

**BOARD OF SUPERVISORS
BUSINESS MEETING
ACTION ITEM**

SUBJECT: Dulles Highpoint Proffer Amendment Public Hearing
Waiver and Fee Reduction

ELECTION DISTRICT: Broad Run

CRITICAL ACTION DATE: At the pleasure of the Board

STAFF CONTACTS: Hilary Richardson, Planning and Zoning
Alaina Ray, AICP, Director, Planning and Zoning

PURPOSE: To consider a request to waive required Public Hearings before the Planning Commission (Commission) and Board of Supervisors (Board) and commensurately reduce the land development application fee associated with Zoning Concept Plan Amendment (ZCPA)-2021-0001, Dulles Highpoint (Attachment 1) to modify Proffer IV.D associated with Zoning Map Amendment (ZMAP) 2016-0022 to eliminate two bus shelters due to utility easement constraints.

RECOMMENDATION: Staff recommends that the Board waive the Commission and Board Public Hearings for ZCPA-2021-0001, Dulles Highpoint, and reduce the \$20,575 land development application fee to reflect the modified schedule by 30 percent (30%), or \$6,152.50, which is the cost associated with both hearings, resulting in a fee of \$14,422.50.

BACKGROUND: The subject property, Dulles Highpoint, is an assemblage of three parcels located along Pacific Boulevard between Moran Road and Relocation Drive, west of Route 28 in the Broad Run Election District (Attachment 2).

The Board approved (6-0-3: Buffington, Buona, and Meyer absent) [ZMAP-2016-0022](#), Highpoint East, on March 6, 2018, to rezone 32.48 acres from Planned Development-Research and Development Park (PD-RDP) to Planned Development-Industrial Park (PD-IP) with additional co-applications to establish a data center use. ZMAP-2016-0022 Proffer IV.D (Attachment 3) requires the construction of two bus shelters. ZCPA-2021-0001 would eliminate the Proffer IV.D commitment to construct the two bus shelters, because existing utility easements pose challenges to their placement which has caused issues for the applicant during the site plan review process.

In processing ZCPA-2021-0001, the Applicant requests a waiver of the Public Hearing requirement for both the Commission and Board, and a reduced land development application fee to reflect elimination of costs associated with the Public Hearings. The land development

application fee policy allows the \$20,575 ZCPA fee to be reduced by 30 percent (30%), or by \$6,152.50, which is the cost associated with both Public Hearings, resulting in a reduced fee of \$14,422.50.

Existing utility easements and required buffers would result in the required bus shelters being located in areas not visible from Pacific Boulevard. In addition, when ZMAP-2016-0022 was approved, this property was planned for office and/or mixed-use development, uses that generate high public transportation demand. The data center use would not generate high public transportation demand and the bus shelters are no longer necessary.

Approving the Public Hearing waivers and fee reduction does not approve the ZCPA. Board action on this item is separate and distinct from Board action on the ZCPA, which would come before the Commission and Board for consideration at a future time. Should the Board approve the public hearing waiver request pursuant to the requirements of Section 6-1209(K)(2), the Applicant will be required to provide written notice in accordance with Virginia Code Sections 15.2-2204 and 15.2-2302 and Section 6-600 of the Zoning Ordinance. Additionally, the ZCPA application will be referred to the Commission for review and recommendation prior to going to the Board for action.

Staff supports the request to waive the required Public Hearings before the Commission and Board, as well as the reduced land development application fee, as the request complies with Section 6-1209(K)(2) of the Zoning Ordinance.

ISSUES: There are no outstanding issues.

FISCAL IMPACT: The Application Fee Refund Policy (Attachment 4) indicates that the cost of the Commission and Board Public Hearings accounts for 30 percent (30%) of the \$20,575 ZCPA application fee. This equates to a fee reduction of \$6,152.50, resulting in a fee of \$14,422.50. If the Board approves the Public Hearing waivers and fee reduction, the fee charged to the applicant for ZCPA-2021-0001 would be \$14,422.50.

ALTERNATIVES: The Board may grant or deny one or both Public Hearing waivers. The Board may grant or deny the reduced fee reflecting the modified schedule.

DRAFT MOTIONS:

1. I move that the Board of Supervisors approve the request to waive the Planning Commission and Board of Supervisors Public Hearings associated with ZCPA-2021-0001, Dulles Highpoint.

I further move that the Board of Supervisors approve the request to reduce the Zoning Concept Plan Amendment land development application fee associated with ZCPA-2021-0001, Dulles Highpoint, by \$6,152.50, resulting in a fee of \$14,422.50.

I further move that the applicant shall provide written notice of ZCPA-2021-0001, Dulles Highpoint, in the manner and to the persons as set forth in Section 6-600 of the Revised 1993 Loudoun County Zoning Ordinance.

OR

2. I move an alternate motion.

ATTACHMENTS:

1. Public Hearing Waiver and Fee Reduction Request from JCL Consulting LLC, dated January 13, 2021
2. Vicinity Map
3. Approved Proffers for ZMAP-2016-0022, Highpoint East, dated January 31, 2018
4. Application Fee Refund Policy



CONSULTING, LLC

JCL Consulting, LLC
4460 Brookfield Corporate Dr.
Suite K
Chantilly, VA 20151
Phone: (703) 488-9877

January 13th, 2021

Hilary Richardson,
Loudoun County Department of Planning and Zoning
1 Harrison St, S.E.
Leesburg, Va 20175

RE: Proffer Amendment Request – Dulles Highpoint [ZMAP-2016-0022]

Per the meeting held on November 9, 2020, NOVANDBS LLC (the “Applicant”), is preparing to submit a Zoning Concept Plan Amendment, “ZCPA”. The ZCPA seeks to amend proffers associated with ZMAP-2016-0022 to construct the required bus shelters only if there is an Office use proposed on the property.

The proffer’s original intent was that under the possibility of this development being an office building and/or mixed-use development, the significant foot traffic and public transit commute to the Property generated would be served by the proposed bus shelters. Now that the use of the Property has been established as not generating significant amounts of public transportation and traffic, the need for a bus shelter is no longer warranted. This Proffer amendment application intends to alter the proffer for the bus shelter to reduce the requirement of the bus shelters to those uses that produce significant foot traffic developments.

Since the Applicant’s proposed ZCPA does not affect conditions of use or density, we respectfully request that it be processed pursuant to the expedited process permitted under Section 6-1209(K)(2) of the Revised 1993 Loudoun County Zoning Ordinance. Accordingly, the Applicant requests that the Board of Supervisors waive the public hearing requirement, and to reduce, or alternatively eliminate, the ZCPA application fee.

We appreciate your attention to this request, and if helpful, please feel free to contact me at 703-488-9877 should you have any questions. Thank you.

Sincerely,
JCL CONSULTING, LLC

Johnny Lim,
Principal

Vincinity Map



Attachment 2

PROFFER STATEMENT
HIGHTPOINT EAST
PARCEL 1A
ZMAP-2016-0022
MAY 25, 2017
REVISED January 31, 2018



Dulles Highpoint LLC, the owner of the property described as Loudoun County Tax Map 94, Parcel 1A (PIN: 045-48-6459) (the "Property"), and the applicant (the "Owner") on behalf of itself and its successors in interest, hereby voluntarily proffer pursuant to Section 15.2-2303 of the Code of Virginia (1950), as amended, and Section 6-1209 of the Revised 1993 Loudoun County Zoning Ordinance, as may be amended from time to time (the "Zoning Ordinance"), that in the event the Property is rezoned by the Board of Supervisors of Loudoun County, Virginia (hereinafter referred to as "the County") to the Planned Development-Industrial Park ("PD-IP") zoning district, as set forth in the Concept Development Plan defined in Proffer I below, the development of the Property shall be in substantial conformance with the following proffers terms and conditions. If approved, these proffers and conditions shall supersede all previous proffers applicable to the Property, approved with ZMAP-1988-0001. All proffers made hereunder shall become effective only upon final approval of zoning map amendment application ZMAP-2016-0022.

All references in these Proffers to subdivision, subdivision plat, or record plat shall be deemed to include condominium or condominium plat or any other document or mechanism that legally divides the Property into separately transferable units of ownership. Any obligation imposed herein that must be performed prior to, in conjunction with, concurrently with, or after first or other subdivision or record plat approval shall be deemed to be required to be performed prior to or after, as applicable, the recordation of any such condominium declaration or plat or other similar document that would have the legal effect of dividing the Property into separately transferable units of ownership.

I. CONCEPT DEVELOPMENT PLAN

The development of the Property shall be in substantial conformance with the Concept Development Plan ("CDP") defined as Sheet 3 of 5 of the plan set entitled "Highpoint East", dated September 15, 2016, revised through January 31, 2018, prepared by christopher consultants, ltd., and incorporated herein by reference as Exhibit A. Minor adjustments to the locations of the proposed roads and improvements as shown on the CDP shall be permitted as reasonably necessary, in accordance with Zoning Ordinance Section 6-1209, to address grading, drainage, environmental, cultural and natural features, development ordinance requirements, and other

final engineering considerations, and to accommodate the recommendations of archaeological studies.

II. PERMITTED AND PROHIBITED USES

The Property may be developed with uses permitted by-right or by special exception, provided that any special exception use shall receive the requisite County approval prior to establishment of such use, in the PD-IP zoning district, except the following Permitted and Special Exception Uses which shall not be permitted:

- A. Agriculture, horticulture, forestry, or fishery
- B. Recycling drop off collection center, small
- C. Dwelling, accessory to a permitted or special exception use
- D. Auction house
- E. Water pumping station
- F. Sewer pumping station
- G. Golf driving range
- H. Heliport, helistop
- I. Sewage treatment plant
- J. Water treatment plant
- K. Motor vehicle service and repair, heavy
- L. Printing plant
- M. Dry cleaning plant
- N. Golf course
- O. Recycling drop off collection center, large
- P. Firearm range, archery range, indoor

III. BUILDING DESIGN

A. Building Heights

The elevations of all non-data center use buildings constructed on the Property within 150 feet of the right of way for Sully Road (Route 28), shall have a minimum height of 50 feet, and may step down to a minimum height of 24 feet at their western end. The elevations of all data center use buildings, constructed on the Property within 150 feet of the right of way for Route 28, shall have a minimum height of 35 feet, and may be stepped down to a minimum height of 24 feet at their western end.

B. Frontage Types

All buildings shall have a "Projected" or "Recessed" entry as defined in Section 4-2704 of the Zoning Ordinance. Non-data center buildings shall also have a "Courtyard" as defined by the aforesaid section of the Zoning Ordinance.

C. Building Facades Facing Public Rights-of-Way

All buildings with facades facing public rights-of-way, with no intervening buildings, will incorporate elements of articulation and fenestration.

D. Building Materials

All buildings shall comply with Section 4-2705 Building Materials, of the Zoning Ordinance.

E. Data Center Buildings

Any building for use as a data center will provide three (3) of the following design elements: change in building height, building step-backs or recesses, fenestration, and change in building material, pattern, texture, color, or use of accent materials.

F. Foundation Plantings

The front and side elevations of all buildings will incorporate foundation plantings in addition to any required landscape buffers and parking lot landscaping.

G. Onsite Pedestrian and Bicycle Accommodations

Onsite pedestrian walkway facilities will be provided connecting all buildings on the Property. Bicycle racks will be provided at each building. Said pedestrian walkway facilities and bicycle rack locations will be determined prior to site plan approval for any building and shall be constructed and installed at the time the related buildings are constructed.

H. Review and Approval

The Owner shall submit building elevations/exterior design of the proposed building(s) for review by the Department of Planning and Zoning to confirm compliance with this Proffer III. The Owner shall be permitted to obtain conditional approval of a site plan on the Property prior to final review and approval of the building elevations/exterior design of the proposed building(s) but shall not be permitted to receive final approval of a site plan prior to final review and confirmation of compliance with the above-referenced building design element requirements in each building subject to the site plan.

IV. TRANSPORTATION

A. Moran Road (Route 634)

Owner will reserve for future dedication to the County at no public cost, approximately 1.8 acres of right of way and any necessary related easements outside the dedicated right of way,

such as slope maintenance, storm drainage, temporary construction, and utility relocation easements, necessary to accommodate the construction of the proposed Moran Road overpass through the northeast corner of the Property as shown on sheet 3 of 5 of the CDP (the "Reservation Area"). The reservation shall be created and established on the Property by the recordation of a deed or deeds of reservation approved by the County Attorney and recorded prior to the approval of the first site plan for the Property. Such reservation shall not prohibit Owner from installing landscaping or providing parking in excess of zoning ordinance requirements on the Reservation Area. No buildings, required parking or stormwater management facilities may be located in the Reservation Area. If an existing entrance through the Reservation Area onto Moran Road needs to be relocated, such relocation will be at the Owner's expense. Owner shall dedicate and convey the right of way within the Reservation Area and said related easements for the overpass within sixty (60) days of a written request from the County. Once the necessary right of way has been dedicated to the County or the Virginia Department of Transportation (VDOT), any reservation of right-of-way which will not be used for the overpass shall automatically be extinguished and may be used by the Owner for any uses permitted in Proffer II. Said reservation shall be limited to a period of twenty (20) years from the date of recordation of the deed of reservation and shall terminate thereafter immediately and automatically, unless the County shall have previously requested the dedication of the Reservation Area during the 20-year period or if, in the interim, upon the removal of the overpass from the Countywide Transportation Plan.

B. Relocation Drive (Route 775)

The Owner shall construct a half section of Relocation Drive (Route 775) along the Property's frontage, with face of curb set twenty-six (26) feet from the existing centerline, including a five (5) foot wide sidewalk located completely within the right of way and installed in accordance to VDOT standards ("Half Section of Route 775"). Should any portion of the Property adjacent to Route 775 not provide thirty-five (35) feet of right-of-way from the existing centerline of Route 775, to the boundary of the Property, the Owner shall dedicate and convey to the County at no public cost, sufficient right of way to provide a thirty-five (35) foot width from the existing centerline of Route 775 along the entire frontage of the Property and any necessary related easements outside the dedicated right of way, such as slope maintenance, storm drainage, temporary construction, and utility relocation easements, necessary to accommodate the construction of the Half Section of Route 775. Owner shall bond the construction of said improvements prior to the approval of the first site plan for any

use on the Property. The Half Section of Route 775 shall be completed and open for traffic, but not necessarily accepted into the VDOT system for maintenance, prior to the issuance of the first occupancy permit for any building on the Property, said occupancy permit shall not be issued until the Owner has provided (i) written documentation from County Building and Development or Zoning Administration staff that said payment, action, or other act or activity has been performed or completed, or (ii) written documentation from Zoning Administration staff that said payment, action, or other act or activity is no longer a prerequisite for issuance of such occupancy permit.

C. Traffic Signals

The Owner shall prepare and submit to the County and VDOT a traffic signal warrant analysis for the northern-most Proposed Site Entrance shown on Sheet 3 of 5 of the CDP at the existing median break along the Property's frontage on Pacific Boulevard prior to the approval of the zoning permit that would result in the cumulative total square footage of zoning permitted uses for development exceeding 200,000 square feet of development on the Property. In the event the analysis concludes, and VDOT concurs, that a traffic signal is then warranted at this location, the Owner shall forthwith design and diligently pursue and complete the construction and installation of said signal prior to the issuance of the occupancy permit that would result in the cumulative total square footage of all occupancy permitted uses exceeding 200,000 square feet of development. If said traffic signal is then warranted, said occupancy permit shall not be issued until the Owner has provided (i) written documentation from County Building and Development or Zoning Administration staff that said traffic signal has been installed by the Owner, or (ii) written documentation from Zoning Administration staff that said installation of the traffic signal is no longer a prerequisite for issuance of such occupancy permit. Unless previously warranted, Owner shall conduct and submit to the County and VDOT at least two additional warrant studies at or prior to submitting the application for the zoning permit that would result in the cumulative total square footage of zoning permitted uses for development on the Property exceeding 400,000 and 600,000 square feet. In the event any such analysis concludes, and VDOT concurs, that a traffic signal is then warranted at this location, the Owner shall forthwith design and diligently pursue and complete the construction and installation of said traffic signal prior to the approval of the occupancy permit that would result in the cumulative total square footage of occupancy permitted uses exceeding 400,000 or 600,000 square feet of development as the case may be. If said traffic signal is warranted pursuant to any of the said warrant studies, the related

occupancy permit shall not be issued until the Owner has provided (i) written documentation from County Building and Development or Zoning Administration staff that said traffic signal has been installed by the Owner, or (ii) written documentation from Zoning Administration staff that said installation of the traffic signal is no longer a prerequisite for issuance of such occupancy permit. If the Owner has received occupancy permits for a cumulative total of 600,000 square feet of development on the Property and a traffic signal at this location has not been warranted by VDOT, the Owner shall contribute \$400,000, adjusted pursuant to Proffer VII below, to the County to be used toward transit or transportation improvements within the County's Metrorail Service District prior to the issuance of the occupancy permit that would result in the cumulative total square footage of occupancy permitted uses exceeding 600,000 square feet of development on the Property.

D. Bus Shelters

Provided there is a bus route serving Pacific Boulevard (Route 1036) south of Waxpool Road (Route 625) to Old Ox Road (Route 606), Owner shall provide two (2) bus shelters at the approximate location shown on Sheet 3 of 5 of the CDP that includes a shelter on PIN: 045-39-2399, also owned by the Owner. The shelters will be at least 60-feet from any curb return, a minimum of 12-feet in width, and include ADA-compliant access to board and alight the bus. The Owner shall work with Loudoun County's Department of Transportation and Capital Infrastructure ("DTCI") to identify and obtain approval of the location of each bus shelter prior to the approval of the first site plan for the Property.

Said bus shelters shall be constructed and available for use prior to the issuance of the first occupancy permit for any building on the Property. The said occupancy permit shall not be issued until the Owner has provided (i) written documentation from County Building and Development or Zoning Administration staff that the said bus shelters have been installed, or (ii) written documentation from Zoning Administration staff that the said bus shelters are no longer a prerequisite for issuance of such occupancy permit.

E. Cash Contribution

Owner will contribute \$0.75 per square foot of building to be constructed on the Property, which will be used for road or transportation improvements. Said amount will be contributed to the County prior to the issuance of a zoning permit for each building. Such contributions may be used for road or transportation or transit improvements within the County's Metrorail Service District.

V. **ENVIRONMENTAL**

A. **Low-Impact Development (LID)**

The Owner shall provide a minimum of one (1) Low-Impact Development (LID) Best Management Practice to treat stormwater from the Property. Such LID practice may include, but shall not be limited to, water quality swales, bioretention facilities/rain gardens, sheet flow to vegetated buffers, or any alternative LID practice proposed by the Owner and deemed to be acceptable to the Department of Building and Development. The location of the LID practice shall be shown on the first site plan or construction plans and profiles, whichever is first in time, for the Property.

B. **Tree Conservation Areas**

1. Within the areas noted on Sheet 3 of 5 on the CDP as "Tree Save Area", ("Tree Conservation Areas"), the Owner of the Property shall preserve healthy trees provided, however, that trees may be removed to the extent necessary for the construction of trails, passive recreational amenities, and for the construction of utilities necessary for the development of the Property. Notwithstanding the previous sentence, a minimum of 80% of the canopy within the cumulative Tree Conservation Areas depicted on Sheet 3 of the CDP will be preserved, exclusive of stands of Virginia Pine over 25 years in age. In the event that the 80% canopy threshold cannot be achieved within the designated Tree Conservation Areas, such canopy deficit will be recaptured elsewhere on-site in locations to be designated at the discretion of the Owner of the Property in consultation with the County Urban Forester or Zoning Administrator. Boundaries of all Tree Conservation Areas shall be clearly marked in the field prior to land disturbing activities and delineated on the site plan or record plat recorded for each section of the development. The Owner shall provide a Tree Conservation Area (TCA) tabulation demonstrating the initial amount of TCA and the remaining amount after development of the site to be submitted with each site plan submission.

2. If, during construction on the Property, it is determined by the Owner of the Property's certified arborist and/or the County's Urban Forester or Zoning Administrator that any healthy tree located within the boundaries of any of the Tree Conservation Areas described in this Proffer has been damaged during construction and will not survive, then, prior to bond release on any section containing or immediately adjacent to a Tree Conservation Area, the Owner shall remove such tree and replace each such tree with two (2) 3-inch caliper native, non-invasive deciduous trees. The species and location of

such replacement trees shall be determined by the Owner's certified arborist or landscape architect, in consultation with the County Urban Forester or Zoning Administration. The placement of the replacement trees shall be proximate to the area of each such damaged tree so removed, or in another area as requested by the County.

3. Removal of trees in Tree Conservation Area, as shown on the record plat, after construction has been completed by the Owner of the Property shall be prohibited without specific permission of the County Zoning Administrator, except as necessary to accommodate Forest Management Techniques, performed by or recommended by a professional forester or certified arborist, that protect or enhance the viability of the canopy. Such Management Techniques may include such actions as pruning and the removal of vines, invasive species, trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased insect infested, dead, or are considered a hazard to life or property. The record plat for each portion of the Property containing a Tree Conservation Area shall contain a note stating that the removal of trees within a Tree Conservation Area is prohibited except in accordance with the proffers above.

C. Data Center Cooling

The Owner shall not utilize groundwater, surface water withdrawals or surface water discharges for cooling purposes associated with data center uses. For purposes of this Proffer "surface water" includes, but is not limited to, any stream, creek, river, lake or wetland.

VI. EMERGENCY SERVICES

A. Fire and Rescue Contribution

Prior to approval of each zoning permit for non-residential structures on the Property, a one-time contribution of \$0.12 per gross sq. ft. of new floor area associated with such zoning permit shall be paid to the County for distribution by the County to the volunteer fire and rescue companies providing service to the Property. Contributions pursuant to this paragraph shall be divided equally between the servicing fire and rescue companies providing service to the Property. The amount of such contributions shall be adjusted on an annual basis from a base year of 1988 and change effective each January 1 thereafter, in accordance with changes to the Consumer Price Index for all urban consumers (CPI-U), 1982-1984=100 (not seasonally adjusted) as published by the Bureau of Labor Statistics, U.S. Department of Labor, for the Washington-Baltimore, DC-MD-VA-WV Consolidated Metropolitan Statistical Area (the "CPI"). Notwithstanding the foregoing, if at the time of the application for any such zoning

permit, the primary servicing fire and rescue companies do not utilize, to any significant extent, either volunteer staff or apparatus owned by a volunteer organization, then the Owner may elect to make no contribution. The intent of this Proffer is to support volunteer fire and rescue staffing and operations so long as any significant element of the primary provider of fire and rescue services to the Property is volunteer owned or operated. If only one of these services has ceased to utilize volunteer staff and apparatus as outlined above in this Proffer, then the contribution may be halved and shall be provided to the remaining company.

B. Emergency Vehicle Access During Construction

The Owner shall provide, no later than the framing stage of construction of any building, an all-weather, compacted gravel access for emergency vehicles, acceptable to the Fire Marshal, to all portions of the Property under construction.

VII. CASH CONTRIBUTION ADJUSTMENT

Except for the fire and rescue contributions which are subject to a separate annual adjustment provision as specified in Proffer V.A. above, and unless otherwise provided, any and all cash contributions required in this proffer statement shall be adjusted on a yearly basis from the base year of 2017 and shall change effective each January 1 thereafter based on the CPI as defined in Proffer VI.A. above.

[SIGNATURE PAGE FOLLOWS]

The undersigned hereby warrants that all the owners of any legal interest in the Property have signed the foregoing proffer statement, that no signature from any additional party is necessary for these proffers to be binding and enforceable in accordance with their terms, that he/she has full authority to bind the Property to these conditions, either individually or jointly with the other owners affixing their signature hereto, and that the foregoing proffers are entered into voluntarily.

Dulles Highpoint LLC
By: Lerner Enterprises, LLC
its Member

BY: [Signature] (SEAL)

Name: Mark D. Lerner

Title: Manager

Date: February 13, 2018

STATE/Commonwealth of Maryland

COUNTY/CITY OF Montgomery, to-wit:

I, the undersigned notary public, in and for the state and county/city aforesaid, do hereby certify that Mark D. Lerner as Manager of Lerner Enterprises, LLC, Member of Dulles Highpoint LLC, whose name is signed to the foregoing proffer statement has acknowledged the same before me.

Subscribed and sworn before me this 13 day of February, 2018.

[Signature]
Notary Public

My Commission Expires: _____

Notary Registration Number: _____

ROXANNA WEDDLE
Notary Public-Maryland
Montgomery County
My Commission Expires
July 29, 2020



ZONING MAP AMENDMENT, ZONING ORDINANCE CONVERSION
 & SPECIAL EXCEPTION PLAT
 ZMAP 2016-0022
 ZRTD 2016-0013
 SPEX 2016-0064

DATE	REVISION
01/01/2017	COUNTY COMMENTS
01/25/2017	COUNTY COMMENTS
01/30/2017	COUNTY COMMENTS
02/01/2016	COUNTY COMMENTS

GENERAL NOTES:

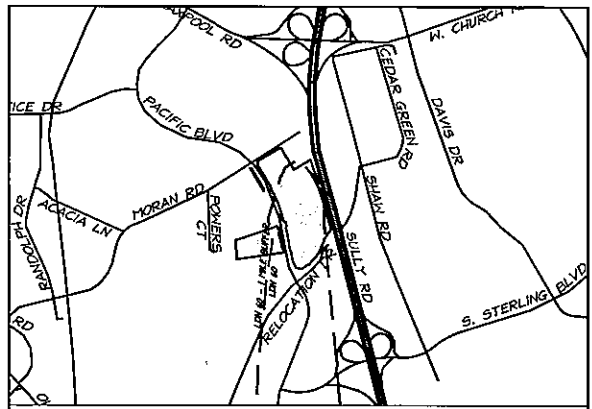
1. THE SUBJECT PROPERTY SHOWN HEREIN IS COMPRISED OF 1 PARCEL, DIVIDED BY PACIFIC BOULEVARD OF APPROXIMATELY 33.48 ACRES AND ONE PARCEL, WEST OF PACIFIC BOULEVARD OF APPROXIMATELY 7.45 ACRES AND RECORDED IN THE LAND RECORDS OF LOUDOUN COUNTY, VIRGINIA AS FOLLOWS:

TAX MAP	CODE	ACRAGE	OWNER	INSTRUMENT #	ADDRESS	EXISTING ZONING	PROPOSED ZONING
1441111111A	04064-01000	32.48	DULLES HIGHPOINT LLC	201504000960	-	PD-RDP	PD-P
1441111111B	04064-01000	7.45	DULLES HIGHPOINT LLC	201504000960	-	PD-P	PD-P

2. PARCEL 1A IS CURRENTLY ZONED PD-RDP (PLANNED DEVELOPMENT - RESEARCH AND DEVELOPMENT PARK) UNDER THE ORIGINAL 1993 LOUDOUN COUNTY ZONING ORDINANCE. PARCEL 1B IS ZONED PD-P (PLANNED DEVELOPMENT - INDUSTRIAL PARK) UNDER THE ORIGINAL 1993 LOUDOUN COUNTY ZONING ORDINANCE.
3. PARCEL 1A HAS SUBJECT TO A PREVIOUS ZONING MAP AMENDMENT WITH COUNTY FILE NUMBER ZMAP 199-000. ADDITIONAL APPLICATIONS AFFECTING THESE PROPERTIES INCLUDE SPEX 199-000, SPEX 200-006, SDFL 2000-004, ZMAP 2004-009, BLAD 2004-006.
4. THE SITE IS LOCATED NORTH OF RELOCATION DR (RT. 775), BOTH SIDES OF PACIFIC BLVD (RT. 1036) AND WEST OF SULLY RD (RT. 28).
5. THE SUBJECT PROPERTY IS CURRENTLY COMPRISED OF MATURE FOREST.
6. THE SUBJECT PROPERTY WILL BE REZONED TO:
 * PD-P (PLANNED DEVELOPMENT - INDUSTRIAL PARK) UNDER THE REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE SUBJECT TO THE REQUIREMENTS OF SECTION 4-500, AS AMENDED.
7. PORTIONS OF THE SITE LIE WITHIN THE LDN 60 1 MILE BUFFER AND LDN 50 OVERLAY DISTRICT AND MUST CONFORM TO THE REQUIREMENTS OF AN AIRPORT IMPACT OVERLAY DISTRICT.
8. THE SUBJECT PROPERTY LIES COMPLETELY WITHIN THE JURISDICTION OF LOUDOUN COUNTY AND IS CURRENTLY WITHIN THE BROAD RUN ELECTION DISTRICT. THE PROPERTY IS WITHIN THE RT 28 TAX DISTRICT AND THE METRO RAIL SERVICE DISTRICT.
9. THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE 100 YEAR REGULATORY FLOODPLAIN AS DEFINED BY THE FLOODPLAIN MAP OF LOUDOUN COUNTY.
10. THE BOUNDARY INFORMATION SHOWN IS BASED ON SURVEY PERFORMED BY THIS FIRM JUNE 2014. THE TOPOGRAPHIC INFORMATION IS BASED ON LOUDOUN COUNTY DIGITAL MAPS. THE CONTOUR INTERVAL IS FOUR (4) FEET.
11. A WETLAND DELINEATION WAS CONDUCTED BY WETLAND STUDIES AND SOLUTIONS, INC. DATED SEPTEMBER 14, 2014. THERE ARE JURISDICTIONAL WETLANDS ON THE SUBJECT PROPERTY.
12. AN ENDANGERED AND THREATENED SPECIES REVIEW WAS PROVIDED BY THE VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION'S DIVISION OF NATURAL HERITAGE (DOR), DATED JANUARY 21, 2014 AND SEPTEMBER 24, 2016. DOR'S REPORTS DOCUMENTS THE PRESENCE OF NATURAL HERITAGE RESOURCES IN THE PROJECT AREA. HOWEVER, DUE TO THE SCOPE OF THE ACTIVITY AND THE DISTANCE TO THE RESOURCES, DOR DOES NOT ANTICIPATE THAT THIS PROJECT WILL ADVERSELY IMPACT THESE NATURAL HERITAGE RESOURCES.
13. PHASE I ARCHAEOLOGICAL SURVEYS WERE COMPLETED IN AUGUST 2014 AND NOVEMBER 2016 BY THUNDERBOLT ARCHAEOLOGICAL ASSOCIATES, INC. AND FOUND ARCHAEOLOGICAL SITES ON THE SUBJECT PROPERTY. THE SURVEYS STATE THAT NO FURTHER STUDY IS RECOMMENDED.
14. THERE ARE NO KNOWN GRAVES, OBJECTS, OR STRUCTURES MARKING A PLACE OF BURIAL ON THE SUBJECT PROPERTY.
15. THERE ARE NO KNOWN HAZARDOUS AND TOXIC SUBSTANCES ON THE SUBJECT PROPERTY.
16. ALL ON SITE HELL AND SEPTIC FIELDS WILL BE ABANDONED IN ACCORDANCE WITH LOUDOUN COUNTY HEALTH DEPARTMENT REQUIREMENTS.
17. THE SUBJECT PROPERTY IS TO BE SERVED BY PUBLIC WATER AND SANITARY SEWER. ALL PROPOSED SANITARY SEWER AND WATER SERVICES WILL BE DESIGNED IN ACCORDANCE WITH APPLICABLE LOUDOUN WATER REQUIREMENTS.

HIGHPOINT EAST

BROAD RUN ELECTION DISTRICT LOUDOUN COUNTY, VIRGINIA



SHEET INDEX	
1.	COVER SHEET
2.	EXISTING CONDITIONS PLAN
3.	ZMAP CONCEPT DEVELOPMENT PLAN-PARCEL 1A
4.	ZRTD CONCEPT DEVELOPMENT PLAN-PARCEL 3
5.	SPECIAL EXCEPTION PLAT 2016-0064

OWNER/APPLICANT
 DULLES HIGHPOINT LLC
 C/O LERNER
 2000 TOWER OAKS BLVD, 8TH FLOOR
 ROCKVILLE, MD 20852

christopher consultants
 9800 main street (suite 402) • Fairfax, VA 22031
 phone 703.273.8800 • fax 703.273.8820

COVER SHEET

ZONING MAP AMENDMENT, ZONING ORDINANCE CONVERSION & SPECIAL EXCEPTION PLAT
 PROJECT NO: 16-00104-02
 SCALE: 1"=100'
 DATE: 04-15-2016
 DESIGN: HJR
 DRAWING: HJR
 CHECKED:
 SHEET NO.



DATE	REVISION
05/03/2017	COUNTY COMMENTS
08/23/2017	COUNTY COMMENTS
10/31/2017	COUNTY COMMENTS
02/01/2018	COUNTY COMMENTS

LEGEND

- - - EX. CONTOUR
- - - EX. BOUNDARY
- (A) LIMITS OF EXISTING VEGETATION AREA
- (B) NETLANDS
- (C) AREA OF HEALTHY, VIABLE FOREST
- (D) AREA OF UNHEALTHY FOREST
- (E) APPROXIMATE LOCATION OF 30" CALIPER TREES

NOTES:

1. FOREST AREAS HAVE BEEN IDENTIFIED THROUGH A SITE VISIT BY CHRISTOPHER CONSULTANTS' CERTIFIED ARBORISTS 2/04-07-24, 2/04-11-09, AND 2/07-08-09.
2. NETLANDS INFORMATION IS FROM NETLAND STUDIES (HSSB), DATED 2/04-09-04.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S44°42'02"E	46.70'
L2	S05°38'56"E	93.00'
L3	S00°29'35"E	24.32'
L4	S05°15'42"E	100.26'
L5	S01°02'01"E	73.90'
L6	S05°15'42"E	17.71'
L7	S01°05'44"W	26.46'
L8	S04°02'53"W	38.85'
L9	S03°45'34"E	45.64'
L10	S03°22'30"W	56.90'
L11	N05°09'01"W	20.02'
L12	N07°12'26"W	102.33'
L13	N02°03'56"W	53.80'
L14	N05°15'43"W	44.34'
L15	N05°15'43"E	28.98'
L16	N02°03'56"W	28.98'
L17	N05°15'43"W	12.77'
L18	N05°15'43"E	28.62'
L19	N02°03'56"W	12.77'
L20	S03°22'30"W	12.77'
L21	N05°15'43"W	28.62'
L22	N05°15'43"E	57.82'

CURVE TABLE

CURVE	ORDINATE	LENGTH	ANGLE	TANGENT	CHORD	LENGTH
C1	2242.07'	21.38'	175.45°	97.81'	50°57'20"E	74.30'
C2	612.36'	206.93'	172°02'34"	104.46'	53°36'40"W	205.95'
C3	832.36'	243.75'	24°12'26"	124.04'	235°52'30"W	241.81'
C4	548.50'	38.47'	3°49'51"	65.24'	N02°44'49"W	38.46'
C5	540.50'	152.35'	85°58'54"	76.60'	N07°04'45"W	151.64'
C6	244.50'	48.63'	172°3'45"	24.40'	N05°15'43"W	48.55'
C7	2547.50'	925.29'	142°03'52"	293.35'	N05°15'43"W	574.35'
C8	2353.50'	103.04'	2°30'30"	51.53'	N02°10'47"W	103.03'
C9	2354.50'	32.77'	0°47'46"	16.39'	N00°30'57"W	32.77'

EXISTING VEGETATION SUMMARY TABLE:

Forest Type	Area	Species Composition	Size Range Caliper/Height	Growth Rate	Stocking/ Basal area	Form & Quality	Regeneration	Age Range	General Health & Condition	
Virginia Pine/ Eastern Redcedar	A	Overstory	VA Pine, Eastern Red Cedar, Oak, Hickory, Ash	7" - 24"	-	-	-	-	-	
		Understory	Eastern Redcedar, Hickory, Oak, Redbud, Ash, Maple	1" - 6"	-	-	-	-	-	
		Shrub/Groundcover	Grasses, Poison Ivy, Common Teasel, Red Curney, Virginia Creeper, Queen Anne's Lace, Yellow Ironweed, Multiflora Rose	1" - 3"	Medium	7 trees / 10' x 10'	Average to good	Good along the forest edge.	Seedlings to very mature	Overall health is average to good. Some fallen trees throughout the forest. Poison Ivy on the trees (1" thick ivy stem).
		Invasive	Multiflora Rose, Autumn Olive, Barberry, Microstegium	1" - 3"	-	-	-	-	-	-
Bottomland Hardwood	B	Overstory	Red & White Oak, Mockernut Hickory, Red Maple, Ash, Elm, Black Cherry	4" - 34"	25-40"	-	-	-	-	
		Understory	Oak, Hickory, Eastern Red Cedar, Red Maple, Sycamore, Boxelder, Elm, Grasses, Leaf Litter, Hardwood Seedlings	1" - 10"	5-20"	-	-	-	-	
		Shrub/Groundcover	Invasive	Microstegium, Multiflora Rose, Autumn Olive, Greenbriar, Poison Ivy	1" - 1"	Medium	8 trees / 10' x 10'	Average to good	Good	Young to medium aged stand. Overall health and conditions are good. Contains some fallen cedars.

CONDITION RATING SUMMARY TABLE:

TREE #	BOTANICAL NAME	COMMON NAME	DIAMETER (INCHES)	TRUNK RATING	LOCATION RATING	COMMENTS
180	Quercus alba	WHITE OAK	31	6B.8	6B.8	CO-DOMINANT, SOME DEAD BRANCHES
181	Quercus alba	WHITE OAK	31	6B.8	6B.8	LOCATED CLOSE TO FENCING, SOME DEAD BRANCHES
182	Quercus alba	WHITE OAK	31	6B.8	6B.8	LOCATED CLOSE TO FENCING, SOME DEAD BRANCHES
183	Quercus alba	WHITE OAK	34	6B.8	6B.8	APPROXIMATE TOP THIN, SOME DEAD BRANCHES
184	Quercus alba	WHITE OAK	31.3	6B.3	6B.3	CO-DOMINANT, LOCATED IN FOREST EDGE

christopher consultants
9590 main street (suite 400) - Fairfax, VA 22031
phone 703.273.6820 - fax 703.273.6820



EXISTING CONDITIONS PLAN

ZONING MAP AMENDMENT, ZONING ORDINANCE CONVERSION & SPECIAL EXCEPTION PLAN
ZMAP 2016-0023
ZREZ 2016-0013
ZREX 2016-0064
HIGHPOINT EAST
LOUDOUN COUNTY, VIRGINIA

PROJECT NO: 09-09-004-00
SCALE: 1"=100'

DATE: 04-15-2016
DESIGN: JWR
DRAWN: JWR
CHECKED:
SHEET NO:

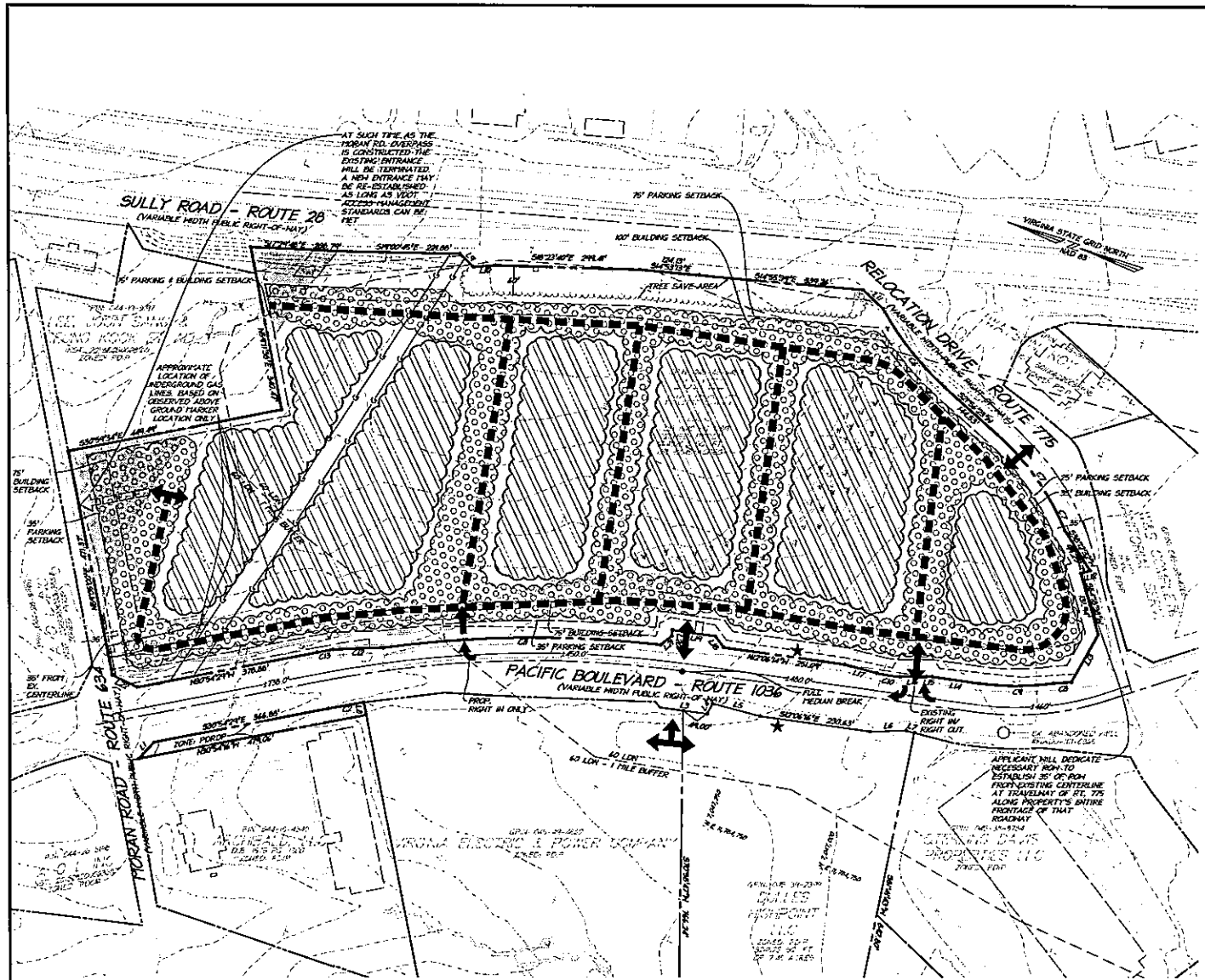
DATE	REVISION
04/24/2017	COUNTY COMMENTS
04/28/2017	COUNTY COMMENTS
10/24/2017	COUNTY COMMENTS
04/24/2018	COUNTY COMMENTS



ZMAP
CONCEPT DEVELOPMENT
PLAN-PARCEL 1A

ZONING MAP AMENDMENT, ZONING ORDINANCE
CONVERSION & SPECIAL EXCEPTION PLAN
ZMAP 2016-0062
ZRD 2016-0013
SPX 2016-0084
HIGHTPOINT EAST
LOUDOUN COUNTY, VIRGINIA

PROJECT NO: 16-0426
SCALE: AS SHOWN
DATE: 04-15-2016
DESIGN: NRC
DRAWN: NRC
CHECKED:
SHEET NO:



LEGEND

- EX. CONTOUR
- - - EX. BOUNDARY OF SUBJECT PROPERTY, LIMITS OF ZMAP
- - - EX. ADJ. PARCEL
- - - EX. EDGE OF PAVEMENT
- EX. STRUCTURES
- ↔ PROPOSED SITE ENTRANCES
- ↔ INITIAL SITE ENTRANCE
- RIGHT OF WAY RESERVATION FOR FORM RD. RT. 28 OVERPASS SEE PROTER P.A.
- PROPOSED PARKING AREAS
- PROPOSED BUILDING AREAS
- TREE SAVE AREA
- ON SITE CIRCULATION
- REGULATORY NETLANDS
- ★ APPROXIMATE LOCATION OF BUS SHELTER SUBJECT TO PROTER I.V.D. FINAL LOCATION SUBJECT TO DTD APPROVAL
- ↔ EXISTING ACCESS

NOTE:
1. FINAL BUILDING AND PARKING AREAS SUBJECT TO CHANGE BASED ON FINAL ENGINEERING CONSIDERATIONS.

FOR INFORMATIONAL PURPOSES ONLY

REVISED 1993 ZONING ORDINANCE REQUIREMENTS FOR PD-IP - PLANNED DEVELOPMENT - INDUSTRIAL PARK 4-500 AS OF 9/20/2016. BY PROTER SITE SUBJECT TO ALL SUBSEQUENT CHANGES MADE TO REVISED 1993 ZONING ORDINANCE.

LOT REQUIREMENTS:
MIN. FRONT OF 1 ACRE.

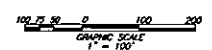
- YARDS:**
- ADJACENT TO ROUTE 28 (SULLY ROAD) - 100' BUILDING AND 75' PARKING SETBACK
 - ADJACENT TO MAJOR COLLECTOR ROADS - 75' BUILDING AND 50' PARKING SETBACK
 - ADJACENT TO ALL OTHER ROADS IN NONRESIDENTIAL DISTRICTS - 35' BUILDING AND 25' PARKING SETBACK
 - ADJACENT TO OTHER NONRESIDENTIAL DISTRICT - 15' BUILDING AND PARKING SETBACK EXCEPT WHERE GREATER AREA REQUIRED BY SEC 5-100.
- YARDS BETWEEN BUILDINGS -**
- A. WHERE INDIVIDUAL LOTS OR BUILDING SITES ARE PROVIDED, THE MINIMUM REQUIRED YARDS BETWEEN BUILDINGS ON ADJACENT LOTS OR BUILDING SITES SHALL BE THIRTY (30) FEET. DRIVEWAYS, PARKING, AND COVERED ENTRANCES MAY BE WITHIN SUCH YARDS. COVERED HALFWAYS CONNECTING BUILDINGS OR CONNECTING BUILDINGS WITH PARKING AREAS, SHALL BE PERMITTED IN SUCH YARDS.
 - B. WHERE THERE IS MORE THAN ONE BUILDING ON AN INDIVIDUAL LOT OR BUILDING SITE, SPACING BETWEEN SUCH BUILDINGS SHALL BE AS REQUIRED FOR FIRE PROTECTION, BUT IF SPACE IS LEFT BETWEEN BUILDINGS, IT SHALL BE AT LEAST 25 FEET IN MINIMUM DIMENSION. COVERED HALFWAYS CONNECTING BUILDINGS OR CONNECTING BUILDINGS WITH PARKING AREAS ARE PERMITTED IN SUCH YARDS AND MAY TRAVERSE SUCH SPACE.

THE DEVELOPMENT OF THE PROPERTY SHALL BE IN CONFORMANCE TO SECTION 4-500 PLANNED DEVELOPMENT-INDUSTRIAL PARK (PD-IP) OF THE REVISED 1993 ZONING ORDINANCE.

BUILDING REQUIREMENTS:
LOT COVERAGE, MAXIMUM OF 0.45, UP TO .60 MAXIMUM BY SPECIAL EXCEPTION.

BUILDING HEIGHT: 40' MAXIMUM PROVIDED THAT A BUILDING MAY BE EXCEEDED TO A MAXIMUM HEIGHT OF 100' IF IT IS SET BACK FROM STREETS OR FROM LOT LINES THAT DO NOT CONSTITUTE BOUNDARIES OF DISTRICTS WITH LOWER MAXIMUM HEIGHT RESTRICTIONS. IN ADDITION TO EACH OF THE REQUIRED MINIMUM YARD DIMENSIONS A DISTANCE OF NOT LESS THAN 10 FEET FOR EACH 10 FEET OF HEIGHT THAT IT EXCEEDS THE 40' LIMIT FLOOR AREA RATIO, MAXIMUM OF 0.65, UP TO 1.0 BY SPECIAL EXCEPTION.

1. SEE PAGE 5 SPEC 204-004 FOR INCREASE OF MAXIMUM LOT COVERAGE TO 0.60



AT SUCH TIME AS THE POKAN RD. OVERPASS IS CONSTRUCTED THE EXISTING ENTRANCE WILL BE TERMINATED. A NEW ENTRANCE MAY BE RE-ESTABLISHED AS LONG AS VISUAL ACCESS MANAGEMENT STANDARDS CAN BE MET.

SULLY ROAD - ROUTE 28
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)

RELOCATION DRIVE - ROUTE 178
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)

PACIFIC BOULEVARD - ROUTE 1036
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)

POKAN ROAD - ROUTE 634
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)

40' LOW
40' LOW - 1' FILE BUFFER

APPLICANT WILL DEDICATE NECESSARY RIGHT-OF-WAY FROM EXISTING CENTERLINE AT TRAVELWAY OF RT. 178 ALONG PROPERTY'S ENTIRE FRONTAGE OF THAT ROADWAY.

VIRGINIA ELECTRIC & POWER COMPANY

EX. ABANDONED PIPE

DATE	REVISION
05/18/2017	COUNTY COMMENTS
04/25/2017	COUNTY COMMENTS
04/14/2017	COUNTY COMMENTS
03/24/2016	COUNTY COMMENTS

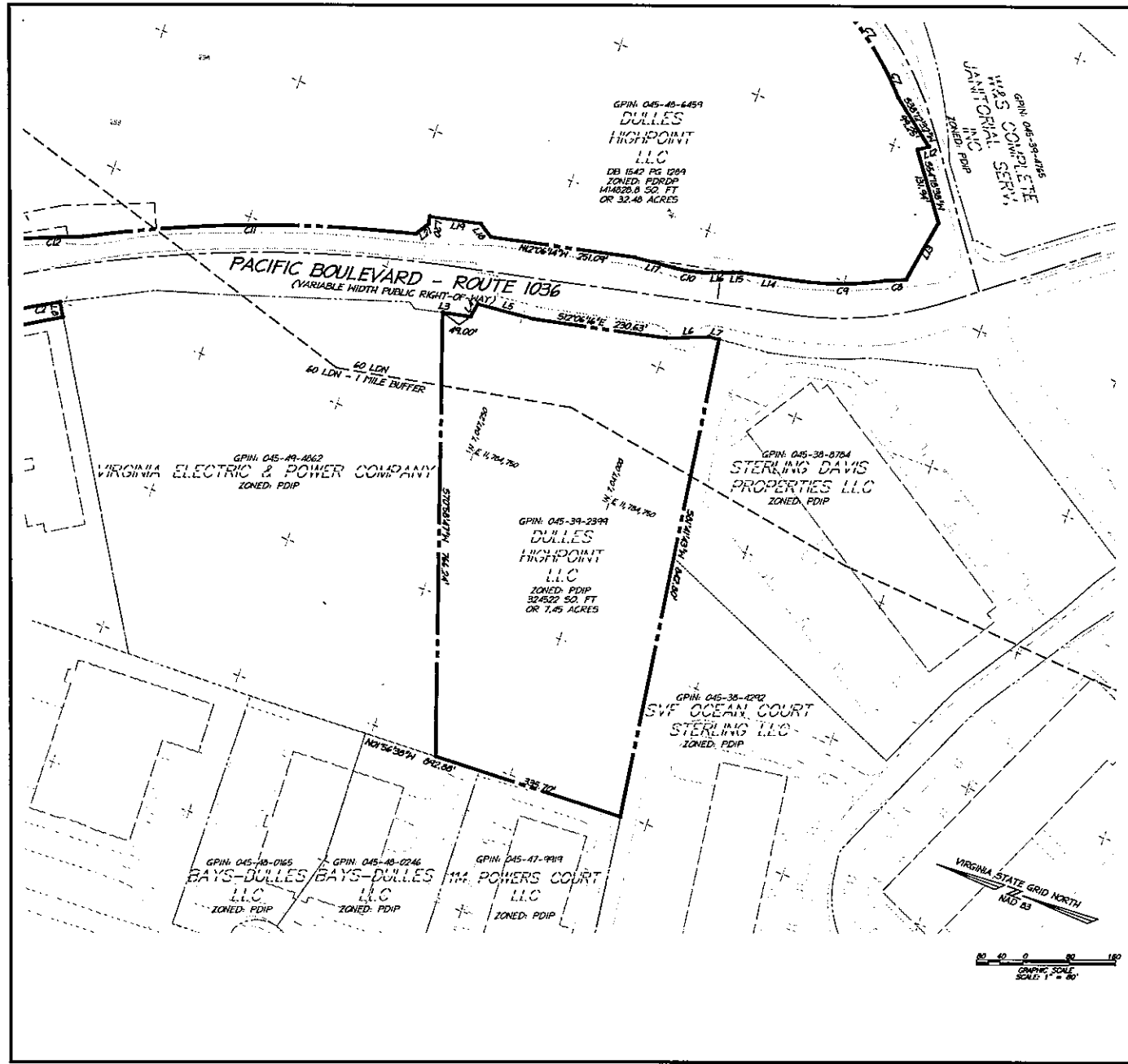


christopher consultants
 9800 main street (suite 400) • Fairfax, Va 22031
 phone: 703.273.8820 • fax: 703.273.9920

ZRTD
 CONCEPT DEVELOPMENT
 PLAN-PARCEL 3

ZONING MAP AMENDMENT, ZONING ORDINANCE
 CONVERSION & SPECIAL EXCEPTION PLAN
 ZMAP 2016-0082
 ZRTD 2016-0013
 SPEX 2016-0064
HIGHPOINT EAST
 LOUDOUN COUNTY, VIRGINIA

PROJECT NO. 160404040
 SCALE: AS SHOWN
 DATE: 01-5-2016
 DESIGN: N/R
 DRAWING: N/R
 CHECKED:
 SHEET No.



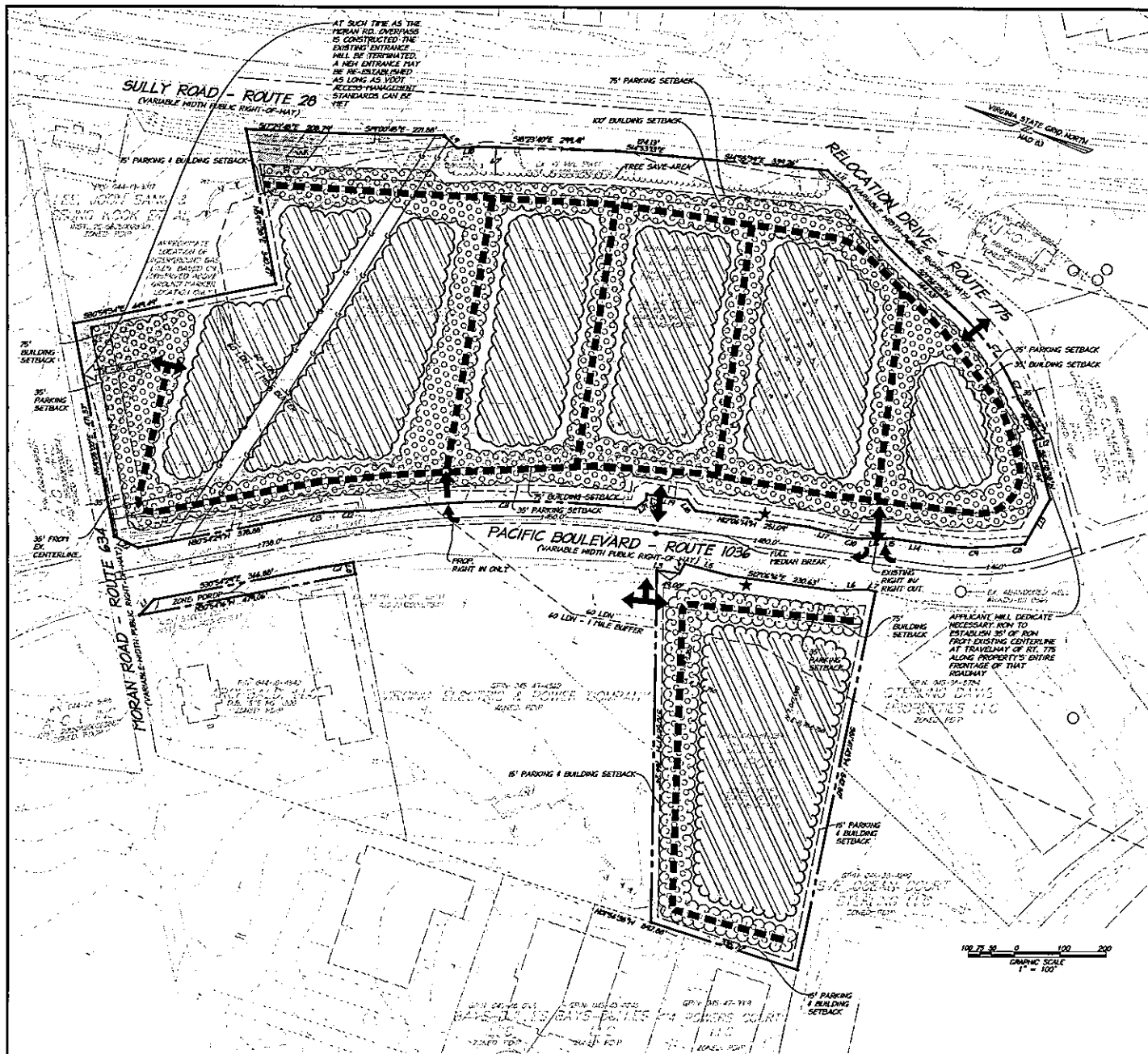
LEGEND

- - - EX. CONTOUR
- EX. BOUNDARY OF SUBJECT PROPERTY, LINES OF ZMAP
- EX. ADJ. PARCEL
- EX. EDGE OF PAVEMENT
- EX. STRUCTURES

NOTE:
 1. FINAL BUILDING AND PARKING AREAS SUBJECT TO CHANGE BASED ON FINAL ENGINEERING CONSIDERATIONS.

LINE TABLE

LINE	BEARING	DISTANCE
L3	S29°24'15"E	46.00'
L4	S29°24'15"E	24.30'
L5	S29°24'15"E	22.20'
L6	S29°24'15"E	23.40'
L7	S29°24'15"E	17.71'



LEGEND

- EX. CONTOUR
- EX. BOUNDARY OF SUBJECT PROPERTY, LIMITS OF ZMAP
- EX. ADJ. PARCELS
- EX. EDGE OF PAVEMENT
- EX. STRUCTURES
- PROPOSED SITE ENTRANCES
- PARTIAL SITE ENTRANCES
- RIGHT OF WAY RESERVATION FOR TERRAIN RELIEF OVERPASS SEE PROFFER P/LA
- PROPOSED PARKING AREAS
- PROPOSED BUILDING AREAS
- TREE SAVE AREA
- ON SITE CIRCULATION
- REGULATORY METLANDS
- APPROPRIATE LOCATION OF BUS SHELTER SUBJECT TO PROFFER P/LA. FINAL LOCATION SUBJECT TO DTIC APPROVAL
- EXISTING ACCESS

OWNER/APPLICANT
DULLES HIGHPOINT LLC C/O
LERNER
2000 TOWER OAKS BLVD, 8TH FLOOR
ROCKVILLE, MD 20852

NOTE: SEE SHEET 5
INCREASE LOT COVERAGE IN PD-IP FROM 0.45 TO 0.60

FOR INFORMATIONAL PURPOSES ONLY
REVISED 1983 ZONING ORDINANCE REQUIREMENTS FOR PD-IP - PLANNED DEVELOPMENT - INDUSTRIAL PARK AS OF 10/20/2016. PROFFER SITE SUBJECT TO ALL SUBSEQUENT CHANGES MADE TO REVISED 1983 ZONING ORDINANCE.

LOT REQUIREMENTS:
SIZE: MINIMUM OF 1 ACRE

ZONES:
ADJACENT TO ROUTE 28 (SULLY ROAD) - 100' BUILDING AND 75' PARKING SETBACK
ADJACENT TO TRUNK COLLECTOR ROADS - 75' BUILDING AND 35' PARKING SETBACK
ADJACENT TO ALL OTHER ROADS IN NONRESIDENTIAL DISTRICTS - 35' BUILDING AND 25' PARKING SETBACK
ADJACENT TO OTHER NONRESIDENTIAL DISTRICT - 15' BUILDING AND PARKING SETBACK EXCEPT WHERE GREATER AREA REQUIRED BY SEC 5-1602.

YARDS BETWEEN BUILDINGS -
1. WHERE INDIVIDUAL LOTS OR BUILDING SITES ARE PROVIDED, THE MINIMUM REQUIRED YARDS BETWEEN BUILDINGS ON ADJACENT LOTS OR BUILDING SITES SHALL BE THIRTY (30) FEET. ORIENTATIONS, FINISHING, AND COVERED ENTRANCES THAT BE WITHIN SUCH YARDS, COVERED WALKWAYS CONNECTING BUILDINGS, OR CONNECTING BUILDINGS WITH PARKING AREAS, SHALL BE PERMITTED IN SUCH YARDS.
2. WHERE THERE IS MORE THAN ONE BUILDING ON AN INDIVIDUAL LOT OR BUILDING SITE, SPACING BETWEEN SUCH BUILDINGS SHALL BE AS REQUIRED FOR FIRE PROTECTION, BUT IF SPACE IS LEFT BETWEEN BUILDINGS, IT SHALL BE AT LEAST 25 FEET IN MINIMUM DIMENSION, COVERED WALKWAYS CONNECTING BUILDINGS, OR CONNECTING BUILDINGS WITH PARKING AREAS ARE PERMITTED IN SUCH YARDS AND MAY TRAVERSE SUCH SPACE.

THE DEVELOPMENT OF THE PROPERTY SHALL BE IN CONFORMANCE TO SECTION 4-240 PLANNED DEVELOPMENT-INDUSTRIAL PARK (PD-IP) OF THE REVISED 1983 ZONING ORDINANCE.

BUILDING REQUIREMENTS:
LOT COVERAGE: MINIMUM OF 0.45, UP TO 60 PERCENT BY SPECIAL EXCEPTION.

BUILDING HEIGHT: 60' MAXIMUM PROVIDED THAT A BUILDING MAY BE EXCEEDED TO A MAXIMUM HEIGHT OF 80' IF IT IS SET BACK FROM STREETS OR FROM LOT LINES THAT DO NOT CONSTITUTE SUBSTANTIATION OF DISTRICTS WITH LOWER HEIGHT RESTRICTIONS. IN ADDITION TO EACH OF THE REQUIRED MINIMUM YARD DIMENSIONS A DISTANCE OF NOT LESS THAN 1' FOR EACH 1' OF HEIGHT THAT IT EXCEEDS THE 60' LIMIT.

CLOSE AREA RATIO: MAXIMUM OF 0.60, UP TO 1.0 BY SPECIAL EXCEPTION.

USE THIS SHEET FOR SPEX TO INCREASE LOT COVERAGE TO 0.60

NOTES:
1. METLANDS DELINEATION CONDUCTED BY METLAND STUDIES SOLUTIONS, INC AND VERIFIED BY THE CORPS WITH JURISDICTIONAL DETERMINATION PROJECT NUMBER MAD-2015-1065, DATED SEPTEMBER 14, 2014
2. PARKING ALSO INCLUDES LOADING SPACES
3. FINAL BUILDING AND PARKING AREAS SUBJECT TO CHANGE BASED ON FINAL ENGINEERING CONSIDERATIONS

DATE	REVISION
06/01/2016	COUNTY COMMENTS
06/02/2016	COUNTY COMMENTS
06/03/2016	COUNTY COMMENTS
06/06/2016	COUNTY COMMENTS

christopher consultants
9900 main street (suite 400) • fallsville, va 22631
phone 703.273.6820 • fax 703.273.6820

SPECIAL EXCEPTION
PLAT

ZONING MAP AMENDMENT, ZONING ORDINANCE CONVERSION & SPECIAL EXCEPTION PLAT
ZMAP 2015-0022
ZTRD 2016-0013
SPEX 2015-0064
HIGHPOINT EAST
LOUDOUN COUNTY, VIRGINIA

PROJECT NO: 14040202
SCALE: AS SHOWN
DATE: 04-15-2016
DESIGN: HWR
DRAWN: HWR
CHECKED:
SHEET NO: 5 of 5
DWG-107131



OFFICE OF THE COUNTY ADMINISTRATOR

18 NORTH KING STREET, P.O. BOX 7000, LEESBURG, VIRGINIA 22075-2891
(703) 777-0200, METRO (703) 478-8439

At a meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Administration Building, Board of Supervisors' Meeting Room, 18 North King Street, Leesburg, Virginia, on Wednesday, November 16, 1994 at 9:00 a.m.

PRESENT: George L. Barton, IV, Chairman
Richard L. Roberts, Vice Chairman
Charles D. Grant
Joan G. Rokus
Charles E. Scaggs
Ready L. Snodgrass
George E. Washington
Steven D. Whitener
H. Roger Zurn, Jr.



IN RE: LAND USE COMMITTEE REPORT/CLARIFICATION OF FEE POLICIES
WITH RESPECT TO WITHDRAWN OR AMENDED LAND
DEVELOPMENT APPLICATIONS

Mr. Roberts moved to approve the recommendation of the Land Use Committee to authorize the Director of Planning to use the fee apportionment schedule related to the inactive application provisions to determine the appropriate refund or additional fee in cases where a legislative application is withdrawn or amended.

Seconded by Ms. Snodgrass.

Voting on the Motion: Supervisors Barton, Grant, Roberts, Rokus, Scaggs, Snodgrass, Washington, Whitener and Zurn - Yes; None - No.

A COPY TESTE:

John Wells for Kirby Bowers
COUNTY ADMINISTRATOR FOR THE
LOUDOUN COUNTY BOARD OF SUPERVISORS
PLM:RENOV16I.94

COUNTY OF LOUDOUN



Office of the County Administrator

11000 Lee Street, P.O. Box 1000, Loudoun, Virginia 22070

At a meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Administration Building, Board of Supervisors Meeting Room, 18 North King Street, Loudoun, Virginia, on Wednesday, November 18, 1994 at 9:00 a.m.

RECEIVED
APR 29 2003
DEPARTMENT OF PLANNING

PRESENT: George J. Barton, IV, Chairman
Richard L. Roberts, Vice Chairman
Charles D. Grant
Tom G. Kuhn
Charles E. Scoggins
Randy L. Snodgrass
George F. Washington
Steven D. Whitener
H. Roger Zur, Jr.

IN RE: LAND USE COMMITTEE REPORT OF REVISION OF ZONING ORDINANCES WITH RESPECT TO WITHDRAWN OR AMENDED DEVELOPMENT APPLICATIONS

Mr. Roberts moved to approve the recommendation of the Land Use Committee to authorize the Director of Planning to use the fee appointment schedule related to the inactive application process to determine the appropriate refund or additional fee in cases where a legislative application is withdrawn or amended.

Seconded by Mr. Snodgrass.

Being on the Motion, Supervisor Barton, Grant, Roberts, Scoggins, Snodgrass, Washington, Whitener and Zur - Yes; None - No.

A COPY TESTE:

[Handwritten Signature]

COUNTY ADMINISTRATOR FOR THE
LOUDOUN COUNTY BOARD OF SUPERVISORS
PLANNING 18194

#12

COUNTY OF LOUDOUN

MEMORANDUM

DATE: July 22, 1993

TO: Kirby Bowers, County Administrator

FROM: Bill Detweiler, Department of Building and Development
Wanda Suder, Department of Planning

**SUBJECT: LAND USE COMMITTEE: PLANNING COMMISSION
RECOMMENDATION--INACTIVE APPLICATION FEES**

BACKGROUND: At the July 1992 meeting of the Board of Supervisors Land Use Committee, staff was asked to develop a fee schedule for reactivated applications. Staff researched the existing process and fee schedule and created charts representing the steps necessary and fees associated with each step to complete an application. The fee schedule was discussed at the September 1992 Land Use Committee meeting and subsequently forwarded to the Planning Commission for consideration.

The Planning Commission considered the Policy on Inactive Applications at the November 4, 1992, public hearing and referred the item to the Commission's Administration Committee. On February 12, 1993, the Planning Commission mailed out a letter developed by the Administration Committee soliciting input on the proposed policy from owners, applicants and representatives identified in County records as having inactive applications.

The Administration Committee held several meetings during the months of April, May and June to discuss the policy on inactive applications. The policy language was forwarded by the Planning Commission to the Board of Supervisors for inclusion in the 1993 Zoning Ordinance.

The reactivation fee issue remained to be discussed and the Planning Commission Administration Committee directed staff to develop information regarding the reactivation fee to present to the full Planning Commission.

DISCUSSION: Staff proposed a reactivation fee based on 100% of the application base fee. The basis for the proposal was primarily to recoup the costs associated with re-evaluating reactivated applications in accord with updated ordinances, regulations, standards and

surrounding activity. All reactivated applications would have to be reviewed for conformance with the following documents:

- General Plan
- Area Plans
- Zoning Ordinance
- Facilities Standards Manual
- Land Subdivision and Development Ordinance
- Applicable State and Federal regulations (Building Code, FEMA, Wetlands, American Disabilities Act, Airport Noise, etc.)

Additionally, during the time an application remains dormant, projects on adjacent properties may have been approved and developed. The Board of Supervisors, Planning Commission and staff must consider such development when re-evaluating and acting upon the reactivated application.

Staff noted that reactivated applications have customarily been handled in the same manner as a new application. The review process is equally as thorough and comprehensive in determining conformance with plans, ordinances, regulations, standards and policies adopted by the Board of Supervisors.

When the Board of Supervisors adopted the fee schedule in April 1990, their goal was to have the application fee cover 100% of the expenses associated with reviewing an application. The applicant is the only party which may place an application on hold. When an application is placed on hold, some part of the review process which was covered by the original application fee has been completed. Once an application is reactivated it undergoes the same level of evaluation as the first time around. In accord with Board of Supervisors policy, staff suggested it may be appropriate for the applicant to pay for that portion of the review of an application which had been completed before the application was placed on hold. Further, staff suggested that the portion of the process which had not been done still be covered under the original fee. Staff noted that if such a fee is not adopted, the costs associated with application review will be subsidized by local tax funding.

Staff noted that the imposition of fees is strictly a policy issue and one on which the Planning Commission may advise the Board of Supervisors.

FEE PHASING: Staff proposed that the reactivation fee be broken into phases based on the process and the intensity of time invested by the County in each step of the review. A percentage was assigned to each phase based on the time spent as documented by data collected from the records of project managers. All applications undergo a similar process.

**Land Use Committee: Planning Commission
Recommendation--Inactive Application Fees**

Page 3

July 22, 1993

However, each type of application dictates a specific and varied review program in accord with state and local requirements. As an example, a rezoning application has a statutory timeline of 365 days and requires a regional analysis of infrastructure, transportation and other public facility improvements and detailed proffer negotiations. On the other hand, a special exception application which has a state mandated 90 day timeline, is site specific and has issues which impact development on a local or neighborhood scale.

FISCAL IMPACT: Should the Board of Supervisors choose not to approve a fee for inactive applications, the cost of reviewing reactivated applications will come from the general fund.

RECOMMENDATION: On June 30, 1993, the Planning Commission forwarded a recommendation to the Board of Supervisors that the reactivation fee be based on 100% of the base application fee in effect at the time the application is reactivated (6-0-3, Kesari, Myers and Whitmore absent). Further, the Planning Commission recommends that the fee be phased as illustrated on *Attachment 1*.

Staff recommends that the Land Use Committee forward a recommendation to the Board of Supervisors that an intent to adopt a new fee for inactive applications be approved.

DRAFT MOTION: I move that the Land Use Committee forward a recommendation to the Board of Supervisors that an intent to adopt an inactive applications fee be approved.

Staff Contacts:

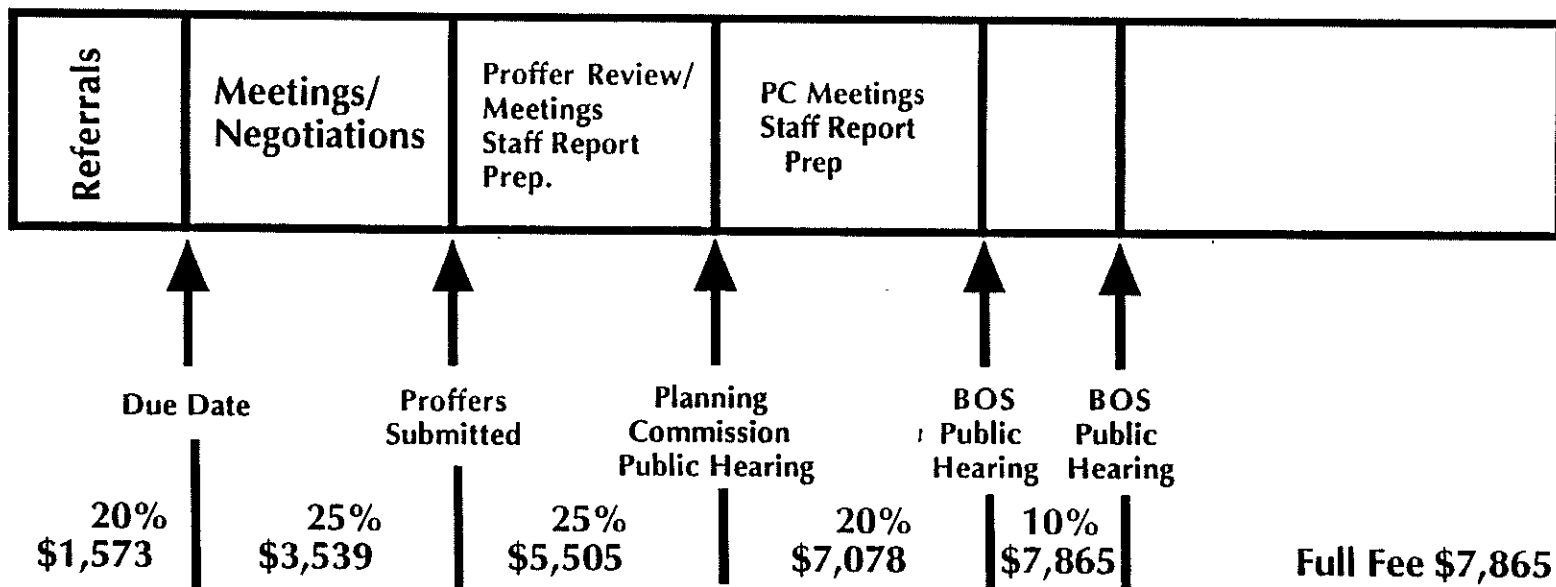
Wanda Suder, Department of Planning

Bill Detweiler, Department of Building & Development

PS23(Inactap1.fee)

Attachment 1: Fee Charts

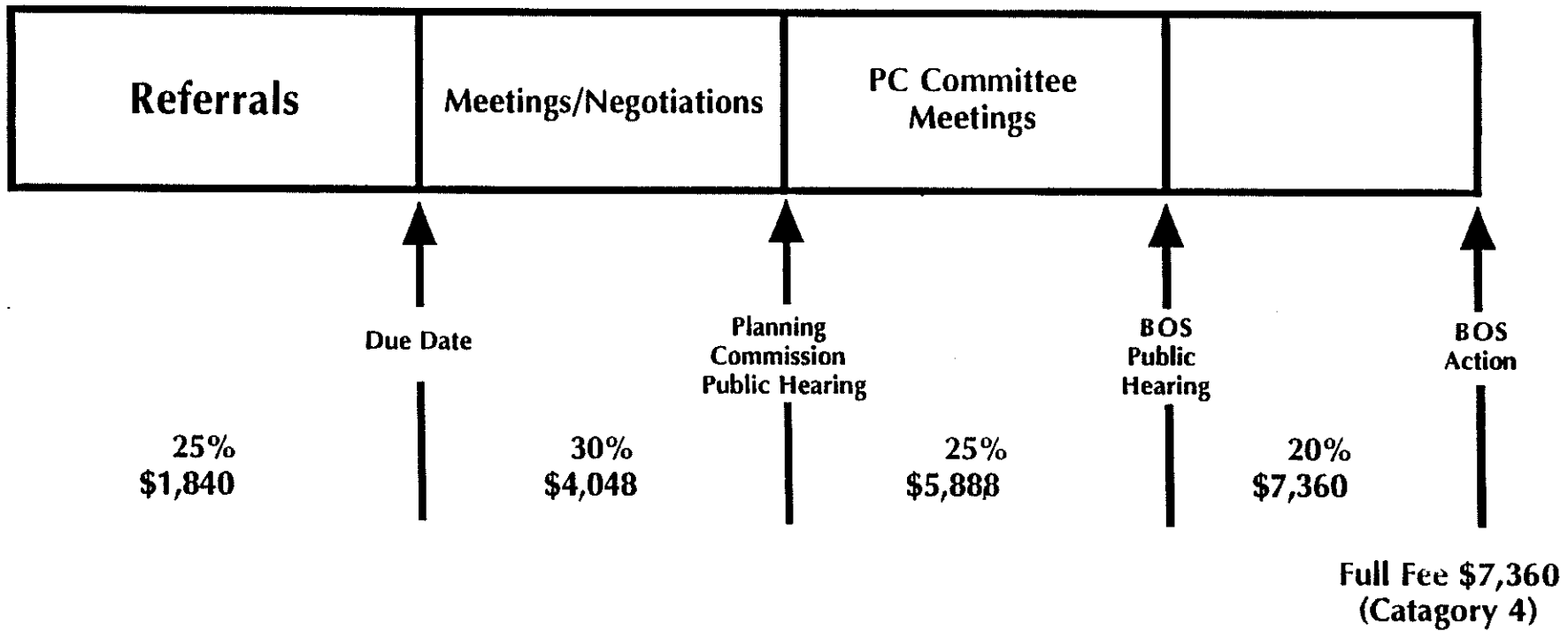
Average Timeline Proffer/Concept Plan Amendments (ZCPA) Zoning Ordinance Modification (ZMOD)



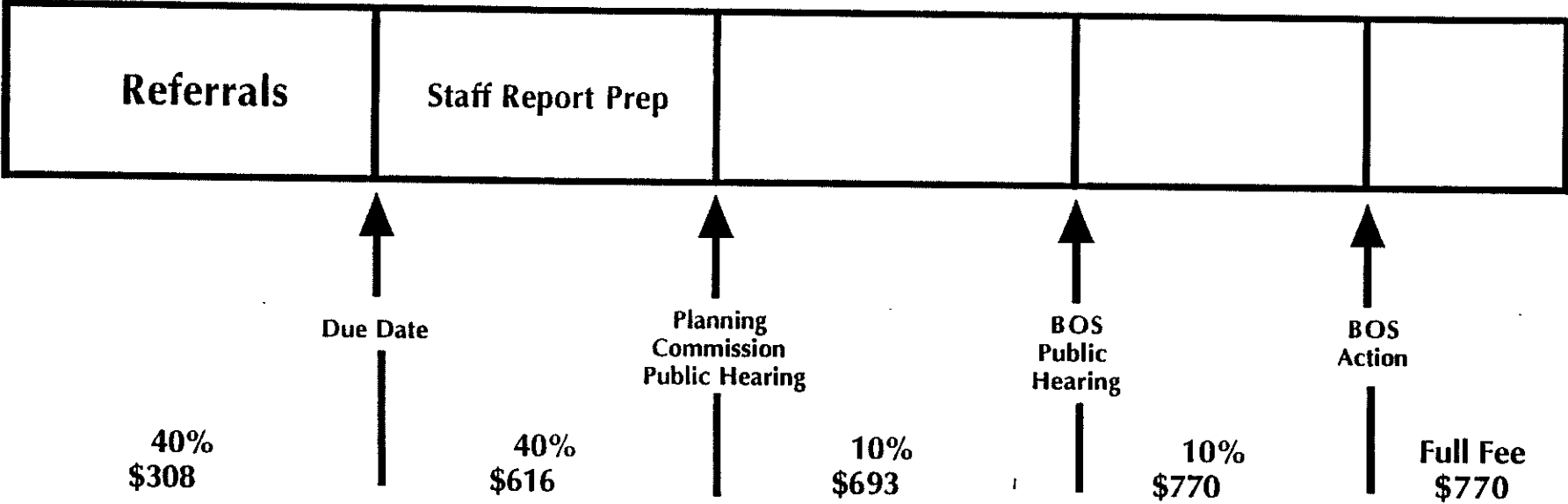
Attachment 1

Land Use Committee: Planning Commission
Recommendation--Inactive Application Fee
July 22, 1993

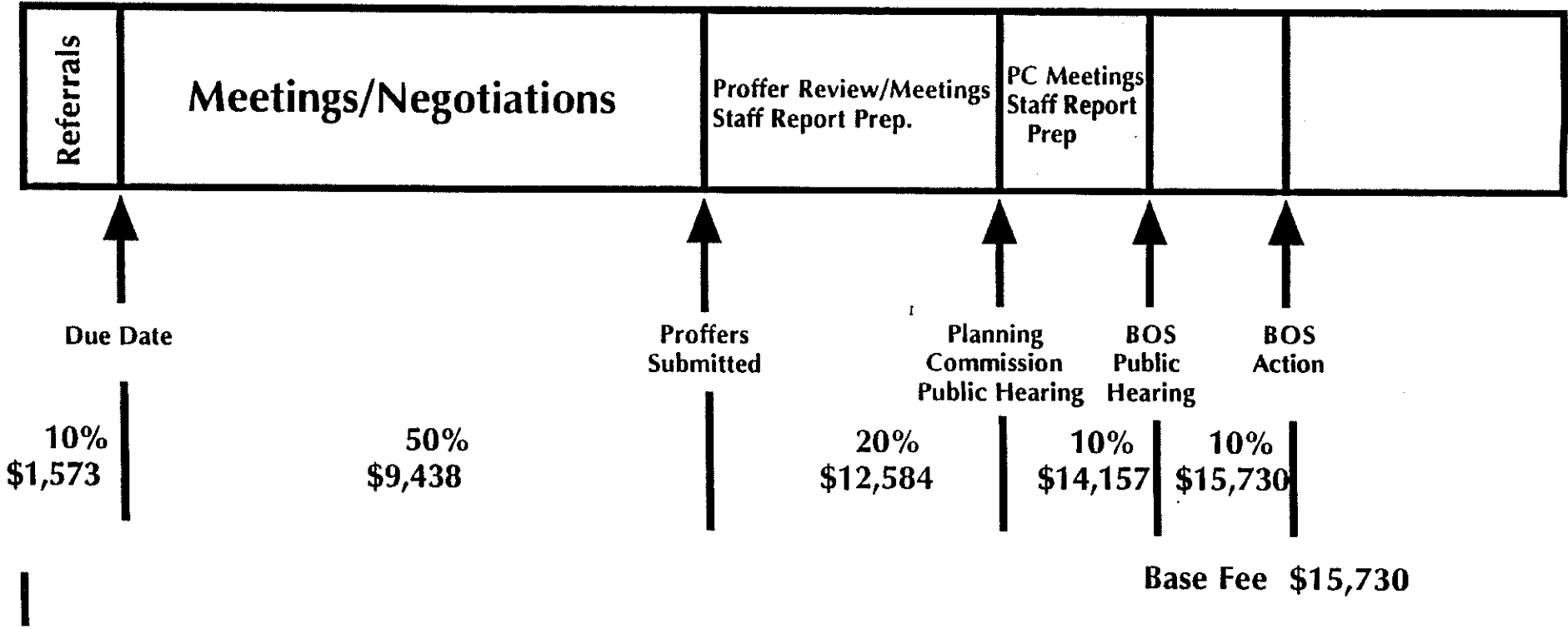
Average Timeline Special Exceptions



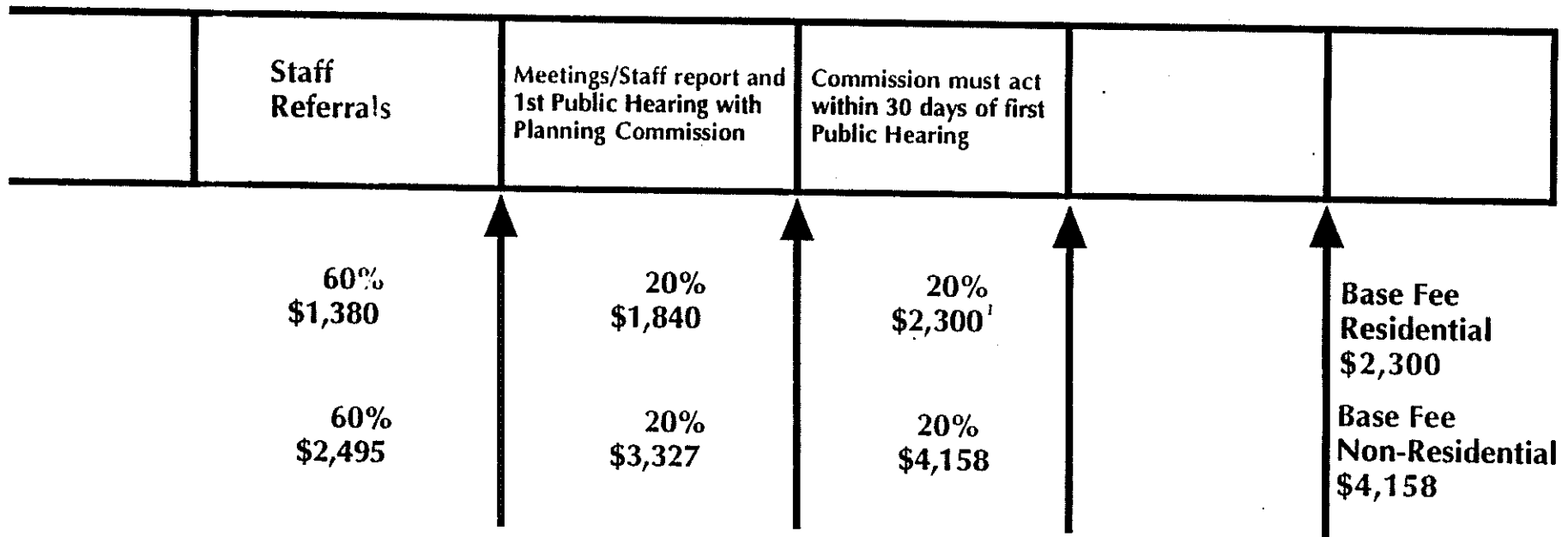
Average Timeline Commission Permits



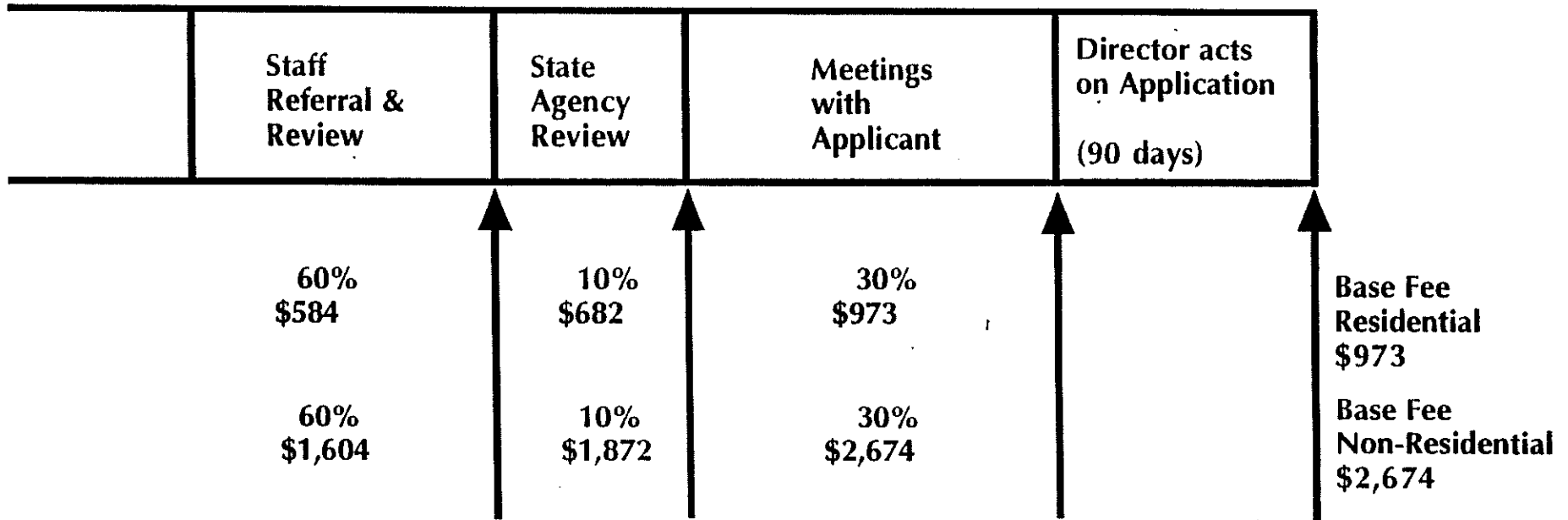
Average Timeline Rezoning



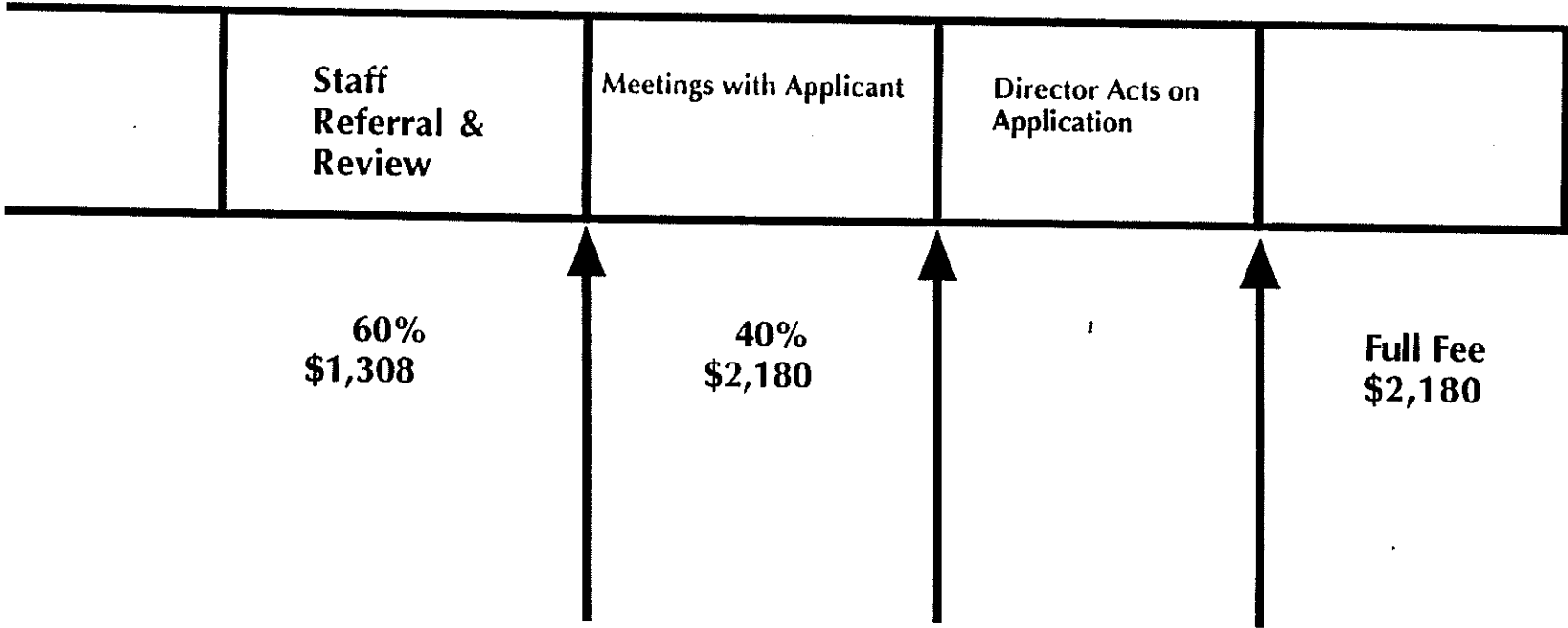
Average Timeline Preliminary Subdivision



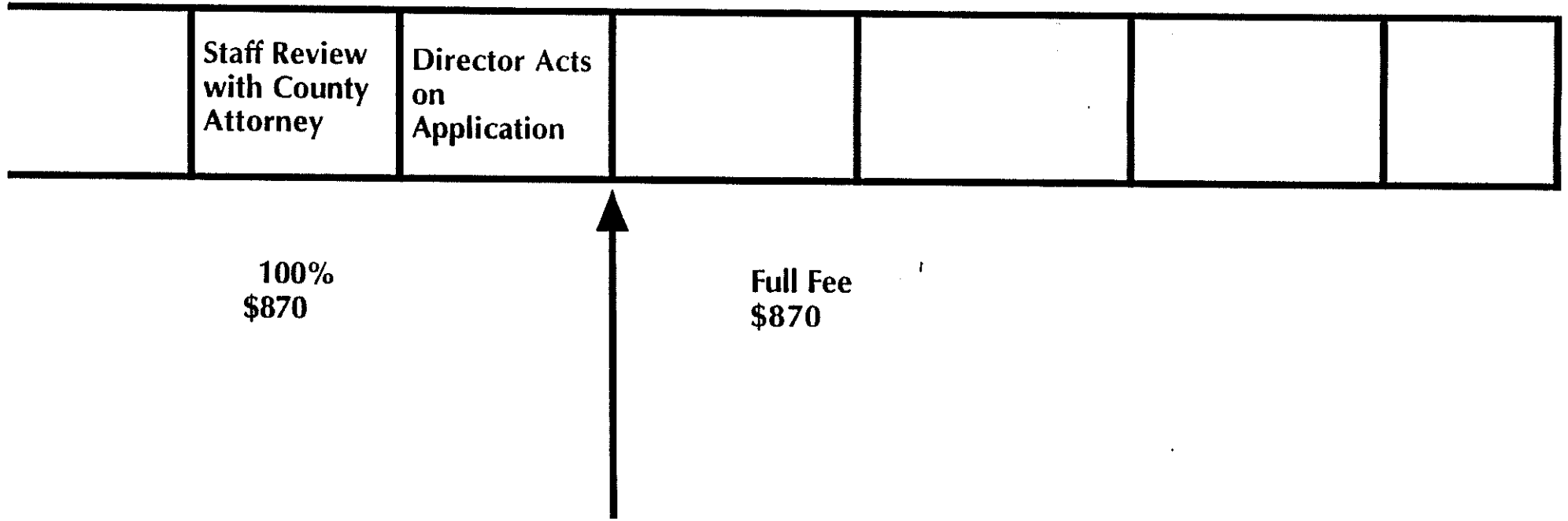
Average Timeline Preliminary Site Plan



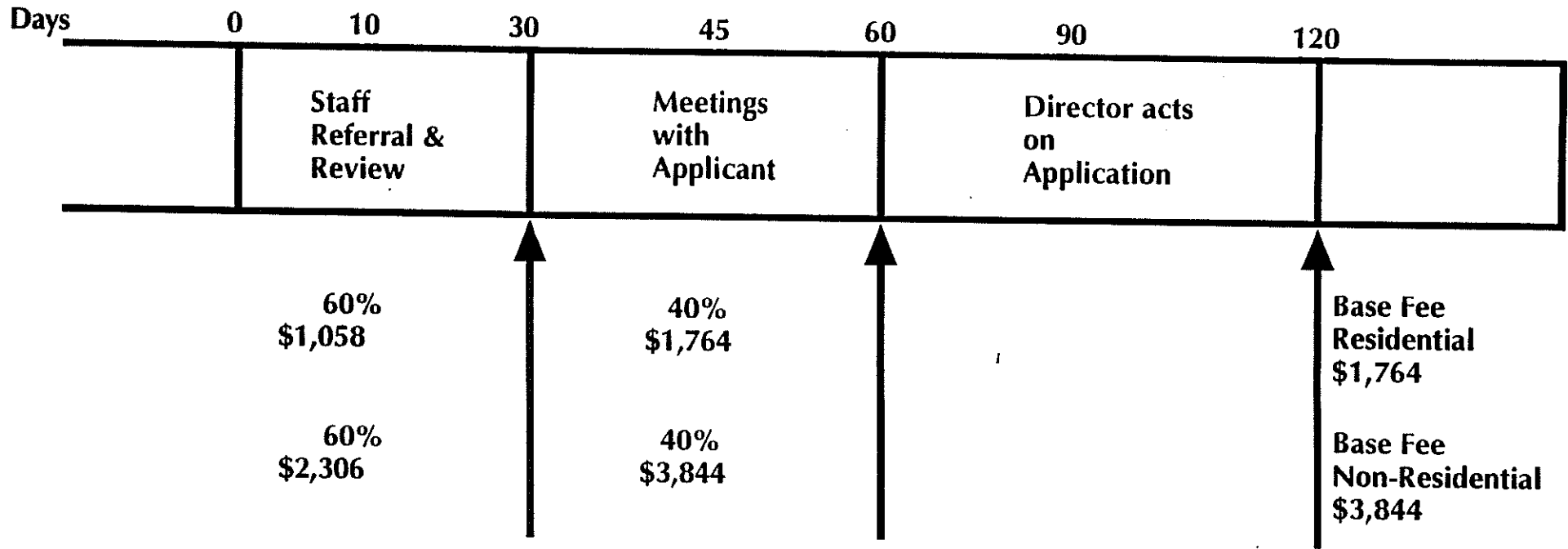
Average Timeline Waiver Subdivision



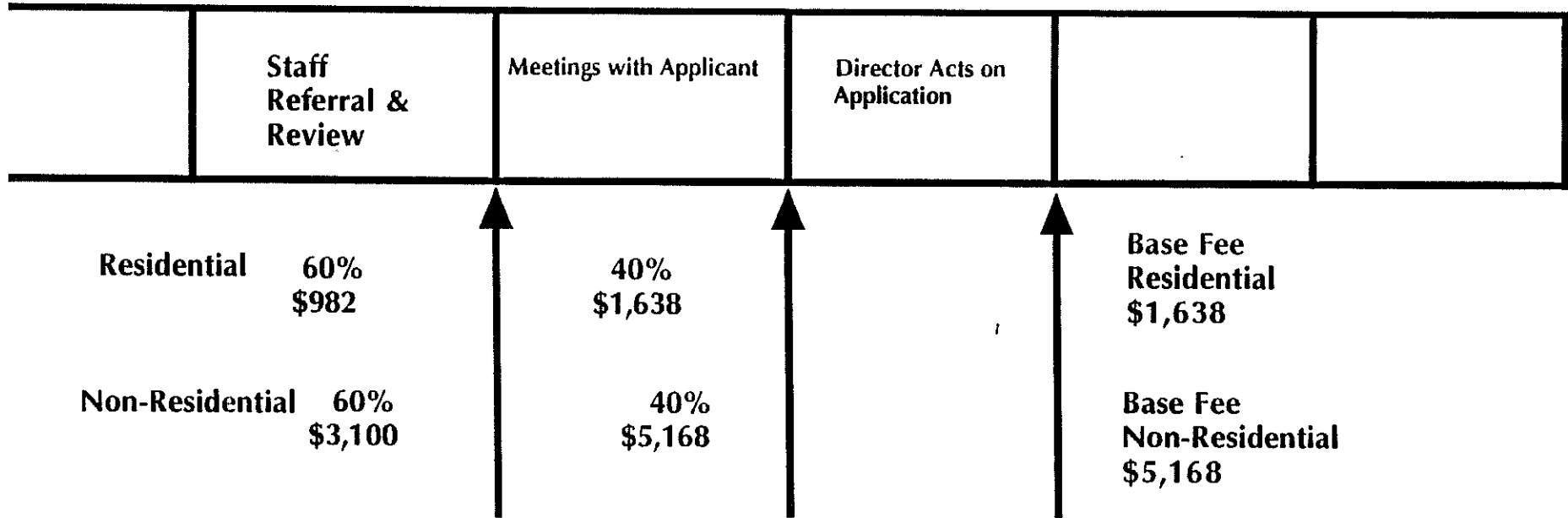
Average Timeline Boundary Line Adjustment



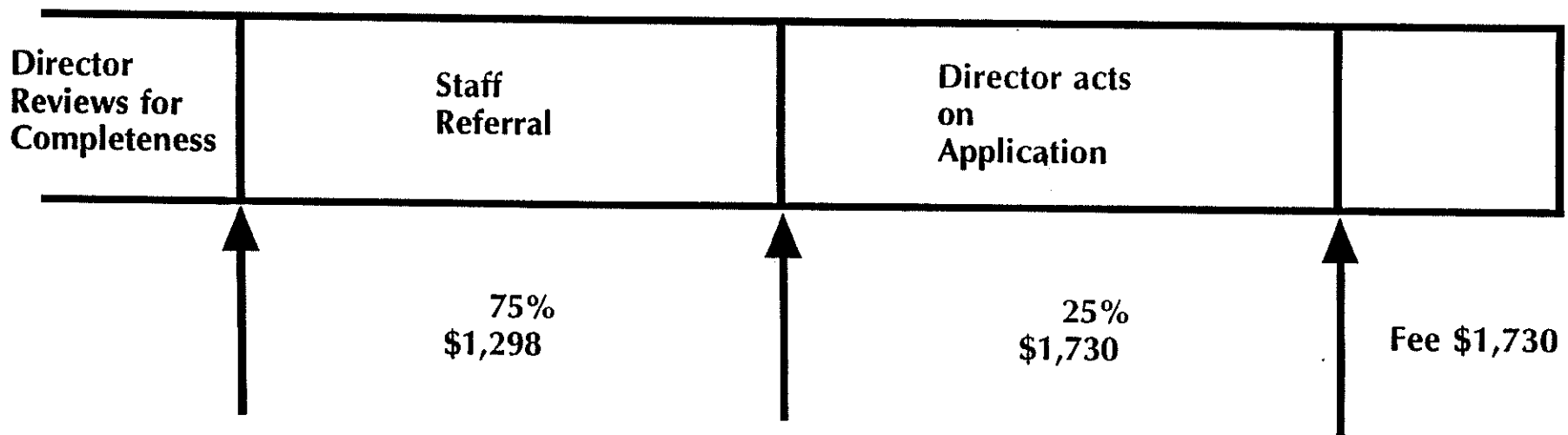
Average Timeline Record Subdivision



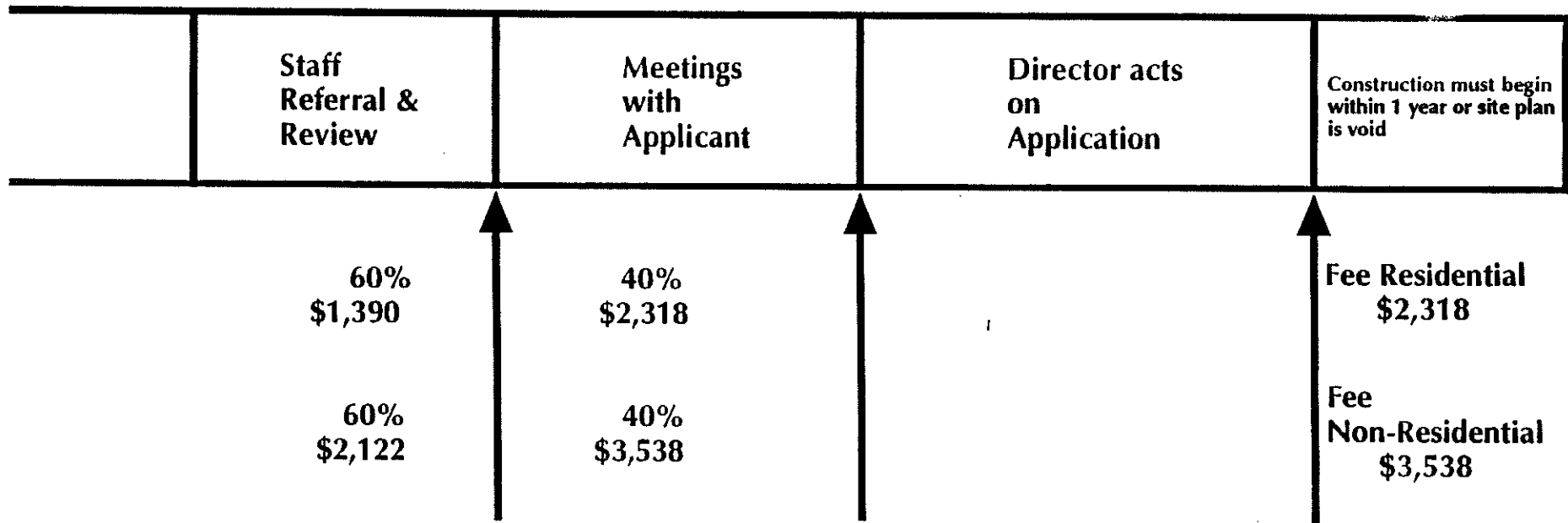
Average Timeline Preliminary/Record Plats



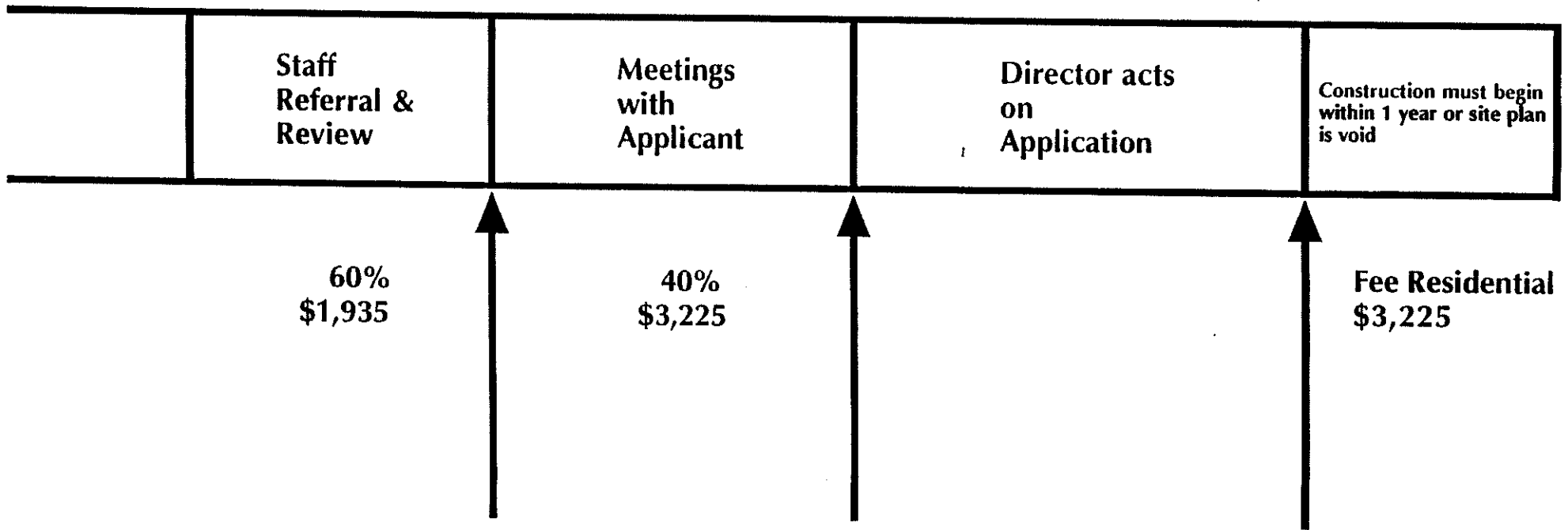
Average Timeline Family Subdivision



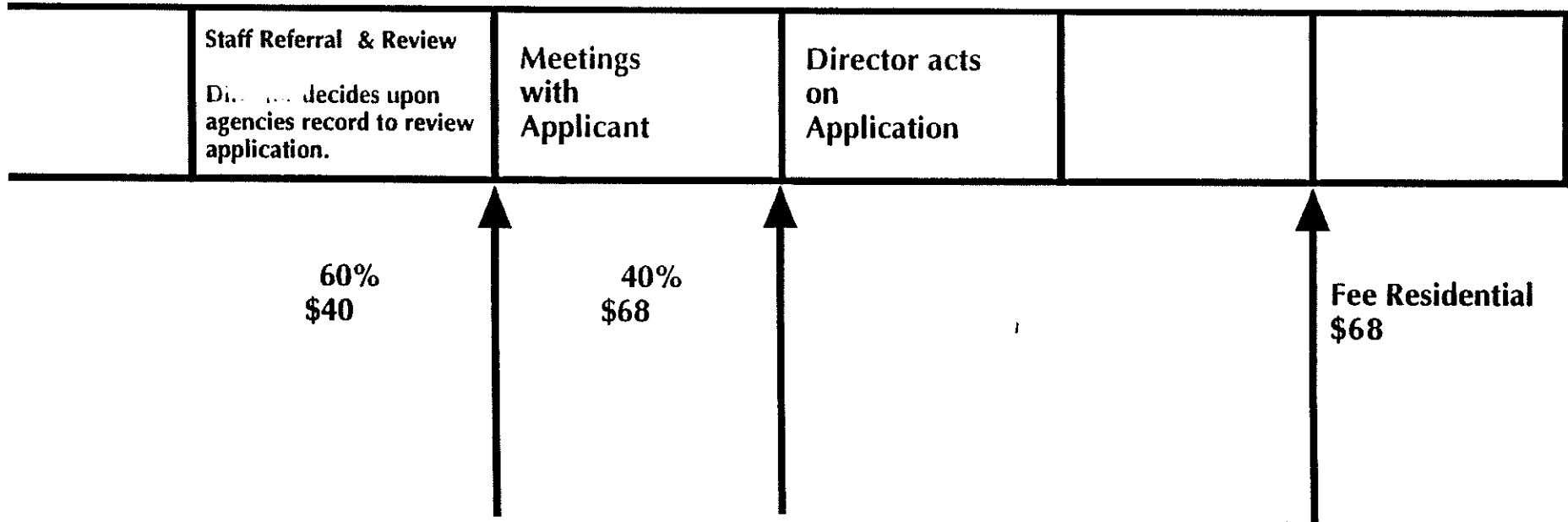
Average Timeline Final Site Plan



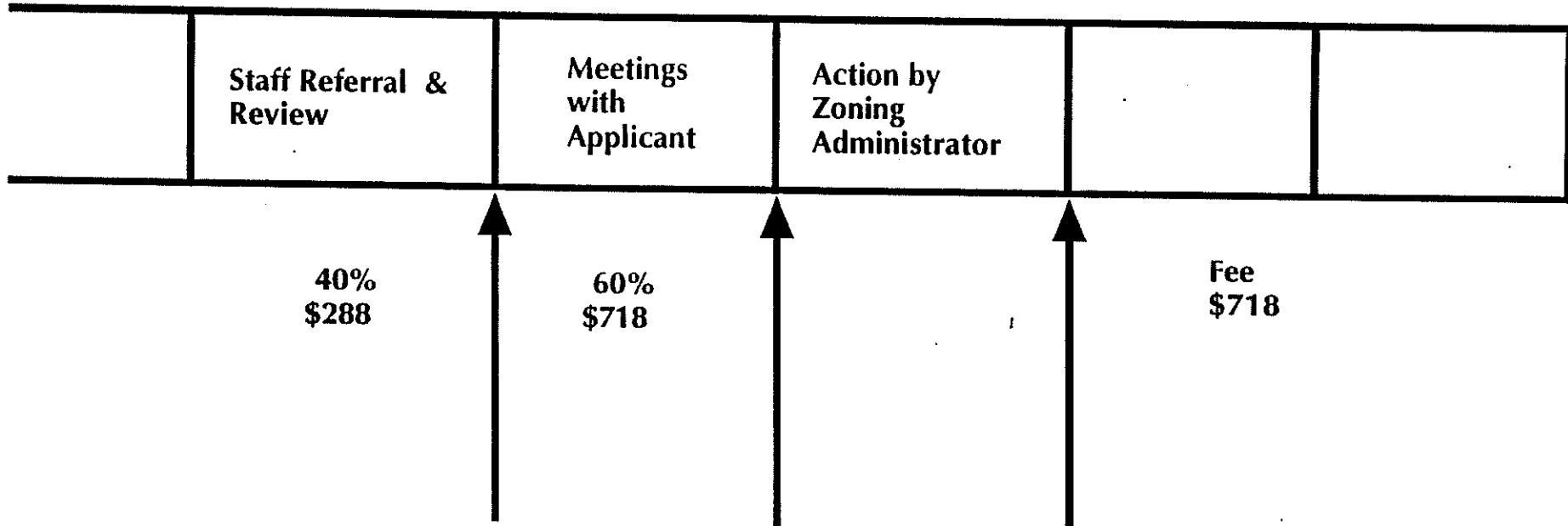
Average Timeline Preliminary/Final Site Plans



Average Timeline Site Plan Amendments



Average Timeline Floodplain Alteration



Average Timeline Floodplain Studies

