

Town of Lovettsville

Minutes of the Planning Commission Regular Meeting September 16, 2015

Call to Order/Pledge of Allegiance

Chairman Frank McDonough called the Regular Meeting of the Lovettsville Planning Commission to order at 7:28 p.m. on September 16, 2015 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

Pledge of Allegiance

Chairman McDonough led those present in the Pledge of Allegiance.

Present at Meeting

- Chairman Frank McDonough
- Vice Chair Robert Gentile
- Commissioner Joseph Mueller
- Commissioner Nate Fontaine

Commissioners Absent

- Commissioner Thomas Ciolkosz
- Commissioner Anthony Quintana
- Commissioner Buchanan Smith

Staff Present

- Zoning Administrator Joshua Bateman
- Town Clerk Harriet West

Public Comment

Chairman McDonough called for comments from the public. There were none.

Additions/Deletions/Modifications to the Agenda

There were none.

Approval of Planning Commission Minutes

No minutes were presented.

Staff Reports

Mr. Bateman explained that construction of the Town Center commercial buildings is underway and that an office trailer has been installed on the adjacent Phase 2 site. He said that the Commission will be discussing the rezoning concept plan amendment for the Keena Subdivision later in the agenda. Chairman McDonough asked about the status of the Lovettsville Community Center project, and Mr. Bateman said that although there was some recent activity among staff at both the Town and County on determining the location of water lines, the Town has not received a site plan since last year. Chairman McDonough inquired as to the status of the 7-Eleven, and Mr. Bateman responded that he has not heard anything since his previous meeting with the applicants in August. Councilman Jim McIntyre reported that 7-Eleven was one of the sponsors of Oktoberfest and that they will present their concept for the new store at their Oktoberfest booth.

Convene Housing and Residential Land Uses Advisory Committee Work Session

Chairman McDonough recessed the regular meeting at 7:33 PM.

Discussion Item

A. Comprehensive Plan Review: Housing and Residential Land Uses

Mr. Gentile convened the Housing and Residential Land Uses Advisory Committee meeting. The members of the committee present were Mr. Gentile, Mr. Fontaine, Chris Hornbaker, and Melissa Barton. Thomas Troxell and Ashley Ross were absent. Mr. Bateman informed the group that tonight's guest speakers were Rick Entsminger and Clinton Chapman and that Elaine Walker would speak at the committee's next meeting. Mr. Bateman requested a brief recess to allow him to download Mr. Entsminger's presentation onto a thumb drive. There being no objection, the committee recessed until 7:36 PM.

Rick Entsminger with Elm Street Development introduced himself to the group and discussed the recent history of residential development in the Town and his involvement in the Town Center development. He presented permit data for residential development in the Town from 2003 to 2013 that he obtained from the Loudoun County Planning Department. He noted that 2003 and 2004 were peak periods of residential development in Loudoun County and indeed all of Northern Virginia. The Town Center began in July 2005 and the models were delivered in the second quarter of 2006, before the market completely bottomed out by 2010. Nationwide, the housing market fell off by 70 to 80 percent during the housing "trough," which constituted a complete disaster insofar as there were only about 2,000 residential building permits issued in the entire county at that time. Single-family dwellings constituted 50 percent of the housing market in 2003 to 2004 before it almost completely went away during the downturn. By 2013, the number of houses being built in the County had rebounded and the mix of housing types began to change, although single-family attached and multi-family units continued to be concentrated in the Ashburn and Dulles planning areas. Mr. Entsminger noted the numbers of single-family detached, attached, and multi-family dwellings constructed in Western Loudoun during the past several years.

Mr. Entsminger explained that today, housing in the County has recovered from the worst of the economic cycle but has not returned to a level that is even close to the bubble years, which was not sustainable locally or nationally. He stated that mortgage markets have changed and that people getting mortgages today are qualified borrowers. The amount of vacant land located in a favorable location for growth as far as the comprehensive plan is concerned is minimal. Builders have less interest in large-lot projects, and there is no longer a backlog of prospective residents looking for housing since many have moved out of the region. He said that one of the takeaways from his presentation that has implications for updating the Town plan is that people are interested in housing that is different than what they were interested in back in 2000. The County has not undertaken a complete update to its plan in fifteen years, but has mainly just been revising the plan piecemeal. Data centers are a major driver of economic development in the County but did not even exist in the County fifteen years ago, so the existing plan never took into consideration the residential growth associated with data centers.

Mr. Entsminger explained that one trend he has seen is that people at one time were moving farther and farther out until they found a community having a price point they could afford, such as Charles Town and Culpeper. Those locations have not come back since the housing market crashed. He noted that there are fewer people in terms of absolute numbers in the generations that followed the Baby Boomers, and that the Baby Boomers are downsizing and Millennials generally do not want to commit to buying a larger house.

He said that Lovettsville may want to consider broadening the mix of housing allowed in Town, and that there is a lack of vacant residential land in Town and so no real risk that something large will come into Lovettsville. He said that allowing higher densities on the remaining infill would be unlikely to change the character of the Town since there is only so much a developer can do on a 5- to 10-acre parcel. He said that the Town does not have some of the product types that some buyers are looking for, and that what

was risky when the Town plan was last written is not as risky now that those larger properties have been developed. He advised that the Town include offerings in other residential segments to meet the current housing demand.

Mr. Gentile asked whether townhouses were included in the original plan for Town Center, and Mr. Entsminger replied that the zoning originally allowed townhouses, single-family detached, and a suburban shopping center. The Town's approval of the project involved re-planning to create a Town Center District, and the T-C zoning district was created to implement the plan. Mr. Entsminger said that the simple answer is that the original zoning allowed townhouses but the property was rezoned to allow only single-family detached. Mr. Bateman asked whether this took place before the economic recession, and Mr. Entsminger briefly explained the process resulting in approval of the project.

Mr. Hornbaker stated that an issue in 2000 when the County rewrote its plan was to ensure that the rural western part of Loudoun, defined as the area west of U.S. Route 15, did not become a mirror of eastern Loudoun in terms of the density and rate of growth. He further stated that in 2000 there were data centers in Montgomery County and Washington DC, and that fifteen years from now there will be two large, cloud-based data centers at Route 15 and Interstate 66 near Haymarket instead of the multiple, small ones. Most of the jobs created in the future will be in Haymarket and near the final Metro stop at Sycolin Road where they are currently building data centers. Future multi-family development will be concentrated there.

Mr. Bateman asked Mr. Entsminger whether he sees a market for attached and multi-family units in the post-recession housing market in Lovettsville. Mr. Entsminger replied that large developments of 250 or 350 units are not economically viable in Lovettsville because there is not the concentration of employment uses that would drive that kind of use. He stated that small infill opportunities of one or two buildings of 8 to 10 rental units or perhaps 8 to 10 attached dwellings could be viable since there are always people who are looking to rent due to lifestyle changes. He further explained that the impact of the project on the community could be minimized through careful attention to design details and that there is very little risk of adverse impacts due to the small scale of such a project. He recommended that the Town revisit the Heritage Highlands age-restricted community as an opportunity to see that development finish out. Mr. Entsminger said that he expects the Town to slowly fill out over the next couple of decades.

Mr. Hornbaker asked about the scope of the townhouses originally proposed in Town Center, and Mr. Entsminger responded that the plan involved perhaps 50 townhouses, 150,000 square feet of retail, and perhaps more than 50 single-family detached dwellings. Mr. Hornbaker stated that the 2011 comprehensive plan covered the Heritage Highlands Retirement Community, and that the plan also included provisions for multi-family in the Planned Infill Development District. He stated that there was not an appetite for townhouses elsewhere in Town as recently as 2011.

Mr. Gentile introduced the next guest speaker, Clinton Chapman.

Clinton Chapman stated he is a realtor with PenFed Realty located in Reston. He stated that the 2011 comprehensive plan identified three issues with respect to future housing in Lovettsville, the third of which expresses that an objective of the Town's housing policy should be to serve the objective of creating a market in Town for new businesses. He read the issue statement verbatim as written in the comprehensive plan, which expresses the need to diversify the types of housing available to prospective residents. He stated that people looking for housing may want to move to Lovettsville to buy something affordable for them and their families. He noted that the 2011 plan did support a variety of housing types, but that there are relatively few properties available for such development and much of what is currently zoned residential already has townhouses on them. He stated that the potential exists for perhaps 30 townhouses on a vacant 10-acre parcel, and so there should not be any concern for a 200-acre townhouse development in Town since the land is simply not available. He said that the existing plan already addresses the character of the development, but that the Town must allow for some level of diversity with respect to housing types.

Mr. Hornbaker pointed to the land use plan to identify the potential areas where such a 30-unit development could take place, and noted that if he eliminates anything that is currently high-density such as the retirement community, that only leaves a couple of tracts for such a project and any such townhouse development could be approved as an "exception to the rule" on a one-time basis. Mr. Chapman agreed that was an option, but that the potential expense associated with doing the site planning for a small developer could be cost-prohibitive. Mr. Chapman further explained that the zoning ordinance contains no guidance whatsoever to guide a developer in what he or she can build. He reiterated his concern that the zoning ordinance allows for no other types of houses other than single-family detached dwellings. Mr. Hornbaker used the retirement community and the Town Center projects as examples where property developers indicated to the Town what they wanted to build on a piece of land and then persuaded the Town to enact new zoning districts to accommodate their proposed projects. He asked whether that was an approach that Mr. Chapman would be willing to follow. Mr. Chapman responded by saying that any project which does not fit in with the current zoning has to obtain special approval only for that project. Mr. Bateman indicated that this is an approach that has been utilized for several large projects in Town. Another approach would be to modify one of the existing zoning districts to allow something by conditional use permit, which should tell people which properties the applicant for the zoning amendment is looking to develop; or by-right whereby the developer would have to rezone land to that category in order to develop a property with that use, provided the land use plan supports that change. Mr. Entsminger expressed the importance of getting ahead of curve by establishing the vision and guidance in the current plan and zoning ordinance for any development expected in the future.

Mr. Fontaine asked the guest speakers what is missing in the comprehensive plan from the developers' perspective. Mr. Chapman responded that the zoning ordinance does not allow townhouses in the R-3 District nor provide any direction with respect to establishing these uses anywhere in Town. Mr. Fontaine asked again what is missing from the plan from his perspective that needs to be changed since that is what the committee is tasked with updating. Mr. Chapman stated that the plan should not go backwards and should spell out the need for a zoning text amendment authorizing townhouses in certain residential zoning districts. Mr. Bateman noted that, rather than creating a special zoning district for that use, a developer could request modifications to a particular zoning district to allow townhouses by conditional use permit, which should provide a good indication of which properties they are seeking to potentially develop. Mr. Entsminger stated the importance of providing guidance in the comprehensive plan and not going backwards by eliminating the potential for future townhouses in the Town. A discussion followed about the importance of increasing the diversity of housing stock in the comprehensive plan, whether townhouses are desired in the Town given the current policies of the currently adopted plan, and need for the Town to set the vision and tone in the plan for housing diversity in the future.

Mr. Bateman gave a presentation on factors that affect residential development generally including governmental regulations, public funding for infrastructure, NIMBY-ism, changing demographics, increased land costs, and changes in mortgage financing and the effects of these trends on the cost and affordability of housing. Mr. Bateman summarized demographic and housing data for Loudoun County and Lovettsville and identified the different participants in the land development system. He explained the regulatory framework of planning and the role of the comprehensive plan and use of zoning and subdivision regulations to implement the plan. Mr. Bateman outlined the planning and design process and described residential product types and densities. He concluded his presentation by describing the next steps in the comprehensive planning process, including his desire to develop and distribute a public opinion survey prior to the next meeting or between the second and third meetings.

Mr. Gentile asked whether staff could break the data down for eastern and western Loudoun County, and Mr. Bateman explained the trends with respect to housing starts for Lovettsville compared to Loudoun County and promised to update the data in the future. Mr. Hornbaker asked about the sales rate for the new townhouses under construction in Brunswick Crossing, and lack of a market for the retirement community compared to that for single-family homes. Mr. Bateman responded that he recently met with the planner in Brunswick to discuss the Brunswick Crossing project and how fast they are currently selling. Ms. Barton noted that the style of house being built in Town Center at this time has a smaller

profile and first floor master bedroom, and a discussion followed about the size of new single-family homes being built in Lovettsville and the location of the model home Ryan Homes is currently building on William Albert Way.

Mr. Fontaine and Mr. Bateman inquired as to whether townhouses are being built in the Round Hill area, and Mr. Chapman responded that no townhouses are currently under construction in Round Hill as far as he is aware. Mr. Mueller stated that he felt that smaller houses are currently being built to get the price point down for prospective buyers. Mr. Bateman stated that low-income buyers cannot afford to purchase townhouses at market rate in the Loudoun County. A discussion followed on the adequacy of the census data, and Mr. Bateman explained that the American Community Survey does not break data down by eastern and western areas of the county.

Mr. Hornbaker asked about the rationale for allowing townhouses in the retirement community in earlier comprehensive plans but not in the other high-density residential districts. Mr. Mueller responded that in 2011 the Commission felt that townhouses might be appropriate on the Engle Tract as a transitional use between the New Town Meadows subdivision and planned commercial uses, as well on certain infill properties. Mrs. Walker summarized the plan approved for the retirement community, and Mr. Hornbaker asked again whether the Commission in 2011 intended to permit townhouses in the retirement community only or in other districts as well. A discussion ensued about whether townhouses were planned for various developments in the Town, why they are permitted in the Retirement Community District but were omitted from the Planned Infill Development District, and the use of special zoning districts by the Town as a means of approving residential subdivisions.

Mr. Bateman stated that he would be distributing a survey to the Commission at the next meeting.

Adjourn Advisory Committee Work Session and Reconvene Planning Commission Meeting

Mr. Gentile adjourned the Housing and Residential Land Uses Committee meeting at 9:48 p.m.
Chairman McDonough convened the regular meeting at 9:48 p.m.

Information Items

A. Public Hearing on Keena Rezoning Concept Plan Amendment

Chairman McDonough introduced this item and explained that the applicant requested a joint public hearing, but that the Town Council decided to have the Planning Commission and Town Council conduct separate public hearings. Mr. Bateman explained that the owner of the property recently requested a concept plan amendment to convert the eight duplex lots previously approved on Frye Court to five single-family dwelling lots. The applicant is also requesting relief from the requirement for neo-traditional homes, which will require approval of a concept plan amendment by the Town Council. Mr. Bateman stated that the applicant requested a joint public hearing to expedite the process, but that the Council felt that the process should involve two public hearings. Mr. Bateman recommended that the Commission schedule a public hearing on October 7, 2015. In response to a question about whether a public hearing regarding lot coverage requirements was already scheduled on that date, Mr. Bateman responded in the affirmative and noted that the amendment regarding lot coverage already included a considerable amount of discussion.

Next Meeting

The next meeting is scheduled for October 7, 2015.

Comments from the Mayor and Commissioners

No comments.

Adjournment

There being no further business before the Planning Commission the meeting was adjourned at 9:52 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: October 4, 2017

Attachments:
None