

Council Chambers, 25 West Market Street, 7:30 p.m. Mayor David S. Butler presiding.

**Council Members Present:** Kelly Burk, Thomas Dunn, Suzanne Fox, R. Bruce Gemmill, Katie Sheldon Hammler, and Mayor Butler.

**Council Members Absent:** Marty Martinez.

**Staff Present:** Town Manager Kaj Dentler, Town Attorney Barbara Notar, Deputy Town Manager Keith Markel, Interim Chief of Police Vanessa Grigsby, Director of Planning and Zoning Susan Berry Hill, Director of Parks and Recreation Rich Williams, Director of Capital Projects and Public Works Renee Lafollette, Senior Planner Michael Watkins, Captain Carl Maupin, Traffic Engineer Calvin Grow, and Clerk of Council Lee Ann Green.

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**AGENDA****ITEMS****1. Work Session Items for Discussion**

- a. **Northern Virginia Regional Gang Task Force**  
Interim Chief Grigsby introduced Ray Colgan, Executive Director, Northern Virginia Regional Gang Task Force, and Douglas Keen, Chief of Police, City of Manassas.

**Key Points:**

- Formed in 2003 with an earmark grant by Congressman Frank Wolf
- Other member jurisdictions include Arlington County, City of Alexandria, City of Fairfax, City of Falls Church, City of Manassas, City of Manassas Park, Fairfax County, Loudoun County, Prince William County, Town of Herndon, Town of Vienna, Virginia State Police
- Federal partners including, but not limited to the Federal Bureau of Investigations (FBI), Drug Enforcement Agency (DEA), and the Bureau of Alcohol, Tobacco and Firearms (ATF).
- In Fiscal Year 2013, earmark ended so jurisdictions fund detectives and Gang Response Intervention Team (GRIT) Coordinators.
- Asset Forfeiture (federal cases) fund vehicles, overtime, equipment and some training.
- Intervention and prevention activities include GRIT team, Northern Virginia Family Services, tattoo removal program, summer jobs program, soccer program, work to prevent human trafficking, re-entry home probation visits, and early intervention education.

**Council Comments:**

- Dunn: Questioned whether grants could be applied for by communities to repaint over graffiti.
- Colgan: Stated he had never seen a grant of that type.

- Gemmill: Thanked everyone for the presentation. He stated he appreciates everything that the police do to keep the community safe.
- Fox: Questioned what age group is targeted by the GRIT?  
Colgan: Stated that the Intervention/Prevention program targets ages 13-21, which is a 90 day program specific to the youth.
- Fox: Questioned the \$25,000 membership fee.  
Colgan: Stated that forfeiture funds cannot be used for salaries.
- Butler: Questioned what makes someone want to join a gang.  
Colgan: Stated that there are a number of risk factors including lack of a strong male influence in the family, a need for a sense of belonging, doing poorly in school, susceptibility to drug use and peer pressure.  
Keen: Stated that in his jurisdiction, family member involvement is a risk factor.

b. Joint Police/Sheriff Efficiencies Task Force Debrief

Kaj Dentler gave a brief summary of the activities of the task force.

Key Points:

- First meeting was held in April. Second meeting is scheduled for the end of the month.
- Nine specific action items were considered. One new item has been added.
- Sheriff Chapman and Acting Chief Grigsby have met.
- Sheriff's office will provide additional assistance at the Outlet Mall.
- School Resource Officers – Council must decide direction in preparation for the next budget cycle.
- Sheriff has agreed to provide support for traffic enforcement on a targeted basis.
- Provision of office space at the Sheriff's office on Sycolin Road freeing up valuable leasable office space at the Airport
- Co-location of dispatch – at the current time there is not enough room at the Sheriff's department.
- Ability to use the new county shooting range.

Council Member Comments/Questions:

- Dunn: Stated that when he asked about the dollar amounts for Sheriff's Department deputies, it seemed like Mr. Hemstreet did not want to go down that line of thinking. He stated he was hoping for more discussion. He advised Council to decide on school resource officers early enough to take the County's budget cycle into account.
- Fox: Questioned the 70/30 split between the county and the town for school resource officers.  
Dentler: Stated that the officers work in the schools during the school day, but after school hours and during the summer, they are available for the town.

- Fox: Stated she supports having the county fully fund school resource officers. She stated she supports moving the town's officers into a temporary location at the Sheriff's office and using the county's firing range.
  - Burk: Stated after discussing this with an School Resource Officer, she feels that the benefits to law enforcement efforts in the town outweigh the cost savings of taking Leesburg officers out of the schools.
  - Grigsby: Stated the Leesburg officers as school resource officers are a valuable part of gang intervention. She stated that SROs have helped detectives solve cases through information learned in the schools.
  - Gemmill: Questioned whether the Sheriff's deputies would share information with Leesburg Police.  
Grigsby: Stated the Sheriff's deputies would share significant information, but not the day to day relationship that occurs with the youth.
  - Butler: Stated that a decision to have the county pay for SROs and place Sheriff's Deputies in the schools would be a decision to remove seven officers from the town's force because the town has the use of these officers during the summer. He stated that the town needs more officers during the summer, not less.
  - Dunn: Questioned how much of the SRO summers are dedicated to summer camp type work.  
Grigsby: Stated that four are strictly summer camp and two go on patrol or summer school.
  - Dunn: Stated the Sheriff's deputies would develop similar relationships with the SROs. Further, he stated that the majority of the officers are providing nearly year round service to the schools in the form of summer camp and summer school so the county should be paying for that.
  - Butler: Stated even if the communication is identical, the town will be losing manpower in the summer.
- c. Crescent Parke  
Michael Watkins briefed Council on the proposed rezoning and changes that have been made since the last meeting.

Key Points:

- Offsite transportation improvements – In the Crescent District most commercial uses are by right. If the amount were to be applied to commercial uses, the amount should be \$2.3 million.
- Greenway extension – applicant is providing a reservation for the future Greenway extension at no cost to the town with a 21-year reservation. No money has been specifically earmarked for this road.
- South King Street/Route 7 bypass – Staff recommends that applicant provide a pro-rata.

- \$75,000 would be needed for a traffic analysis for removal of the Greenway extension.

Council Comments/Questions:

- Gemmill: Stated he has concerns about the developer, his representatives and this project. He requested that staff estimate what the fiscal impact of the proposed project is over what is by right.  
Watkins: Stated that staff does not have enough information.
- Gemmill: Questioned what impact the application will have on the approved Tuscarora Creek project.  
Lafollette: Stated that if the applicant does what has been discussed with additional stream restoration up stream of the town's project and the required BMPs to meet the DEQ ordinances, it should not have a negative impact on the town's project. She noted that the additional stream restoration up stream is not in the proffers.  
Ackman: Stated that the town would like them to either retain the 100 year storm, which would make it site neutral or a very detailed study performed by the applicant, but reviewed by a third party to verify that it would be better to detain a smaller storm than the 100 year. He noted that this is in the proffers.
- Gemmill: Stated in 2011, there was a special exception approved for the property for six single family homes and 37 duplexes. He questioned how long it would take to get the third party verification.  
Ackman: Stated that the study would be very detailed, so he would estimate 4-6 months for third party verification.
- Burk: Questioned what changes have been made since the Planning Commission saw it.  
Watkins: Stated there were 11 changes – small layouts south of the creek, small increase in tree preservation area. He stated there has been a small reduction in residential density.
- Burk: Questioned whether the development includes the grid-type road network that was envisioned for the Crescent District.  
Watkins: Stated that it is difficult to include a grid-network in this project because of Tuscarora Creek.
- Burk: Questioned why an extensive traffic analysis is required to remove the Greenway extension.  
Watkins: Stated that the state must be consulted so a traffic analysis would be required.
- Burk: Stated the park is a separate issue and the development needs to be evaluated without the park issue. She expressed disappointment why many of the issues have not been worked through over the past year.
- Fox: Stated she is concerned about the traffic impacts and will need to study the numbers more closely. With regards to parking, she questioned whether there would be parking along the streets.

Watkins: Stated there is on-street parking in some areas in the residential areas. He stated westward of the roundabouts, there is no opportunity for on-street parking. He stated there is sufficient parking for dwelling units. Further, he stated using the time of day factor, the commercial areas received a modification to allow less parking.

- Fox: Questioned the removal of the \$2,000 pro-rata contribution for transportation by the Planning Commission.

Watkins: Stated the applicant specifically identified a \$200,000 contribution for the left turn movement to go east on the bypass. He stated that the applicant says the \$200,000 was reallocated, but staff has not been able to identify where it was reallocated.

- Dunn: Questioned what would happen if the applicant was allowed to put in less units, but each unit would be larger. He questioned the process for this type of change.

Watkins: Stated that Council could allow some additional flexibility for an administrative review by the Zoning Administrator.

- Dunn: Questioned whether the town could ignore the possibility of a Greenway extension.

Watkins: Stated that the reservation for the extension must remain in place unless it is removed by VDOT.

- Dunn: Stated that applications should be able to stand on their own without promising park land to the town. He stated his concern with adding an additional park to the town as it would cost more than initially estimated.
- Hammler: Stated she is looking for an analysis of the gap between what has been proffered and what staff feels is needed to cover impacts. Watkins: Stated that it is Council's purview on how proffer dollars are applied.
- Hammler: Questioned what will happen if the Greenway extension reservation is no longer needed. Watkins: Stated that the land will still belong to the applicant, but it cannot be used for any other purpose for 21 years. Amending the application to add something to the reservation area would entail a new legislative application.
- Butler: Stated that the reserving the Greenway Extension right of way is good for the residents because it is a 90 foot buffer; however, he did not feel that building the extension is a good idea. He confirmed that the applicant is not expecting a vote at the meeting on Tuesday.

Christine Gleckner, representative for the applicant, stated that they would not have signed proffers ready for Tuesday night's meeting.

#### Key Points:

- Density is similar to or lower than adjacent communities.
- Garage space will need to count towards parking requirements for two over two units.

- Crescent Parke is part of a 5,000 acre watershed and to detain for the 100 year storm would create higher volume and velocity moving on to the adjacent property.
- Will follow the Fairfax County model for privately owned and maintained underground stormwater retention facilities.
- Reduced the school proffer to match the town's new policy.
- Heavily exceeding the park proffer policy.
- Reduction to 380 units.
- Multipurpose trail moved outside the Greenway reservation area.

Council Comments/Questions:

- Fox: Questioned whether there would be less traffic with this proposal than with the by-right zoning.  
Gleckner: Stated under the existing zoning, the property would develop as mostly office uses. She stated that office uses generate higher peak hour traffic.
- Fox: Questioned why the proffer for the pro-forma for the left turn lane onto South King Street was deleted.  
Gleckner: Gave examples of other improvements that the developer has made or promised through this development and Crescent Place.
- Hammler: Questioned the statement regarding flexibility of school proffer amounts.  
Notar: Stated that with a previous application, the Council had flexibility with a cash proffer even though the amount was tied to the schools. She stated she would advise Council to accept the school proffer amount that was calculated by the county.
- Burk: Pointed out that the residential use would create peak traffic as well. She questioned whether the town can consider cost when deciding whether to accept an application.  
Watkins: Stated that staff can work with the applicant to identify strategies that are beneficial to them, but cannot make decisions based on feasibility.
- Burk: Questioned at what point a change in proffers triggers a return to the Planning Commission.  
Watkins: Stated the applicant can modify the proffers until the public hearing is closed unless allowed by the Council.
- Gemmill: Asked for confirmation that the stormwater management proffer will include underground retention and the 100 year storm control.  
Gleckner: Stated that it includes provisions for the study and if it is not proven that their plan is feasible, then the applicant will detain the 100 year flood.
- Dunn: Requested a list of the changes from the time the Planning Commission last saw the project. Further, he questioned why proffers from other projects are being used to justify impacts on this project. He

questioned using garages to satisfy parking requirements in the two over two units.

Watkins: Noted that garages are not normally allowed to be used to satisfy parking requirements because they are often used for storage and vehicles would have to be moved to access the spaces inside the garage.

- Dunn: Clarified that all of the proffer for parks is towards the purchase of Olde Izaak Walton Park. He questioned whether the town has done any type of studies for the flooding issues in the neighborhood.

Ackman: Stated that FEMA looks at what is built today and sets the 100 year FEMA limit based on that. He stated that currently the properties do not flood because the upstream properties have not developed yet (Leesburg South, Crescent Parke, and others in the county).

- Dunn: Why would we require the developer to control water coming from upstream development?

Ackman: The town is only requiring the developer to control the water coming from their property at the same rate that it leaves today.

- Fox: Questioned whether the Tuscarora Flood Mitigation Project changes anything?

Ackman: Stated the project as funded, includes a retaining wall along the back of the townhouse properties to protect them against the normal 100 year flood. He stated it will not protect them against an event that comes with more than 100 year force as it will not be built to a levee standard.

- Dunn: Questioned the phasing.

Gleckner: Stated they are not committing to any one part of the development occurring before another part. She stated whenever the mixed use buildings are constructed, there will be commercial built.

- Butler: Clarified that the application was only sent back to the Planning Commission because the comments from staff had to do with the Town Plan; however, since the Town Plan has been changed those comments are no longer pertinent. Further, he commented that commercial will generate more traffic than residential and having residential next to residential protects the existing neighborhoods.

It was decided to hold the public hearing open.

## 2. **Additions to Future Council Meetings**

Gemmill: Stated he would like Council to consider incentives/tax breaks for BPOL and business personal property tax for new businesses.

*Council Member Gemmill expressed his intent to bring this as a resolution for vote in two weeks.*

Hammler: Stated she was considering bringing up initiation of the removal of the Greenway extension and questioned whether the Crescent Parke developers

would be willing to pay for the necessary study. She requested an update on the temporary storage POD.

Dunn: Stated he would bring up a resolution in two weeks to remove the donation to the Journey Through Hallowed Ground. He stated he would like to a discussion about garages not being counted towards parking requirements.

*There was consensus for a memo.*

**3. Adjournment**

The meeting was adjourned at 11:02 p.m.

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Clerk of Council  
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