses, but recognizes that as the park evolves, unlisted complementary park uses may be added. Many of the uses, including the equestrian facility, are part of the park's long-term planning and therefore it would be premature to try and identify such information as size and location.

*15. Please provide more information on the proposed Event Areas (e.g., types of events, proposed temporary structures, parking requirements) per the colored Concept Sketch.*

*Applicant Response: The event area is not part of this application and has been removed from the Concept Sketch.*

*Issue Status: Resolved.*

Applicant appreciates the resolution.

*16. Please provide more information on the proposed Colonel White House Interpretive Area per the colored Concept Sketch. The Applicant must demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the requirements of Section 6-1101(A) of the Revised 1993 Zoning Ordinance will be satisfied.*

Per our response above, Section 6-1101(A) addresses whether a park is appropriate at this location. To make this determination, Planning and Zoning staff have requested a list of the proposed uses, which has been included on the plat for the Commission Permit. Many of the

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uses, including the Interpretive Area, are part of the park's long-term planning and therefore it would be premature to try and identify what that may entail.

*17. Please provide a detail of the existing homestead area (proposed Colonel White House Interpretive Area), including all of the structures listed in the chart on Sheet 2 of the SPEX Plat, and how they relate to the proposed uses; currently Sheet 2 is difficult to read. In addition, please provide Plat Labels as to whether or not the existing structures are to remain or be removed. Staff requests more information on the current condition of the house, and what the immediate plans for it may be, regardless of whether it is currently a part of the application. Is the house currently lived in? Will it be maintained as a residence within the park? Will it be "mothballed" until the Applicant has the planning and funding for future interpretive use?*

The Applicant met with County staff on the Property to identify what buildings contribute to the site's history and could be incorporated into the Park. In addition to the home, which the Applicant plans to renovate for occupancy, Staff suggested the corn crib and dairy barn be maintained. Nothing is needed to stabilize those two outbuildings, while Staff suggested the house be secured by closing any openings. The Applicant will install cow fencing around the house, corn crib and dairy barn, primarily to prevent cows from entering or rubbing up against the structures. Preservation, and ultimately incorporation of any of the Property's other structures into a future interpretive area, will be at the determination of the Applicant.

*18. Please provide a copy of the parking analysis waiver.*

In a letter dated Dec. 23, 2008, Planner Ginni VanHorn accepted the Applicant's request to waive Checklist Item 6b pertaining to parking. The letter is attached.

*19. Staff requests more information on the proposed Primary and Secondary Roads and parking/loading areas throughout the park (e.g., travel lane widths, pavement materials, number of parking spaces etc.) per Special Exception Checklist Items K10b and 11. It appears on Sheet 4 that the proposed parking area for the boat launch may be undersized to accommodate multiple boat trailers. Please also provide more information on where would overflow parking be located.*

*The Applicant must demonstrate to Staff, the Planning Commission, and the Board of Supervisors how Special Exception Checklist Items K10b and 11 will be satisfied. Unless the Applicant has received a waiver for these items, the Checklist is incomplete. While Staff understands that a Special Exception may be conceptual in nature, it is difficult to appropriately analyze the plan as proposed and how it will meet the ultimate engineering standards required by the Special Exception uses.*

The general location of the internal streets, their access points, and parking areas are shown on the Special Exception Plats, but the Applicant has not yet determined the exact right-of-way width for the streets. The exact locations will be determined with final engineering, understanding that these locations and road widths will be reviewed by the Office of Transportation.

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20. *Staff notes that for the previous land development application SBPL 2006-0084, the property owner drilled and located multiple test wells and drain fields for residential use. Staff requests more information on which wells and drain fields will serve the proposed facilities and if they are adequate for the proposed commercial uses. The Applicant must demonstrate to Staff, the Planning Commission, and the Board of Supervisors how Special Exception Checklist Item 9 will be satisfied.*

Checklist Item 9 requires existing and proposed wells be shown on the plat, which they are. The Applicant has not identified what wells will serve the Park; this will be worked out with the County's Health Department at time of site plan.

21. *Staff requests more information concerning the proposed residential "outlot" straddling Hibler Road surrounded by the proposed park. The Applicant must demonstrate to Staff, the Planning Commission, and the Board of Supervisors how Special Exception Checklist Items 8a and 8b will be satisfied.*

The "outlot" currently does not exist. The Applicant will provide a parcel number at time of subdivision.

22. *Staff requests more information about the Virginia Outdoors Foundation (VOF) easements on the property, including the associated recorded deeds, descriptions, and resources that the "No-Build" areas are protecting.*

*Applicant Response: The Applicant has consulted with VOF as it has planned its park facilities and received a preliminary determination from VOF that the proposed park uses are compatible with the easement restrictions as no facilities are planned for any of the No-Build zones established by VOF. The No-Build Zones north of Hibler Road are on the high points of the land and protect the scenic values of the Property, while the No-Build zones south of Hibler Road protect archeological resources. NVRPA will continue to coordinate its plans with VOF and will obtain any approvals from VOF necessary for compliance with the easement.*

*Issue Status: Resolved.*

The Applicant appreciates the resolution.

23. *The colored Concept Sketch graphically delineates hiking/equestrian trails and Sheets 3 and 4 of the Special Exception Plat do not. Please revise and/or explain this discrepancy.*

*Applicant Response: There is no discrepancy. The Special Exception Plat only lists those uses for which a special exception is needed. The majority of the proposed uses are permitted by right, so they are left off of the Special Exception Plat. The Concept Sketch, on the other hand, includes both by-right and special exception uses that are planned for the park.*

*Issue Status: Resolved.*

The Applicant appreciates the resolution.

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24. *PRCS has been directed by the Board of Supervisors to act as the lead agency for the design and implementation of the Potomac Heritage National Scenic Trail (PHNST) in Loudoun County. PRCS requests the opportunity to work with the Applicant in establishment of a section of the PHNST on the subject property, per the Revised General Plan, Chapter 5, Scenic Rivers and Potomac River Policy 10. Furthermore, Sheets 3 and 4 of the Special Exception Plat should be revised to graphically delineate and label a proposed alignment for the PHNST.*

*Applicant Response: The Applicant is a partner in creating this trail and will preserve the ability to extend this trail through the Property. However, until easements are acquired for the adjacent sections of the trail, it is impossible to determine the exact location and dimension of the trail through the Property, and therefore inappropriate to depict any such alignment. The purpose and intent of the PHNST is to provide access to the Potomac River for recreational and scenic enjoyment. In Loudoun County, the trail is primarily a rustic hiking trail in most places.*

*The previous comment response is irrelevant to the purpose of the PHNST, and while trails are permitted by-right use, a commitment to the PHNST should be made in a label for the proposed trail along the Potomac River on the Concept Sketch, at a minimum. Staff recommends that as a Condition of Approval, the Applicant commit to the establishment of their portion of the PHNST. This may be accomplished as part of the loop trail the Applicant has proposed, to be continued offsite at a future date.*

As previously stated, the Applicant is a partner in creating this trail and will agree to a condition that NVRPA will extend this trail through the Property. However, until easements are acquired for the adjacent sections of the trail, it is impossible to determine the exact location and dimension of the trail through the Property.

25. *Please submit draft Conditions of Approval for Staff review.*

The Applicant will submit draft Conditions of Approval.

26. *Staff recommends removing the colored Concept Sketch from the application, or recommends including it in the SPEX Plat as an illustrative for purposes of satisfying Commission Permit requirements under Section 6-1101(A) of the Revised 1993 Zoning Ordinance.*

At staff's suggestion, we have removed the Concept Sketch from the application.

**Office of Transportation Services (comments dated September 11, 2009)**

**Status of Transportation Issues/Comments**

*Staff comments from the first OTS referral as well as the Applicant's responses (quoted directly from its July 30, 2009 response letter) and current issue status, are provided below.*

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1. *Initial Staff Comment (1<sup>st</sup> Referral): It is not clear from the traffic study whether the applicant is seeking approval for any Phase II uses. The study indicates that these activities have not been "finally determined," and also states that no additional traffic is anticipated. However, depending on what uses are proposed, this may or may not be the case. Please clarify.*

*Applicant's Response (July 30, 2009): The applicant has near-term plans for those uses identified in Phase I. Should the Applicant choose to further develop the by-right park, some or all of the uses identified in Phase II uses may be provided. However, no additional staffing or traffic are associated with Phase II; rather, those additional recreational activities and uses would complement the Phase I uses.*

***Issue Status: Issue not resolved. Since the Applicant has indicated that "... additional recreational activities and the build-out year for Phase II are not finally determined." OTS recommends that these applications be limited to the proposed Phase I uses.***

The uses identified in Phase II are by-right uses. The 'Historic Site' and 'Equestrian Facilities' are additional features available for visitors already camping at the park. It is anticipated that no additional or minimal trips will be generated from the Phase II uses. However, the Applicant acknowledges that the application is limited to the proposed special exception uses.

2. *Initial Staff Comment (1<sup>st</sup> Referral): Gorove/Slade notes that existing traffic counts were conducted on Tuesday, November 11, 2008 a federal holiday. In addition, additional "spot counts" were conducted on November 18, 2008 in order adjust the counts conducted on the 11<sup>th</sup>. OTS questions why 1) Gorove/Slade chose to conduct traffic counts on a federal holiday; 2) how the "spot counts" were used to adjust the original counts; and 3) why new AM and PM peak hour counts were not conducted.*

*Applicant's Response (July 30, 2009): The critical count measure at this location was the through traffic along Route 15. Historical counts and VDOT ADT data were a primary source of data. In addition, counts were conducted on two separate days to get through and turning traffic at this location. In order to expedite the analysis prior to the holiday season, counts were performed on November 11, 2008, a federal holiday, but not in Loudoun County School holiday. To clarify that the federal holiday did not substantially alter traffic patterns, follow up counts were conducted the following week. The follow up counts, or spot counts are a means of focusing in on critical peak hour and doing a full update of that hour. They are essentially new AM and PM counts, just during a focused time period. "Spot counts" were used to adjust the original counts obtained on November 11 in order to reflect actual traffic conditions during a typical weekday. An increase was applied to the volumes obtained on November 11 to accounts for the difference in traffic between a typical weekday and a federal holiday. OTS was consulted prior proceeding with the data collection on November 11, 2008. The count schedule was accepted with the understanding that follow-up spot counts would be conducted to validate and update the data taken November 11.*

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***Issue Status: Issue not resolved. OTS accepts the Applicant's explanation regarding traffic counts taken on a federal holiday, but will not accept such counts in the future.***

***Appendix C of the TIA provides "Adjusted Volumes" for traffic counts for November 11, 2008 and November 18, 2008. However, the data is not depicted showing the raw data for each day individually, nor how the data was verified with a spot check. In addition, the TIA (Appendix C) provides raw volumes from September 6, 2008. Please explain the relevance of this data.***

Comment Acknowledged. The following steps were followed in order to verify and update the counts for the intersection of Route 15 and Limestone School Road:

Counts were conducted on November 11, 2008. The data sheet in the appendix however, was mislabeled September 6, 2008. Since the counts were conducted on a federal holiday, additional spot counts were conducted on November 18, 2008.

The spot counts conducted on November 18, 2008, when compared with the November 11, 2008, counts, showed higher volumes during the AM peak hour and lower volumes during the PM peak hour. To be conservative, we used the highest volumes for each period, which means we used the PM peak-hour volume from the November 11, 2008, count and the AM peak-hour volume from the November 18, 2008, count.

For the AM peak hour, the growth factors were calculated for the through volume by comparing the November 11<sup>th</sup> data with the November 18<sup>th</sup> spot data. The growth factors equated to 1.21 for the northbound traffic and 1.13 for the southbound traffic. The growth factors were then applied to the November 11<sup>th</sup> data.

The detailed worksheets are attached in the appendix section.

- 3. Initial Staff Comment (1<sup>st</sup> Referral): OTS is concerned about the unacceptable LOS on westbound Limestone School Road at US 15. The traffic generated by the proposed uses will exacerbate this situation. OTS recommends that the applicant make a fair share contribution for the purpose of constructing a traffic signal at this intersection when warranted. Preliminary calculations indicate that this contribution should be approximately 16% of the cost of the traffic signal at the time of construction. OTS is available to discuss this issue further with the applicant.***

***Applicant's Response (July 30, 2009): The intersection of US Route 15 and Limestone School Road currently operates and will continue to operate at an unacceptable LOS on westbound Limestone School Road at US 15. Therefore, the costs of any needed improvements would be spread among the traffic generators that currently exist, not the proposed park facility, which would generate less than 1 percent of the total traffic projected at this intersection. However, no mitigation measures have been recommended because there is not enough volume on the westbound approach to warrant roadway/signal improvements under existing and future scenarios based on the traffic analysis. Therefore,***

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*the applicant finds it outside its mitigation measures to contribute to the installation of a traffic signal at the study intersection now or if warranted in the future.*

**Issue Status: Issue not resolved. See comment #4 below.**

Please see response to comment #4 below.

- 4. Initial Staff Comment (1<sup>st</sup> Referral): Gorove/Slade provides a signal warrant analysis in Appendix H of the TIA. This signal warrant analysis is based on "Estimated Average Daily Traffic" ("To be used only for NEW INTERSECTIONS or other locations where actual traffic volumes cannot be counted.") The volumes used in this analysis appear to be less than actual existing counts from several years ago as provided in the traffic study. The analysis should reflect projected conditions at site buildout. Please explain the methodology used for this analysis.*

*Applicant's Response (July 30, 2009): As agreed upon at the scoping meeting, a traffic signal warrant analysis was performed at the intersection of US Route 15 and Limestone School Road under future conditions with development (2015) based on the Manual on Traffic Signal Design (MTSD) guidelines. A full traffic signal warrant study was not required.*

*The future volumes with the proposed development were considered in the traffic signal warrant analysis. They were multiplied by 10, which is a k-factor commonly used in the transportation engineering field, to estimate average daily traffic at the study intersection. Therefore, these volumes were higher than the actual recorded counts since an inherent growth rate of 3 percent compounded annually over a seven-year period was added to the existing through traffic on US Route 15 to account for regional increases in traffic due to background growth and development outside the study area. Please refer to Figure A and Appendix H in the Traffic Study for traffic volume comparisons.*

**Issue Status: Issue not resolved. OTS believes the methodology used in the warrant analysis is flawed and requires further discussion. OTS is available to meet with the applicant to discuss this issue and comment #3 as it relates to the warrant analysis. Additional comments may be provided depending on the outcome of those discussions.**

The traffic impact studies are planning studies, which include detailed analysis specified and requested in the FSM guidelines. The MUTCD signal warrant study is a separate study not part of the guidelines. It is typically undertaken after the preliminary determination using MTSD warrants, which has been the typical norm. In this case, the MTSD warrant analysis shows that the traffic on the minor street does not meet the threshold in order to warrant a signal at the intersection of Route 15 and Limestone School Road. The 80% criteria is also not met, as the minor street volume is less than approximately 50% of the threshold. Hence, since the MTSD warrant was clearly not met, a need to evaluate the MUTCD warrant was not justified.

However, the peak-hour volume warrant from the MUTCD warrant analysis guidelines was checked, which also revealed that the signal will not be warranted. Of note, the peak hour

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volume has the lowest threshold and has the highest probability of meeting the volume related warrant, typically. The warrant analysis worksheets are presented in the appendix.

5. *Initial Staff Comment (1<sup>st</sup> Referral): The applicant notes in their Traffic Impact Analysis (TIA) that a right-turn taper is warranted on northbound US 15 (Appendix H). The applicant should construct the warranted taper.*

*Applicant's Response (July 30, 2009): A wide shoulder was recently added as part of a VDOT project, to northbound US 15 at its intersection with Limestone School. The shoulder was considered the alternative at the time of its installation. Although not included in the TIA, it should be noted that a review of existing volumes shows that a right-turn taper is warranted under existing conditions. Should this shoulder be converted into a right-turn taper, the Applicant will contribute its fair share toward the restriping of the current asphalt area once the County is in receipt of the remaining money.*

***Issue Status: Issue not resolved. While the Applicant's TIA shows that at least a taper is required on US Route 15 at Limestone School Road, OTS recommends that a full-length right-turn lane be installed at this location by the Applicant due to the length of vehicles that are anticipated to access the park uses. There is sufficient existing ROW for such improvements.***

The analysis reveals that there is no stacking observed for the northbound approach for the peak hours. In addition, the Applicant has agreed to the condition that no recreational vehicles or 5th-wheel trailers will be allowed in the park and that motor boats will be limited to those with engines of 10 horsepower or less, which would exclude large trailered boats. Hence, the queuing analysis results, right turn lane warrant analysis and the Applicant's development conditions provide adequate justification that a full right turn lane is not warranted.

6. *Initial Staff Comment (1<sup>st</sup> Referral): There are several stream crossings along the roadways leading to the proposed site. In particular, OTS is concerned that the one-lane bridge stream crossing on Limestone School Road (west of Temple Hall Lane) will cause conflicts with opposing traffic towing boats. The applicant should work with VDOT to ensure that the traffic generated by the proposed uses has no adverse impact on the operation of the local road network, particularly with respect to these crossings. One option to address the one-lane bridge concerns may be to investigate having park patrons enter the park via Limestone School Road and exit via Spinks Ferry Road. Such a traffic management scheme could potentially improve the LOS at Limestone School Road and reduce conflicts at the above mentioned bridges. However, changes to the traffic management scheme would necessitate the applicant revise the TIA and investigate the LOS at Spinks Ferry Road. Further discussion with VDOT is necessary.*

*Applicant's Response (July 30, 2009): The Applicant anticipates 20-weekend boat launches and two-weekday boat launches, the majority of which will be canoes or kayaks, which are carried on top of the car and not in boat trailers. These estimates are based on the usage trends at Algonkian Regional Park in eastern Loudoun, which experiences an estimated*

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*seven launches a day, and at Fountainheads Regional Park in Fairfax, both of which have 60% of launches by car-top. The launches expected at White's Ford are below those seen at Algonkian because the proposed park is in a less populated area. With so few daily boat launches, a conflict on any one of the bridges would be rare and could easily be mitigated by establishing a yield pattern.*

*It is unlikely that Park traffic would utilize Spinks Ferry Road because its intersection with US 15 is quite far from the site. As noted by OTS, a change in the site distribution would affect the entire traffic study since it was previously agreed that the intersection of US Route 15 and Spinks Ferry did not need to be studied.*

**Issue Status: Issue not resolved. The Applicant should provide data of relevant boat usage at Fountainhead Regional Park and Algonkian Regional Park to justify the assumptions put forth. The Applicant should also make improvements on Limestone School Road at the location of one-lane bridge to improve sight distance and facilitate safe traffic operations; these improvements should include yield signs. The Applicant should also direct traffic exiting the site to access US 15 via Spinks Ferry Road, so as to avoid possible conflicts at the one lane bridge on Limestone School Road.**

The Applicant reviewed usage data at Fountainhead Regional Park and Algonkian Regional Park for the boat ramps and has included that information in the appendix section. In terms of improvements, the Applicant agrees to install signs to direct outbound Park traffic to Spinks Ferry Road and install yield signs and cautionary narrow bridge signs near the one-lane bridge on Limestone School Road.

- 7. Initial Staff Comment (1<sup>st</sup> Referral): OTS recommends that the applicant ensure there is adequate parking within the proposed park. As noted by the applicant in its special exception plat, specific number and location of parking spaces will be determined at site plan approval. OTS will defer to the Department of Building and Development (Zoning Administration) for their findings and recommendations.*

*Applicant's Response (July 30, 2009): The Applicant will ensure that Parking complies with all regulations, at time of site plan.*

**Issue Status: Issue resolved.**

Resolution appreciated.

- 8. Initial Staff Comment (1<sup>st</sup> Referral): The applicant notes in their TIA, in Appendix A that no Recreational vehicles or 5<sup>th</sup>-wheel trailers will be allowed in the park. OTS welcomes this restriction and believes that this should be included as a condition for approval.*

*Applicant's Response (July 30, 2009): Rather than set a restriction on a certain type of vehicle, the Applicant finds it more appropriate to restrict vehicles based on their length. Therefore, the Applicant will agree to restrict vehicles that are greater than 25 feet in length*

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*and trailers that are greater than 25 feet in length. However, should Hibler Road be improved at some point, the Applicant proposes that the length limitations increase to 35 feet for an individual vehicle and 35 feet for a trailer.*

***Issue Status: Issue not resolved. OTS concurs with the Applicant's TIA and reiterates its position that no recreational vehicles or 5<sup>th</sup>-wheel trailers should be allowed in the park. The introduction of large recreational vehicles/trailers of any length onto admittedly a narrow unpaved Hibler Road will cause safety concerns. Hibler Road is too narrow to have large recreational vehicles safely oppose each other.***

The Applicant agrees to prohibit recreational vehicles and 5<sup>th</sup>-wheel trailers from the Park and limit campers and tow-behind vehicles to those 22 feet in length or smaller.

9. *Initial Staff Comment (1<sup>st</sup> Referral): OTS recommends that the applicant ensure that the future road connecting existing Hibler Road to the proposed boat launch be built to private road standards as established by the FSM. OTS defers to the Department of Building and Development (Zoning Administration) for their findings and recommendations on the road classifications.*

*Applicant's Response (July 30, 2009): Comment Acknowledged.*

***Issue Status: Issue resolved.***

Resolution appreciated.

10. *Initial Staff Comment (1<sup>st</sup> Referral): OTS recommends that the applicant ensure that all internal roads and existing Hibler Road are upgraded or built to FSM standards to provide safe pedestrian and horse crossings.*

*Applicant's Response (July 30, 2009): [The Applicant did not provide a response to this comment].*

***Issue Status: Issue not resolved. (See comment #12 below regarding recommended improvements to Hibler road.)***

Please see the response to Comment 12 below.

### **Supplemental Comments**

11. *OTS concurs with VDOT comments (dated March 27, 2009) regarding the Applicant's use of the ITE codes. OTS believes that using the ITE code 417 (Regional Park) based on acreage, and not number of employees, is the appropriate method for trip generation. As such OTS believes that the Applicant should revised certain parts of the traffic study using the acreage-based ITE code. These revisions should include turn-lane analysis and traffic signal analysis. OTS is available to discuss these changes to the traffic study with the Applicant.*

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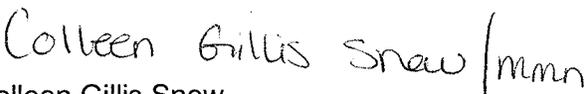
The ITE data for regional parks is limited and has a small sample size. The ITE manual cautions users when utilizing this data. Hence, actual data from the NVRPA parks in the area was accumulated to justify which of the two variables presented in the ITE manual is reliable. The data provided by NVRPA when extrapolated to calculate weekend daily trips matches with the Sunday daily trips calculated using the ITE manual rates based on 'employees'. Hence, the peak-hour trips were calculated using the employee variable instead of acreage. The ITE trip generation handbook concurs with this procedure and states that in the case of limited data, actual data from similar uses in the area is the best reliable source. The back-up data provided by NVRPA on similar parks in the area is attached in the appendix.

*12. OTS concurs with VDOT comments (dated March 27, 2009) that Hibler Road should be upgraded to a GS-4 standard by the Applicant as it is not adequate to serve the proposed uses in its current form, particularly if recreational vehicles are to be permitted in the park. Hibler Road should be upgraded to a GS-4 standard along its entire length.*

Although the proposed park will attract visitors who otherwise would not have traveled on Hibler Road, it's important to note that the traffic generated by the park is small with just 335 trips expected on a weekend day (even with all components of the park being utilized at their maximum potential, which is the worst case scenario) and less than half that on a weekday. Hibler Road, like Limestone School Road, is a rural, gravel road of varying widths, a condition that would not be unexpected for park users who would be traveling to White's Ford to benefit from its rural environs. That said, the Applicant is studying Hibler Road to identify areas where spot improvements could be made and what those improvements could be. However, upgrading Hibler Road to GS-4 standards may require additional right-of-way acquisition and easements outside of the Applicant's control, as well as clearing historic fencerows, making a total upgrade impractical.

Please do not hesitate to call or email with any questions. We look forward to resolving any outstanding issues prior to the Planning Commission work session October 8.

Warmest regards,

  
Colleen Gillis Snow

cc: Todd Hafner, Northern Virginia Regional Park Authority  
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