LOUDOUN COUNTY PLANNING COMMISSION

ACTION SUMMARY

THURSDAY, DECEMBER 10, 2009

6:00 P.M. WORKSESSION **LOCATION: PURCELLVILLE ROOM**
Government Center
1st Floor

Commissioners Present: Peggy Maio, Chairman, Blue Ridge District; Robert Klancher, Vice-Chairman, Broad Run District; Erin Austin, Catoctin District; Glen Bayless, Sugarland Run District; Sandra Chaloux, Dulles District; Gigi Robinson, Leesburg District; Kevin Ruedisueli, At Large; Helena Syska, Sterling District.

Commissioner Absent: Chris Brodrick, Potomac District.

Staff Present: Julie Pastor, Director of Planning; John Merrithew, Assistant Director of Planning; Van Armstrong, Program Manager, Land Use Review; Cindy Keegan, Program Manager, Community Planning; Planners: Judi Birkitt, Michael Elabarger, Sophia Fisher, Jane McCarter, Sarah Milin, Marchant Schneider, Nicole Steele; Scott Berger, Building and Development; Shaheer Assad, Mark Lewis-DeGrace, Lou Mosurak, George Phillips, Office of Transportation Services; Mark Novak, Steve Torpey, Parks, Recreation and Community Services.

A. ACTION SUMMARY REVIEW

1. The Action Summary of November 12, 2009 was approved. (6-0-3, Austin, Brodrick, Syska absent).
2. The Action Summary of November 19, 2009 was approved. (5-0-1-3, Ruedisueli abstained; Austin, Brodrick, Syska absent.)

B. DISCLOSURES

1. Mr. Ruedisueli had a conversation on 12/10/09 with Mike Miller of the White's Ford Neighborhood Association.
2. Ms. Robinson attended a presentation on 12/07/09 by the applicant for the Green Energy Partners/Stonewall Hybrid Energy Park; had two conversations with Sara Howard-O'Brien.
3. Ms. Chaloux went on a bus tour on 12/06/09 with Commissioner Bayless and the White's Ford Neighbors Association; attended a meeting with the Green Energy Partners/Stonewall Hybrid Energy Park representatives and Commissioner Robinson on 12/07/09; met with Sara Howard-O'Brien and Supervisor Miller's office on 12/10/09 regarding the HS-7 application; had a meeting with Loudoun Valley Estates, MWAA representative Leo Scheffer, their transportation consultation Michael Baker, and County Administration regarding the Route 606 expansion plans; had a phone conversation with Mike Miller of the White's Ford Neighborhood Association;
4. Mr. Bayless went on a tour of the White's Ford Park site on 12/06/09 with Commissioner Chaloux and the White's Ford Neighborhood Association; met previously with representatives of the Green Energy Partners/Stonewall Hybrid Energy Park for a presentation.
5. Ms. Maio met with representatives of the Green Energy Partners/Stonewall Hybrid Energy Park; had a phone conversation with Sara Howard-O'Brien regarding the HS-7 application.

6. Mr. Klancher had a conversation with the counsel for the White's Ford Park application; conversation with counsel for Kincora; and a conversation with counsel for Belmont Estates; a conversation with the Chairman of the School Board; exchanged e-mails with School Board staff regarding the commission permit for HS-7; exchanged e-mails and voice mails with the applicant for the Green Energy Partners/Stonewall Hybrid Energy Park but have not yet met.

C. BRIEFING OF THE DECEMBER 17, 2009 PUBLIC HEARING ITEMS

1. CMPT 2009-0013, HS-7, Dulles South High School and Future Elementary School

Items for further discussion include applicant discussion of School Policy 4 – "Public school sites to be at focus of school attendance area and will provide safe and convenient access for students...."; distinction between vacation vs. abandonment of roads (i.e., Goshen Road); community calls received regarding the site.

2. SPEX 2009-0006, Dulles Industrial Park Lot 1

Items for further discussion include allowance of propane as a permitted use; use of the well by County for monitoring purposes; condition that all associated delivery and distribution trucks will be parked off-site.

3. ZMAP 2008-0023, Cedar Green Church

There were no items for further discussion.

4. ZMAP 2009-0005, SPEX 2009-0009, CMPT 2009-0001, Green Energy Partners/Stonewall Hybrid Energy Park

Items for further discussion include need for a CPAM; discussion of Luck Stone zoning to MR-HI vs. PD-GI; minimum width requirement for fire and rescue access; how Chesapeake Bay requirements would apply; applicant's response to request for BMPs regarding minimizing impervious surface; can this project stand alone without the associated application; solar array; fair share historical narrative of Lower Sycolin Community.

5. ZMOD 2008-0013, Safeway at Sterling Plaza Comprehensive Sign Plan

Items for further discussion include comparison with Target store logo and signage and also Broadlands Village Center Safeway store.

D. CPAM 2009-0001, Route 28 Keynote Employment Policies

Items for further discussion include a fiscal impact analysis, and information on development patterns that have the most fiscal benefit; Phase 1 objective restated; start of transportation earlier than Phase III; reason for scope being limited to the Route 28 area; advertisement of Stakeholder meetings; reach out to residential neighborhoods; when the Board of Supervisors will address letters from the Town of Herndon and Lerner; goal of the work plan; requirement for when VDOT traffic analysis takes place.

E. WORKSESSION ITEMS

1. CMPT 2008-0020, SPEX 2008-0062, White's Ford Park

The Planning Commission forwarded CMPT 2008-0020, SPEX 2008-0062, White's Ford Park to a Planning Commission worksession for further discussion. (8-0-1, Brodrick absent).

2. SPEX 2009-0004, SPEX 2009-0015, CMPT 2009-0003, Scott Jenkins Memorial Park

a. The Planning Commission approved CMPT 2009-0003, Scott Jenkins Memorial Park and forwarded it to the Board of Supervisors for ratification subject to the plat and with the Findings included in the December 10, 2009 Staff Memorandum. (8-0-1, Brodrick absent).

b. The Planning Commission forwarded SPEX 2009-0015, Scott Jenkins Memorial Park (Uses for Local Government Purposes Not Otherwise Listed in the AR-1 District Commuter Park and Ride Parking Lot) to the Board of Supervisors with a recommendation of approval subject to the plat, Conditions of Approval dated December 10, 2009, and with the Findings included in the December 10, 2009 Staff Memorandum. (8-0-1, Brodrick absent).

A motion was made by Ms. Austin, seconded by Mr. Ruedisueli that the Planning Commission forward SPEX 2009-0004, Scott Jenkins Memorial Park Active Recreation Park in AR-1 District to the Board of Supervisors with a recommendation of approval subject to the plat, the Conditions of Approval dated and revised December 10,2009, revised to provide that the lights would be installed and utilized the entire year around the two (2) large ball fields and subject to the limitations regarding time in the evening, and that no lights will be installed on the three (3) small ball fields; and prior to approval for any site plan that would include the construction or installation of lights for any athletic fields, the applicant shall provide documentation that the lighting contractor who will install the lights has obtained liability insurance, or has posted with the County a letter of credit or corporate surety bond (together referred to as "Bond") for the benefit of the owner (the "Off-site Owner") of Parcel PIN #346-45-2753 (the "Off-site Parcel"), in an amount sufficient for and conditioned upon, or that would provide coverage, fully compensating the Off-site Owner for any loss or damage to the Off-site Owner's poinsettia crop located on the Off-site Parcel proximately caused by or resulting from such athletic field lighting. Such liability insurance or bond shall provide coverage or guarantee against crop loss or damage from light pollution from the park for a period of at least five (5) years from the date of ball field occupancy permit. Such loss or damage shall include any loss attributable to loss of business resulting from damaged crop, costs to rebuild business after such damage, and any other monetary losses proximately resulting from any such crop damage that cannot be reasonably mitigated, and with the Findings contained in the December 10, 2009 Staff Memorandum.

The motion failed. (4-4-1, Bayless, Chaloux, Robinson, Syska opposed; Brodrick absent).

c. A substitute motion was made by Ms. Austin, seconded by Mr. Ruedisueli, that the language in Paragraph 5, as listed, with the restrictions during the winter growing period.

d. A substitute motion was made by Ms. Chaloux, seconded by Mr. Ruedisueli, that the Planning Commission forward the special exception regarding the lighting to the Board of Supervisors with no recommendation.

e. A substitute motion was made by Ms. Syska, seconded by Mr. Bayless, that the Planning Commission forward SPEX 2009-0004, Scott Jenkins Memorial Park to the Board of Supervisors with a recommendation of approval with no lighting installed. The motion failed. (4-4, Austin, Klancher, Maio, Ruedisueli opposed; Brodrick absent).

f. The Planning Commission forwarded SPEX 2009-0004 to the Board of Supervisors with no recommendation. (7-0-1-1, Klancher opposed; Brodrick absent).

3. ZMAP 2005-0019, Belmont Estates

The Planning Commission forwarded ZMAP 2005-0019, Belmont Estates to a Planning Commission worksession for further discussion. (7-0-1-1, Chaloux opposed; Brodrick absent).