

MEMORANDUM

To: Rob Donaldson, Project Manager, Land Use Review
From: Rana Abu Ghazaleh, Senior Planner, Community Planning
Date: January 20, 2023
Re: CMPT-2022-0003 & SPEX-2022-0038, Academies of Loudoun Service Center, Community Planning 2nd Referral

BACKGROUND

The applicant, Loudoun County School Board, requests a Commission Permit (CMPT) and a Special Exception (SPEX) to allow a "Public utility service center and storage yard", in addition to a small engine repair facility as an accessory use to be co-located on the Academies of Loudoun 119 acre property. The parcel is identified by PIN# 194-16-6764 and the proposed Public utility service center and storage yard is located in the Transition Residential-10 (TR-10) zoning district. The property falls partially within the Airport Impact Overlay District (outside of but within one mile of the yearly day-night average sound level (LDN) 60), within the minor Floodplain Overlay District, and fully within the Reservoir Protection Area. Hydric soils, moderate and very steep slopes, and a forest cover are present on the site, in addition to wetlands as per the predictive wetlands model.

The proposed utility service center would consist of the following:

- 20,000 square foot (sf) facility to store treatment material (road salt, sand, and stone dust) consisting of a partially (2-3) walled structure with a roof and concrete or asphalt floor
- 1,000 sf garage proximate to the storage facility to store loaders
- 350 SF brine tank building
- Five storage pole barns, totaling 52,000 sf, to protect equipment from weather elements
- 500 sf small engine repair facility
- Outside storage area for vehicles and equipment
- A truck/heavy equipment wash station

As part of the second submission, Community Planning Staff reviewed the following for consistency with 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) policies: the Updated Statement of Justification (SOJ) dated December 7, 2022, the Commission Permit/Special Exception (CMPT/SPEX) Plat (Plat) dated December 12, 2022, and the First Referral Responses dated December 7, 2022.

Outstanding Issues

Location

As stated in the first referral, the 2019 GP Transition Policy Area (TPA) stresses the importance of “protection of natural, environmental, and heritage resources” (2019 GP, Chapter 2, Transition Policy Area, Vision). The proposed construction of the Public utility service center with storage yard will require ground disturbing activities and the removal of a significant portion of the forest cover. Discussions with the Natural Resources Team (NRT) confirmed concerns about severing the continuous ecological corridor link by cutting this link off from the Goose Creek area and clearing of additional trees in excess of what was removed for the construction of the existing Academies of Loudoun facility. Many of the trees designated for removal are mature trees over 30 inches in caliper. Moreover, the proposed use is within the Reservoir Protection Area for the Goose Creek Reservoir, which is delineated to provide “buffering and storm water quality controls” per the 2019 GP recommendations. The combination of additional mature tree removal and location within the Reservoir Protection Area make the proposed location undesirable for the proposed use. Additional concerns raised by Staff included potential for salt water and oil runoff. Staff recommended in the first referral that the applicant provide further justification about the need to locate this industrial use type facility into the Reservoir Protection Area.

In the response letter, the applicant stated that the “proposed service center is appropriate in this location because the facility has been designed to ensure the protection of natural, environmental, and heritage resources.” Staff finds this statement in contradiction with the fact that natural resources, like mature trees and intact wildlife habitat, will be cleared for the purpose of constructing the utility service center, in addition to the potential impact on the water quality due to salt and oil operations on the site. The applicant also provided details on the process that led to selecting this site as the most appropriate one, listing reasons such as “the site being centrally located”, “is large enough to be developed and protect the site’s environmental resources”, and “is already owned by LCPS (no additional land costs)”. Staff finds that “protecting the site’s environmental resources” was not accomplished by selection of the proposed property and acknowledgement of mature tree removal. The applicant states in the response that Transition Policy Area, Large Lot Neighborhood Place Type “conditionally allows public uses”. It is important to note that the conditional approval is based on whether the use could be “appropriate” in nature and that it could be evaluated on a case-by-case basis, “taking into account variable priorities such as: economic development, land preservation, protection of natural, environmental, and heritage resources, efficient transportation options, and the provision of public facilities and services.” (2019 GP, Chapter 2, Using Place Types, Text).

Following further evaluation with NRT and a visit to the site on January 10, 2023, Staff discussed a potential alternative location within the parcel, southeast of the site, as an option to locate the proposed use (please see **Figure 1**). The alternate location still falls within the Reservoir Protection Area, where Staff continues to have concerns about salt and oil spillage from salt

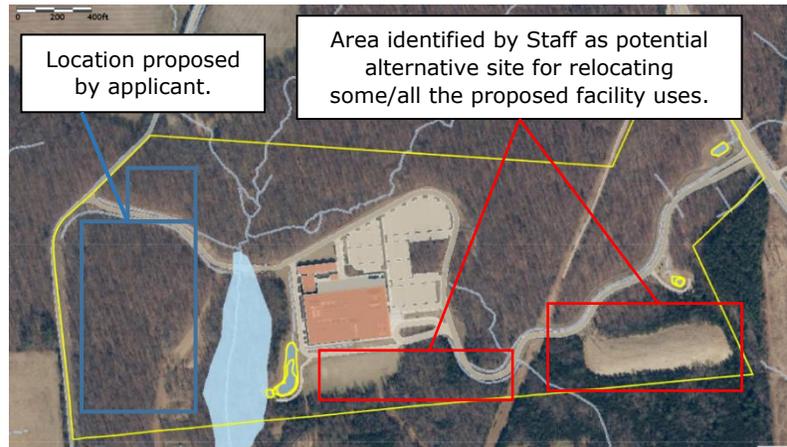


Figure 1- Site Boundary and Proposed Alternative Location

handling, transportation of salt, risk of improper emptying and disposal of storage tanks, and engine repair. However, this area is already cleared of trees and forest cover, and to the west of the alternate site there are less mature trees, hence curbing concerns about severing the continuous ecological corridor link to the Goose Creek area. Furthermore, this location is outside the minor Floodplain, as well as further away from the pond and creek to the west, thus reducing the risk of contaminating any of those environmental features. Additionally, the site identified by Staff is closer to Sycolin Road, which the 2019 Countywide Transportation Plan (CTP) identifies as a major collector. This enables better access to the proposed facility and minimizes travel distance to reach and treat high priority roads and sites during inclement weather. Co-locating the proposed parking of the facility next to existing parking areas, while buffering or screening those areas from daily Academies of Loudoun visitors can also create further efficiencies.

Community planning continues to find the proposed location not in conformance with the GP vision for the Transition Policy Area or the Transition Large Lot Neighborhood Place Type due to concerns over the adverse impact on natural and environmental resources. Staff recommends that the applicant consider an alternate location that has less of an impact upon the Reservoir Protection Area and forest cover or break the operation over multiple site. Alternately, Staff recommends locating the proposed uses at the site identified by Staff in the above graphic. This is to reduce the potential impact on the site and ensure the "protection natural, environmental, and heritage resources" as per the GP policies.

Character and Extent

Consistent with the previous referral, Community Planning Staff has concerns about the extent of disruption and contamination to the site's natural environment and water resources from locating a facility that is more industrial in nature in the Reservoir Protection Area. In the first referral, Staff requested additional information

regarding stormwater controls, lighting, avoidance of the RSCR, and operational safety measures. The applicant provided the requested information in their response letter.

In the detailed response to the first referral, the applicant included a Comprehensive Stormwater Management Plan, Salt Storage and Handling Management Plan, and a Stormwater Pollution Prevention Plan. While this level of detail and commitment to County and State standards in salt handling and stormwater management answers many of the questions raised in the earlier referral and mitigates much of the Staff concerns, a follow-up discussion with NRT revealed continued concerns over accidental spillage from salt handling and engine repair in an environmentally sensitive property deemed to be protected per the GP policies. The salt handling and storm water management measures detailed in the applicant's response letter would be satisfactory on a site more appropriate for such an industrial use, since the risk of accidental spillage, accumulative runoff or improper handling would not constitute a major risk on the water quality.

The applicant acknowledged in their response letter that there will be loss of forest cover in order to develop the site, but that significant areas of mature forests would be preserved in close proximity to the existing Academies of Loudoun and the proposed facility. The applicant stressed that a total of approximately 2,500,000 square feet of the site will remain wooded after development, which exceeds the County's requirement of maintaining a 20% tree canopy for sites with existing tree canopy coverage of 20% or more, by a factor of almost 2.5. The applicant also added that the proposed landscaping and buffering plan provides for planting over 600 evergreen trees around the proposed facility to provide a year-round screen. As stated in the first referral, a review of the proposed CMPT/SPEX Plat showed that the proposed design and footprint maintains the 50% of open space requirement as per 2019 GP minimum requirements. The applicant provided additional information about lot coverage per Staff request, which shows that 80% of the site would remain as open space, meeting the Zoning Ordinance requirement of a minimum 70% dedicated for open space in TR-10 zones.

While the forested area preserved, compared to the minimum threshold per the Zoning Ordinance, is a valid argument to address the concerns raised by Staff regarding significant clearing of forest cover, the issue of concern that remains is the severed link of the ecological continuum with major, and repeated, disturbance to the same site. Planting new trees to compensate for the loss of forest cover, while helps mitigate some of the impact, cannot replace the ecological value the existing mature trees contribute. Additionally, the wildlife habitat value of landscaped areas is not comparable to that of a mature forest. The 2019 GP also lists education through "communicating the importance of natural and heritage resources" as one of the components to "protect and enhance natural, environmental, and heritage resources" (2019 GP, Chapter 3, Environmental, and Heritage Resources, Introduction). A discussion with one of Academies of Loudoun Faculty confirmed that site visits to the

existing forest is part of their curriculum, and that having this natural resource for the benefit of students to learn about native species and forest composition is a benefit.

In evaluating the character and extent of the proposed development and as discussed earlier under the Location section, considering the alternate location proposed by Staff shown in **Figure 1** would be a less impactful by minimizing the extent of disruption to the existing ecological link and potential contamination to the site's natural environment and water resources. Locating at an area already cleared of forest cover that also contains less mature trees, and steering away from the minor Floodplain, in addition to the pond and creek to the west of the site helps minimize the extent of the environmental impact on the property.

Staff was satisfied with the additional details provided by the applicant in the response letter regarding the lighting and operational safety measures.

Community Planning Staff continues to have concerns about the extent of disruption and contamination to the site's natural environment and water resources from proposing an industrial type of facility in the Reservoir Protection Area. Staff recommends that the applicant relocate to a more suitable site for this type of facility or break up the facility operation over multiple sites. Another option would be moving the proposed uses to the location identified by Staff on the same site, as discussed earlier in this referral. This is to reduce the potential impact on the site and ensure the protection of its "natural, environmental, and heritage resources" as per the GP policies.

SPECIAL EXCEPTION

As stated in the first referral, Community Planning Staff finds the proposed "Public utility service center and storage yard" supportive to the existing LCPS and County facilities. However, Staff cannot support the request at this time due to the continued concerns regarding water quality controls and loss of forest cover.

RECOMMENDATIONS

Staff finds the purpose of proposing a Public utility service center and storage yard, to provide necessary services and increase operational efficiency of public facilities during inclement weather, in conformance with the GP policies. However, Community Planning Staff remains of the opinion that the general location, character, and extent of the proposed facility is not in conformance with the land use policies of the 2019 GP and recommends that the applicant provide options to move the proposed use to a more suitable industrial location, break up the operation over multiple sites, or consider relocating the facility operations to the area identified by Staff southeast of the same property. This is to reduce the risk to the environmental features on the site and ensure water quality controls.

While the Community Planning Staff finds the SPEX request to permit the proposed "Public utility service center and storage yard" in keeping with the supportive uses for existing County facilities, Staff does not support the request due to concerns over the impacts to the Reservoir Protection Area and additional loss of forest cover on the site.

Community Planning Staff would be happy to meet with the applicant to discuss any comments or questions.

cc: Theresa Stein, Program Manager, Community Planning, via email.