



**BOARD OF SUPERVISORS TRANSPORTATION AND LAND USE COMMITTEE**

***Committee Members:***

***Suzanne Volpe, Chair ~ Scott York ~ Janet Clarke ~ Geary Higgins ~ Ken Reid***

**AGENDA SUMMARY**

**July 12, 2013**

**1. Request for Fee Refund: Niraj Bhandari, Mangi Bhandari Property (Action)**

Niraj and Mangi Bhandari represent a group of five property owners seeking to amend the proffers approved with ZMAP-2003-0009, Goose Creek Village South. They are requesting the Transportation and Land Use Committee waive the \$350 fee associated with a proposed Zoning Concept Plan Amendment (ZCPA) request to permit the property owners to build decks that extend into a proffered building setback. The proffered setback encroaches into the rear yards of the townhouses that front on Sycolin Road. The project is located on Sycolin Road immediately south of the Dulles Greenway.

Election District: Blue Ridge

Staff Contacts: John Merrithew & Julie Pastor, Department of Planning

**2. ZMAP-2012-0003, SPEX-2012-0005, SPEX-2012-0006, SPEX-2012-0007 Waltonwood Ashburn (Action)**

Singh Development LLC, of Cary, North Carolina, has submitted an application to rezone approximately 14.9 acres from the PD-IP (Planned Development-Industrial Park) zoning district under the Revised 1993 Zoning Ordinance to the PD-AAAR (Planned Development-Active Adult Age Restricted) zoning district under the Revised 1993 Zoning Ordinance in order to develop a continuing care retirement community at a density of approximately 14.2 dwelling units per acre. The applicant has also submitted applications for special exceptions to develop nursing home units (SPEX-2012-0005), congregate care independent living units (SPEX-2012-0006), and assisted living units (SPEX-2012-0007) in the proposed PD-AAAR zoning district. The subject property is located on the southeast side of Ashburn Village Boulevard and Russell Branch Parkway in the Broad Run Election District. The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Ashburn Community)) which designate this area for Business uses and which recommend a density up to 30 dwelling units per acre for age-restricted development. The Planning Commission reviewed the applications at the March 19, 2013 public hearing. It was noted that some of the residents in the independent units will continue to drive, attend library and senior center programs and facilities, and use County parks and recreational services. Some members of the Commission thought it would be appropriate to request a full capital facilities contribution (deducting only school impacts) for the proposed 113 independent living units with no contribution for the assisted living and nursing home

units. This is the same capital facilities approach that was approved by the Board of Supervisors for the Ashby Ponds development.

A majority of the Planning Commission agreed with the applicant's approach to allow a reduced capital facilities contribution (by deducting school impacts and other County programs and reducing contributions for libraries, senior centers, and parks). A majority of the Commission maintained that the applicant should not have to pay capital facilities contributions for facilities and services that will be available to residents on-site. The Planning Commission voted 5-4 (Klancher, Ruedisueli, Salmon, Syska opposed) to forward the applications to the Board of Supervisors with a recommendation of approval. Staff maintains that additional deductions and reductions (other than the deduction of school costs) do not seem reasonable since some residents in the independent living units will continue to use County facilities and programs in addition to using the private facilities that are available at Waltonwood Ashburn. Staff continues to recommend that a full capital facilities contribution (deducting only school impacts) should be provided for the independent living units (as approved for the Ashby Ponds development).

The Board of Supervisors heard the applications at the May 8, 2013 public hearing. No one from the public spoke regarding the applications. While the Board supported the development of age-restricted housing, concerns were raised regarding an appropriate capital facilities contribution for the development. The Board forwarded the applications to the Transportation Land Use Committee for further discussion (6-0-3, Buona, Letourneau, York absent).

Election District: Broad Run

Staff Contacts: Ginny Rowen & Julie Pastor, Department of Planning

### **3. Unmet Housing Needs (Information)**

The purpose of this item is to inform the Committee on County policies relating to Unmet Housing Needs in response to a Board of Supervisors request at the June 12, 2013 Public Hearing in conjunction with review of the Stone Ridge East rezoning (ZMAP 2012-0012). As new residential rezoning cases come forward, unmet housing needs have become a topic of discussion at recent Planning Commission and Board of Supervisors hearings. Staff will brief the Committee on issues relating to unmet housing needs, how unmet housing needs are being addressed during the review of legislative cases, and how unmet housing needs proffers are being used.

Election District: Countywide

Staff Contacts: Richard Klusek & Julie Pastor, Department of Planning

**4. Proposed Amendments to Chapter 808, Dog Kennels and Section 5-606 of the Revised 1993 Loudoun County Zoning Ordinance, Kennels/Indoor Kennels (Information)**

Consistent with the Board of Supervisors' Strategic Plan to review ordinances regarding kennels, staff is in the process of preparing proposals to amend the Codified Ordinance Chapter 808, Dog Kennels and, Section 5-606 of the Revised 1993 Loudoun County Zoning Ordinance, Kennels/Indoor Kennels.

Election District: Countywide

Staff Contacts: Tom Koenig, Animal Services & Nicole Dozier, Zoning Administration

**5. Zoning Ordinance Amendment – Adding Definition of Value-Added Agricultural Processing (Action)**

On February 6, 2013 the Board of Supervisors discussed consideration of a Zoning Ordinance Amendment, initiated by Supervisors Clarke and Higgins, to revise the definition of Agricultural Processing in the Revised 1993 Loudoun County Zoning Ordinance to allow for value-added processing and to permit such use by right in all AR, TR, and JLMA zoning districts. At the February 6, 2013 meeting the Board voted (9-0) to refer the item to the Transportation and Land Use Committee for further discussion.

Election District: Countywide

Staff Contacts: Michelle Lohr & Nicole Dozier, Zoning Administration

**6. Review and Renewal, Modification or Termination of the Chrysalis Vineyards/Locksley Estate Agricultural and Forestal District (Action)**

The Chrysalis Vineyards/Locksley Estate Agricultural and Forestal District (the "District") currently has a 4-year term that will expire on November 17, 2013, and is subject to a lot subdivision minimum of forty (40) acres or the minimum required by the Zoning Ordinance, whichever is greater, and further subject to a prohibition against subdivision through clustering. There are currently four (4) parcels enrolled in the District, totaling approximately 411.76 acres. Parcels currently in the District are located within an area generally on the south side of John Mosby Highway (Route 50), on the east side of Champe Ford Road (Route 629), on the west side of Aldie Dam Road (Route 632) and on the north side of Rochester Lane, in the Blue Ridge Election District.

At its June 11, 2013 public meeting, the ADAC voted 6-0-4 (Bishop, Cross, Higgins and Wiseman absent for the vote) to recommend the renewal of the District, with the same period before the next review of the District of four (4) years, and to continue to require any subdivisions or adjustments to parcels enrolled in the District to meet the current Zoning Ordinance requirements or a minimum of forty (40) acres, whichever is greater, and prohibit subdivision

through clustering. The ADAC further moved that their recommendation be based on the finding that all parcels recommended for renewal within the District contain agriculturally and forestally significant land.

The renewal of the Chrysalis Vineyards/Locksley Estate Agricultural and Forestal District is scheduled for the Planning Commission Public Meeting on July 16, 2013, and the Board of Supervisors Public Hearing on September 11, 2013 and, if needed, the Board of Supervisors' Business Meetings on October 2, 2013 and November 6, 2013. This will allow time for staff to notify landowners within the District the intent, if any by the Board to change or modify the conditions of the District. The Board of Supervisors must act on or before November 17, 2013 or the District will, under State Code, automatically renew under the current terms and conditions of the District. Under the current proposed schedule, the Board has until its meeting on November 6, 2013 to make a decision.

Election District: Blue Ridge

Staff Contacts: Kellie Boles & Tom Flynn, Department of Economic Development

#### **7. Status Update-Water & Wastewater Needs Assessment Implementation Work Plan (Information)**

The Water and Waste Water Needs Assessment includes recommendations in the areas of planning, policy and implementation to help solve and minimize water and wastewater issues in the County. County staff and Loudoun Water staff prepared an implementation work plan that identifies a set of objectives and tasks for implementing the recommendations outlined in the Needs Assessment. The Board of Supervisors approved the Needs Assessment Implementation Work Plan (Work Plan) on December 12, 2013. The Work Plan includes an implementation schedule which directs staff to provide an update on progress every six months to the Transportation and Land Use Committee. This item provides a status update of work completed as part of the Evaluation Phase of the Work Plan.

Election District: Countywide

Staff Contacts: Gwen Kennedy, Alan Brewer & Richard Pezullo, General Services

#### **8. Status/Endorsement of Route 50/Route 606 Interchange Concept (Information)**

On November 1, 2006, Loudoun County entered into a contract (QQ-01255) with Wilbur Smith Associates, Inc. to provide design services for a 10% Concept Interchange at the intersection of Route 50 & Route 606. VDOT supported the configuration in a letter dated February 13, 2012, and property owners were invited to a series of meetings from July 9-16, 2012 to view and discuss the proposed alignment. The purpose of this item is to update the Committee and provide status on the project.

Election District: Dulles

Staff Contacts: Chris Glassmoyer & Joe Kroboth, Transportation & Capital Infrastructure

**9. Reston Bible Church, Proposed Park & Ride Facility (Action)**

On June 18, 2013, staff presented an item to the Transportation and Land Use Committee (TLUC) regarding a proposed 200-space park and ride facility at Reston Bible Church in Sterling, including review of a traffic impact study (TIS) prepared by DTCL staff. The Committee directed staff to seek a response from the Virginia Department of Transportation (VDOT) as to whether VDOT would allow installation of a traffic signal at the intersection of Cascades Parkway and Oakbrook Court/Sterling Bridge Place, and report back to TLUC on July 12, 2013. VDOT reviewed DTCL's TIS and on July 2, 2013 responded that there is no technical justification for installation of a traffic signal at this location, citing a number of specific reasons. Staff will be present at the July 12, 2013 TLUC meeting to discuss VDOT's response and answer questions.

Election District: Sterling

Staff Contacts: Lou Mosurak, Bill King, & Joe Kroboth, Transportation & Capital Infrastructure