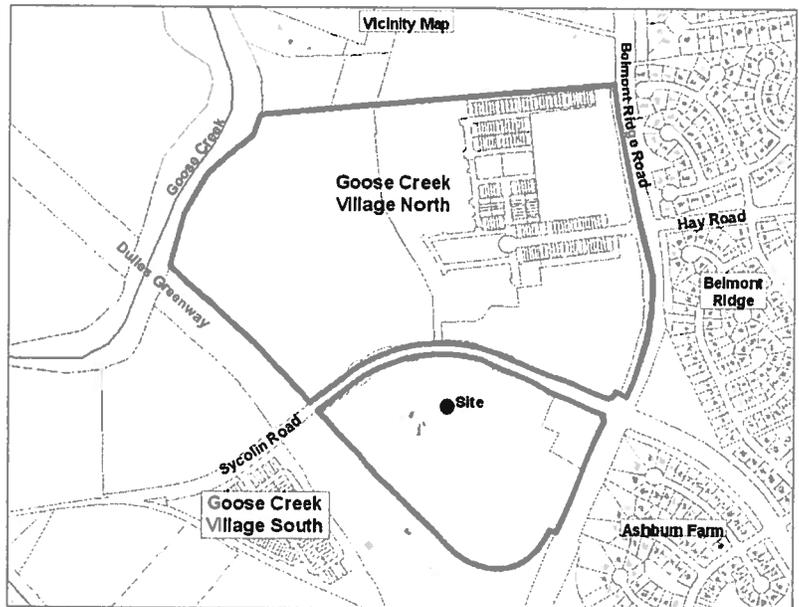


**County of Loudoun**  
**Department of Planning**  
**MEMORANDUM**

**DATE:** July 16, 2010  
**TO:** Sophia Fisher, Project Manager  
Land Use Review  
**FROM:** Marie Genovese, AICP  
Planner III, Community Planning

**SUBJECT: SPMI 2010-0004, Goose Creek Village Child Care Center**

Goose Creek Commercial, LLC is requesting a minor special exception (SPMI) to modify Section 5-609 (A)(5) of the Revised 1993 Zoning Ordinance pertaining to the size of the outdoor play area for a child care center. The property is located west of Belmont Ridge Road (Route 659), south of Sycolin Road, and north of the Dulles Greenway (Route 267). Residential development is located east of the subject property (Ashburn Farm and Belmont Ridge) and south (Goose Creek Village South) (See Vicinity Map). The subject site is a 0.46 acre portion of a 77.43 acre parcel of land within Goose Creek Village North (ZMAP 2003-0008). Goose Creek Village North was approved July 2005 for a mixed use business development with residential (564 dwelling units), office (1.0 million square feet), and retail (164,500 square feet) uses.



The property is located in the Ashburn Community of the Suburban Policy Area and is specifically governed by the Revised General Plan and the 2010 Revised Countywide Transportation Plan, as well as the Toll Road Plan (TRP). The policies of the Countywide Retail Plan also apply. The Revised General Plan identifies the site as suitable for Business uses (Revised General Plan, Chapter 7, Planned Land Use Map).

The property is zoned PD-OP (Planned Development-Office Park) and is governed under the provisions of the Revised 1993 Zoning Ordinance.

The Zoning Ordinance requires a minimum of 75 square feet of outdoor play space per child. The Statement of Justification provides that the child care center is proposed to serve approximately 150-200 children, totaling 11,250 square feet – 15,000 square feet of outdoor play area. The applicant is proposing an 11,000 square foot child care center with a 6,000 square foot play area. The applicant proposes to modify the required size of the play area, basing the total square footage on the maximum number of children (80) using the play space at one time, rather than the maximum capacity of the child care center. The Statement of Justification proposes that the child care center is part of a compact commercial center rather than a standalone use and restricting the maximum number of children using the play area at one time to the 75 square feet per child standard allows the child care center to fit more compactly within the commercial center. Additionally, the Statement of Justification provides, by standard practice large child care centers like the one proposed, do not schedule all children in the center to use the play area at the same time. Staff finds that the proposed modification is consistent with the State licensing requirements that require at least 75 square feet of space per child at any one time (22 VAC 15-30-380).

***Staff recommends restricting the outside play area to no more than 80 children at one time as a condition of approval.***

### **RECOMMENDATIONS**

Staff has no issue with the requested Minor Special Exception modifying the outdoor play area from 75 square feet per child for the maximum capacity of the child care center to 75 square feet per child for the total number of children that can use the play area at any one time provided the applicant commits to no more than 80 children within the outdoor play area at any one time.

cc: Julie Pastor, AICP, Director, Planning  
John Merrithew, AICP, Assistant Director, Planning

**COUNTY OF LOUDOUN**

**DEPARTMENT OF BUILDING AND DEVELOPMENT**

**MEMORANDUM**

**DATE:** July 19, 2010  
**TO:** Sophia Fisher, Project Manager  
**CC:** Marilee L. Seigfried, Deputy Zoning Administrator  
**FROM:** Teresa Miller, Planner, Zoning Administration  
**CASE NUMBER AND NAME:** SPMI-2010-0004, Goose Creek Village Child Care Center  
**LCTM/MCPI:** /78/86/////A/ 153-27-7697  
**PLAN SUBMISSION NUMBER:** 1<sup>st</sup> Submission

**I. Application Summary**

The applicant is proposing a minor special exception to modify Section 5-609(A)(5) of the Revised 1993 Zoning Ordinance to decrease the size of the outdoor play area.

The following issues must be addressed for the application to be in conformance with the requirements of the Revised 1993 Loudoun County Zoning Ordinance ("the Ordinance").

**II. Critical Issues**

1. At this time, there are no critical issues identified with the application.

**III. Statement of Justification**

1. Section 5-909(A)(5) requires day care uses provide 75 square foot of outdoor play area per child. The applicant indicates a potential maximum of 200 children, requiring 15,000 square feet of outdoor play space. This application for minor special exception proposes a 6,000 square foot outdoor play space, limiting the number of children in the play area at any one time to 80 children. A Site Plan Revision, STPR-2010-0018, currently in review to add the day care use to the site details an 8,000 square foot outdoor play area. Zoning staff questions why this minor special exception is for only 6,000 square feet when the site plan indicates a larger play area can be accommodated.
2. Section 5-609(B)(2)(b) requires a designated pickup and delivery zone providing at a minimum one (1) parking space per twenty (20) children. STPR-2010-0018 has allowed for 9 such spaces for a proposed 180 children. This minor special exception application proposes up to 200 children maximum. In the event the required amount of pickup/delivery parking spaces is not able to be met, a minor special exception would be required. The applicant may wish to consider adding such request to this application for minor special exception should a reduction in these required parking spaces be necessary.

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**County of Loudoun**  
**Office of Transportation Services**  
**MEMORANDUM**

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**DATE:** July 14, 2010

**TO:** Sophia Fisher, Project Manager  
Department of Planning

**FROM:** Aaron T. Zimmerman, PTP, Transportation Planner/Engineer *A.z.*

**SUBJECT:** SPMI 2010-0004 – Goose Creek Village Child Care Center

---

**Background**

This Minor Special Exception (SPMI) application seeks approval to modify the size of an outdoor playground area of a proposed 11,000 S.F. child care center. The 0.46 acre child care facility will be located within the proposed 77.43 acre Goose Creek Village – South Commercial Center. The commercial center will be located in the southwest quadrant of the intersection of Sycolin Road (VA Route 643) and Belmont Ridge Road (VA Route 659). The property is zoned PD-OP (Planned Development – Office Park) per ZMAP 2003-0008 (Goose Creek Village North). A vicinity map is provided as ***Attachment 1***.

Section 5-609(A)(5) of the Revised 1993 Zoning Ordinance states that “...[A] minimum of 75 square feet per child of outdoor play space shall be provided on the lot of the child care [center] is located...” For a facility projected to serve approximately 160 children, this would require 12,000 S.F. of outdoor space. The applicant is seeking to decrease this requirement to 6,000 S.F. based on the expectation that a maximum of 80 children would utilize the outdoor playground at any given time. The number of expected vehicular trips generated by this site would not change based on a reduction in outdoor play space.

This referral is based on the review of materials received from the Department of Planning on July 2, 2010, including: (1) Information Sheet and Statement of Justification, dated June 11, 2010; (2) Minor Special Exception Plat prepared by Urban Ltd., dated June 10, 2010; (3) Email correspondence between OTS and the Applicant, dated June 11, 2010; and (4) Traffic Checklist, dated June 20, 2010.

**Existing, Planned and Programmed Transportation Facilities**

The site is located in the Suburban Policy Area (Ashburn Community), immediately south of Sycolin Road (VA Route 643), west of Belmont Ridge Road (VA Route 659), east of the proposed Century Corner Drive and 2/10 mile north of the Dulles Greenway (VA Route 267). The adjacent roadways are described in further detail below. OTS' review of existing and planned transportation facilities is based on the Revised Countywide Transportation Plan (2010 CTP) and the Bicycle & Pedestrian Mobility Master Plan (2003 Bike & Ped Plan).

Sycolin Road (VA Route 643) runs east-west along the northern side of the Goose Creek Village – South Commercial Center. The 2010 CTP classifies this roadway as a major collector; the segment of Sycolin Road between the easternmost Dulles Greenway bridge and Belmont Ridge Road is currently being constructed as a variable urban section with a grass median and on-street parking per CPAP 2006-0124 (as shown on the SPMI plat). Currently, there are plans to have two vehicular access points to the site in Phase 1A (Century Corner Drive and Generation Drive) and then the construction of two additional curb cut driveways in Phase 1B. The 2003 Bike & Ped Plan categorizes Sycolin Road as a "baseline connecting roadway" along which bicycle and pedestrian facilities are envisioned. Wide urban sidewalks are being constructed along both sides of Sycolin Road within the Goose Creek Village development per CPAP 2006-0124.

Century Corner Drive and Generation Drive are proposed private roads that will form intersections with Sycolin Road (VA Route 643) and serve as driveways to proposed commercial developments to the north and south. The 2010 CTP and 2003 Bike & Ped Plan do not reference these streets. Pedestrian facilities are to be included in the construction of these access drives per approved development plans for the Goose Creek Village – South Commercial Center.

Belmont Ridge Road (VA Route 659) runs along the eastern side of the Goose Creek Village – South Commercial Center. The 2010 CTP classifies this roadway as a major collector. In the vicinity of the site, Belmont Ridge Road currently consists of one lane in each direction with a striped median and turn lanes at the intersections with Sycolin Road and Dulles Greenway. Belmont Ridge Road is currently being improved to a four-lane divided section in the vicinity of the site per CPAP 2006-0062 (as shown on the SPMI plat). The 2010 CTP calls for Belmont Ridge Road to ultimately be widened to six lanes and reclassified as a minor arterial. Per ZMAP 2003-0008, there are no plans to provide direct access to the site from Belmont Ridge Road. The 2003 Bike & Ped Plan categorizes Belmont Ridge Road as a "baseline connecting roadway" along which bicycle and pedestrian facilities are envisioned. A 10-foot wide multi-use trail is

proposed along the west side of Belmont Ridge Road between Sycolin Road and the Dulles Greenway ramp per the approved development plans for the Goose Creek Village – South Commercial Center.

**Transportation Comment**

1. The number of expected vehicular trips generated by this site would not change based on a reduction in outdoor play space. No additional transportation improvements or changes to the approved site access are necessary as a result of this application.

**Conclusion**

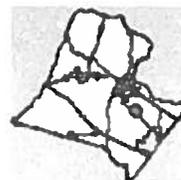
**The Office of Transportation Services (OTS) has no objection to the approval of this application.**

**ATTACHMENT**

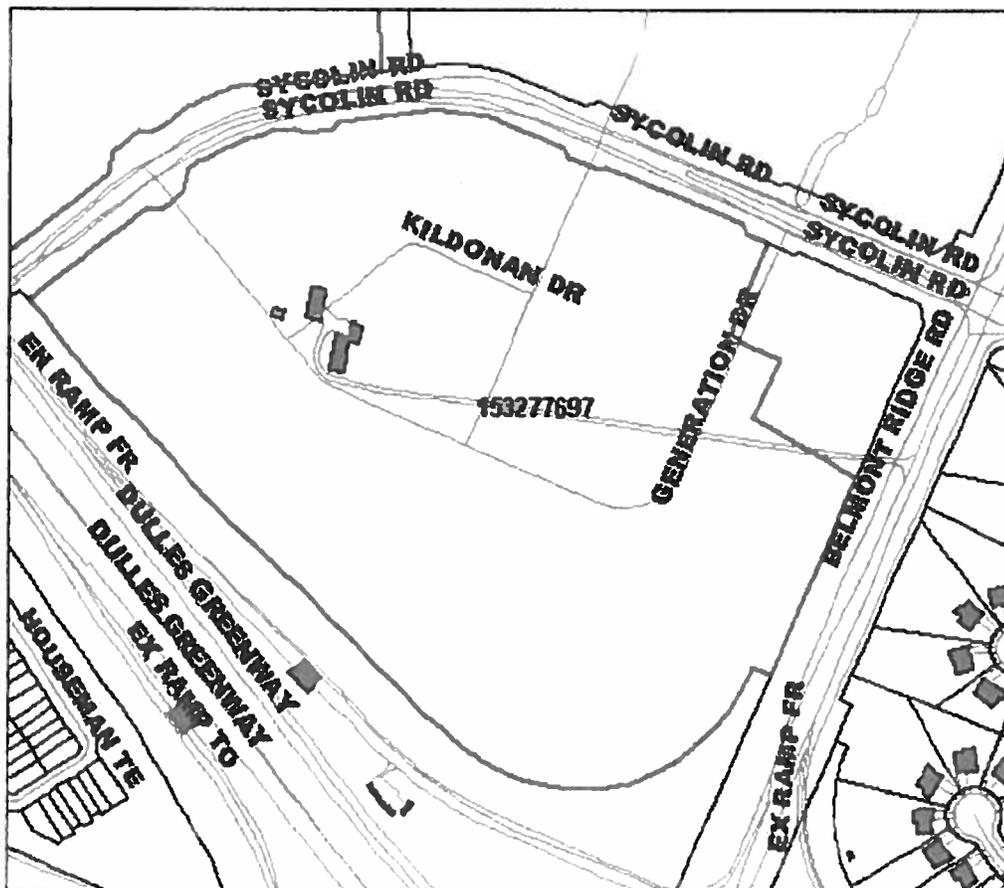
1. Site Vicinity Map

cc: Andrew Beacher, Acting Director, OTS  
Lou Mosurak, Senior Coordinator, OTS  
Charles Acker, Transportation Operation Engineer, OTS

Loudoun County Mapping System



7,064,363



7,062,591

11,759,164

Map Width=2,025 feet

11,761,189

Created on 7/14/2010 2:36:48 PM

PIN	Address
153277697	42660 Generation Dr Ashburn 20147

ATTACHMENT 1



**LOUDOUN COUNTY, VIRGINIA**  
**Department of Fire, Rescue and Emergency Management**

803 Sycolin Road, Suite 104 Leesburg, VA 20175  
 Phone 703-777-0333 Fax 703-771-5359



## Memorandum

**To:** Sophia Fisher, Project Manager  
**From:** Maria Figueroa Taylor, Fire-Rescue Planner  
**Date:** July 15, 2010  
**Subject:** Goose Creek Village Child Care Center  
 SPMI 2010-0004

Thank you for the opportunity to review the above captioned application. The Fire and Rescue Planning Staff, in agreement with the Fire Marshal's Office, has no objection to the application as presented.

The Fire-Rescue GIS and Mapping coordinator offered the following information regarding estimated response times:

PIN	Project name	Ashburn VFRC Travel Time
046-36-8231	child care center	4 minutes

The Travel Times for each project were calculated using ArcGIS and Network Analyst extension to calculate the travel time in minutes. To get the total response time another two minutes were added to account for dispatching and turnout. This assumes that the station is staffed at the time of the call. If the station is unoccupied another one to three minutes should be added.

Project name	Ashburn VFRC Response Times
child care center	6 minutes

If you have any questions or need additional information, please contact me at 703-777-0333.

c: Project file

Teamwork \* Integrity \* Professionalism \* Service

ATTACHMENT 1 *l*

*A-9*

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I, Christine E. Gleckner, Agent,, do hereby state that I am an

Applicant

Applicant's Authorized Agent listed in Section C.1. below

in Application Number(s): SPMI 2010-

and that to the best of my knowledge and belief, the following information is true:

**C. DISCLOSURES: REAL PARTIES IN INTEREST AND LAND USE PROCEEDINGS**

**1. REAL PARTIES IN INTEREST**

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application\* and if any of the foregoing is a **TRUSTEE\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all AGENTS of any of the foregoing.

All relationships to the persons or entities listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together (ex. Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc.) For a multiple parcel application, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

<i><b>PIN</b></i>	<i><b>NAME (First, M.I., Last)</b></i>	<i><b>ADDRESS (Street, City, State, Zip Code)</b></i>	<i><b>RELATIONSHIP (Listed in bold above)</b></i>
153-27-7697	Goose Creek Commercial LLC	1712 I Street, NW, Suite 305 Washington, D.C. 20006	Applicant/Title Owner
	Walsh, Colucci, Lubeley, Emrich & Walsh, PC	1 E. Market Street, 3 <sup>rd</sup> Floor Leesburg, VA 20176	Attorneys/Planners/Agent
	Urban Engineering & Associates, Inc. t/a Urban, Ltd.	4200 D Technology Court Chantilly, VA 20151	Engineer/Agent

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

There are additional Real Parties in Interest. See Attachment to Paragraph C-1.

**LISTING OF INDIVIDUAL AGENTS**

1. **Goose Creek Commercial LLC**  
Allan D. McKelvie
  
2. **Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.**  
J. Randall Minchew, Esq.  
William J. Keefe  
Michael G. Romeo  
Christine E. Gleckner  
Kimberlee Welsh Cummings  
Andrew A. Painter
  
3. **Urban Engineering & Associates, Inc. t/a Urban Ltd.**  
Brian A. Sears  
Michael B. Keith

If multiple copies of this page are provided please indicate Page 2 of 2 pages.

**2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

**Name and Address of Corporation:** (complete name, street address, city, state, zip code)

**Goose Creek Commercial LLC**  
**800 17<sup>th</sup> Street, N.W., Ste 1100, Washington, D.C. 20006**

**Description of Corporation:**

- There are 100 or fewer shareholders and all shareholders are listed below.*
- There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*
- There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*
- There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

**Names of Shareholders:**

<b>SHAREHOLDER NAME</b> <i>(First, M.I., Last)</i>	<b>SHAREHOLDER NAME</b> <i>(First, M.I., Last)</i>
Darala Investment & Development Corporation, Managing Member	Barbara A. Brown, Member
Cynthia G. Brown, Member	Cynthia G. Brown Grantor Annuity Trust f/b/o Amelia Brown, Member
Lucy Lyle Tower, Member	Allan D. McKelvie, Member
Allan D. McKelvie Trust f/b/o Allan D. McKelvie, Darina C. McKelvie, Roderick McKelvie, Margot McKelvie, Member	McKelvie Special Trust f/b/o Allan D. McKelvie, Darina C. McKelvie, Roderick McKelvie, Margot McKelvie, Member
The William M. Burton Revocable Trust f/b/o Mike Burton and Ben Burton, Member	Brookes Avenue L.L.C., Member

**Names of Officers and Directors:**

<b>NAME</b> <i>(First, M.I., Last)</i>	<b>Title</b> <i>(e.g. President, Treasurer)</i>

Check if applicable:

There is additional Corporation Information. See Attachment to Paragraph C-2.

A-13

**2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

**Name and Address of Corporation:** (complete name, street address, city, state, zip code)

**Darala Investment & Development Corporation**  
**800 17<sup>th</sup> Street, N.W., Ste 1100, Washington, D.C. 20006**

**Description of Corporation:**

- There are 100 or fewer shareholders and all shareholders are listed below.*
- There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*
- There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*
- There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

**Names of Shareholders:**

<i>SHAREHOLDER NAME (First, M.I., Last)</i>	<i>SHAREHOLDER NAME (First, M.I., Last)</i>
Allan D. McKelvie	

**Names of Officers and Directors:**

<i>NAME (First, M.I., Last)</i>	<i>Title (e.g. President, Treasurer)</i>
Allan D. McKelvie, President	

Check if applicable:

There is additional Corporation Information. See Attachment to Paragraph C-2.

A-14

**2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

**Name and Address of Corporation:** (complete name, street address, city, state, zip code)

**Brookes Avenue L.L.C.**  
**3 East Diamond Avenue, Gaithersburg, MD 20877**

**Description of Corporation:**

- There are 100 or fewer shareholders and all shareholders are listed below.*
- There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*
- There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*
- There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

**Names of Shareholders:**

<i>SHAREHOLDER NAME (First, M.I., Last)</i>	<i>SHAREHOLDER NAME (First, M.I., Last)</i>
Michael Wiencek, Member	Mary Wiencek, Member

**Names of Officers and Directors:**

<i>NAME (First, M.I., Last)</i>	<i>Title (e.g. President, Treasurer)</i>

Check if applicable:

There is additional Corporation Information. See Attachment to Paragraph C-2.

**2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

**Name and Address of Corporation:** (complete name, street address, city, state, zip code)

**Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.**  
**1 E. Market Street, 3<sup>rd</sup> Floor, Leesburg, Virginia 20176**

**Description of Corporation:**

*There are 100 or fewer shareholders and all shareholders are listed below.*

*There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

*There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

*There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

**Names of Shareholders:**

<b>SHAREHOLDER NAME</b> <i>(First, M.I., Last)</i>	<b>SHAREHOLDER NAME</b> <i>(First, M.I., Last)</i>
David J. Bomgardner	E. Andrew Burcher
Thomas J. Colucci	Peter M. Dolan, Jr.
Jay du Von	Jerry K. Emrich
William A. Fogarty	John H. Foote
H. Mark Goetzman	Bryan H. Guidash
Michael D. Lubeley	J. Randall Minchew
M. Catharine Puskar	John E. Rinaldi
Lynn J. Strobel	Garth M. Wainman
Nan E. Walsh	Martin D. Walsh

**Names of Officers and Directors:**

<b>NAME</b> <i>(First, M.I., Last)</i>	<b>Title</b> <i>(e.g. President, Treasurer)</i>

Check if applicable:

There is additional Corporation Information. See Attachment to Paragraph C-2.

**2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

**Name and Address of Corporation:** (complete name, street address, city, state, zip code)

**Urban Engineering & Associates, Inc. t/a Urban Ltd.**  
**4200 D Technology Court, Chantilly, VA 20151**

**Description of Corporation:**

*There are 100 or fewer shareholders and all shareholders are listed below.*

*There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

*There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

*There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

**Names of Shareholders:**

<i>SHAREHOLDER NAME (First, M.I., Last)</i>	<i>SHAREHOLDER NAME (First, M.I., Last)</i>
Barry B. Smith	
J. Edgar Sears, Jr.	
Brian A. Sears	

**Names of Officers and Directors:**

<i>NAME (First, M.I., Last)</i>	<i>Title (e.g. President, Treasurer)</i>

Check if applicable:

There is additional Corporation Information. See Attachment to Paragraph C-2.

**3. PARTNERSHIP INFORMATION**

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

**Partnership name and address:** (complete name, street address, city, state, zip)

\_\_\_\_\_

\_\_\_ (check if applicable) The above-listed partnership has no limited partners.

**Names and titles of the Partners:**

<i>NAME</i> <i>(First, M.I., Last)</i>	<i>Title</i> <i>(e.g. General Partner, Limited Partner, etc)</i>

Check if applicable:

\_\_\_ Additional Partnership information attached. *See Attachment to Paragraph C-3.*

**4. ADDITIONAL INFORMATION**

a. One of the following options **must** be checked:

In addition to the names listed in paragraphs C. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Other than the names listed in C. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:

Additional information attached. *See Attachment to Paragraph C-4(a).*

b. That no member of the Loudoun County Board of Supervisors, Planning Commission, Board of Zoning Appeals or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or though an interest in a partnership owning such land, or as beneficiary of a trust owning such land.

**EXCEPT AS FOLLOWS: (If none, so state).**

None

Check if applicable:

Additional information attached. *See Attachment to Paragraph C-4(b).*

c. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation (as defined in the Instructions at Paragraph B.3) in which any of them is an officer, director, employee, agent or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship (other than any ordinary customer or depositor relationship with a retail establishment, public utility, or bank), including receipt of any gift or donation having a value of \$100 or more, singularly or in the aggregate, with or from any of those persons or entities listed above.

**EXCEPT AS FOLLOWS: (If none, so state).**

None

Check if applicable:

Additional information attached. *See Attachment to Paragraph C-4(c).*

**D. COMPLETENESS**

That the information contained in this affidavit is complete, that all partnerships, corporations (as defined in Instructions, Paragraph B.3), and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including any gifts or business or financial relationships of the type described in Section C above, that arise or occur on or after the date of this Application.

WITNESS the following signature:

*Christine E. Gleckner*

check one: [ ] Applicant or [x] Applicant's Authorized Agent

Christine E. Gleckner, Agent

(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 11<sup>th</sup> day of June 2010, in the State/Commonwealth of Virginia, in the County of Loudoun.

*Terril Motley*  
Notary Public

My Commission Expires: May 31, 2014



**Goose Creek Village – South Commercial Area  
Child Care Center  
Minor Special Exception Application to Modify  
Section 5-609 (A) (5) of the Revised 1993 Zoning Ordinance  
Statement of Justification  
June 11, 2010**

**I. Introduction**

Goose Creek Commercial, LLC is filing a minor special exception application to modify Section 5-609 (A) (5) of the Revised 1993 Zoning Ordinance pertaining to the outdoor play area of a child care center. The child care center is located on a .46 acre tract of land within the Goose Creek Village – South Commercial Center. The .46 acres is a lease/land condominium area within the 77.43 acre parcel (MCPI #153-27-7697) for the Goose Creek Village – South Commercial Center. The Goose Creek Village – South Commercial Center is located on the south side of Sycolin Road, west of Belmont Ridge Road and north of the Dulles Greenway. The Goose Creek Village – South Commercial Center is zoned PD-OP (Planned Development – Office Park) and is subject to the proffers and concept plan for ZMAP 2003-0008, Goose Creek Village North.

**II. Goose Creek Village**

The Goose Creek Village North rezoning, concept plan and proffers were for a Regional Office mixed use business community, which also included portions zoned PD-CC -CC (Planned Development – Commercial Center – Community Center) for the retail component of the development and R-16 and R-24 districts for development of single family attached and multi-family residential communities. A site plan has been filed for the Goose Creek Village – South Commercial Center (STPR 2010-0018).

**III. Conformance with the Comprehensive Plan**

The property is located in the Suburban Policy Area and is designated as Business in the Revised General Plan. Goose Creek Village is developing as a Regional Office community under the Business designation, which contemplates having child care centers as a support use.

**IV. Proposed Use**

Goose Creek Commercial is seeking site plan approval for an 11,000 square foot day care center with a 6,000 square foot outdoor play area. The child care center is expected to serve 150-200 children.

V. **Proposed Modification**

Section 5-609 (A) (5) of the Revised 1993 Zoning Ordinance states that "... [A] minimum of 75 square feet per child of outdoor play space shall be provided on the lot of the child care [center] is located..."

The Zoning Administrator has interpreted this section to require 75 square feet per child of outdoor play space per the maximum capacity of the child center, i.e., a 100 child capacity center would be required to provide 7,500 square feet of outdoor play space.

The applicant is requesting to modify this section to permit 75 square feet per child of outdoor play space based on the number of children using the play space at one time, and not based on the maximum capacity of the child center.

VI. **Justification for Proposed Modification**

The child care center is proposed as part of the Goose Creek Village – South Commercial Center, which is the primary office land bay for Goose Creek Village. The child care center is not a stand alone use on a separate parcel providing its own open space, landscaping, screening, buffering, parking, etc. Rather, it is a component of a commercial center that is integrated with the other uses locating in the commercial center. As such, the uses are being located in a compact pattern. Accordingly, the child care center has a compact, two-story design with an accompanying compact outdoor play area. The current site plan provides a 6,000 square foot play area. At 75 square feet per child, the outdoor play area can accommodate 80 children at one time. By standard practice, large child care centers do not schedule all children in the center to use the play area at the same time. Therefore, restricting the maximum number of children using the play area at one time to the 75 square feet per child standard recognizes standard practices at large child care centers and permits child care centers to fit more compactly within a commercial center.

VII. **Special Exception Issues for Consideration**

Section 6-1310 of the Zoning Ordinance enumerates various issues for consideration in the review of a special exception request. The following analysis applies the special exception (Section 6-1310) factors to the proposed modification.

(A) *Whether the proposed special exception is consistent with the Comprehensive Plan.*

The property is located in the Suburban Policy Area and is designated as Business in the Revised General Plan. The day care center use, with its outdoor play area, is

consistent with the Comprehensive Plan as an acceptable support use within an office park.

*(B) Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.*

The proposed facilities will be constructed to meet required fire safety codes. Fire protection and rescue services will be provided by the volunteer companies serving the area.

*(C) Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.*

The proposed use does not generate any noise that will negatively impact the uses in the immediate area.

*(D) Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.*

Lighting will be shielded and directed inward to the property. No adverse off-site impacts are anticipated. The site will adhere to Section 5-1200 of the Zoning Ordinance with regard to site lighting.

*(E) Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.*

The proposed use will be locating in the office portion of a planned mixed-use regional office community for which there is a unified concept plan and proffers. The proposed use will provide a needed support service to the users of this community. The proposed use will help to fulfill the goal of users within the mixed-use community meeting their service needs within the mixed-use community.

*(F) Whether sufficient existing or proposed landscaping screening and buffering on the site and in the neighborhood will adequately screen surrounding uses.*

The outdoor play area is required to be fenced and otherwise will conform to the landscaping screening and buffering requirements for a child care center use located within an office park.

*(G) Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archaeological, or historic feature of significant importance.*

There are no features of significant importance where the office park is located, as was determined at the time of the rezoning for Goose Creek Village North.

*(H) Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.*

The site where the office park is located contains no significant animal habitat or vegetation, as was determined at the time of the rezoning for Good Creek Village North.

*(I) Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.*

The proposed use will be locating in the office portion of a planned, mixed-use regional office community for which there is a unified concept plan and proffers. The proposed use will provide a needed commercial service to the users of this community. The proposed use will help to fulfill the goal of users within the mixed-use community meeting their service needs within the community. The proposed use also is conveniently located to provide service to drive-by traffic on both Belmont Ridge Road and Sycolin Road, which are major thoroughfares in the Ashburn area. The child care center also is located adjacent to a commuter park and ride facility, providing convenient access to this service for the commuting public.

*(J) Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.*

The property is located on the west side of Belmont Ridge Road and the south side of Sycolin Road. The commercial center provides access to Belmont Ridge Road via three entrances on Sycolin Road. The road network and proposed access have been planned for safety. The child care center use is located adjacent to a commuter park and ride facility.

*(K) Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County.*

The proposed use will occupy a newly constructed structure.

*(L) Whether the proposed special exception will be served adequately by essential public facilities and services.*

The site will be served by public water and public sewer extension. Police, fire and rescue services will be provided by the County and the volunteer fire and rescue companies, respectively.

*(M) The effect of the proposed special exception on groundwater supply.*

Groundwater will not be used to serve the proposed use.

(N) *Whether the proposed use will affect the structural capacity of the soils.*

Soil analysis and construction in compliance with the findings and recommendations of the required soil investigations required at site plan stage will ensure that adequate structural capacity is maintained for the proposed use.

(O) *Whether the proposed use will negatively impact orderly and safe road development and transportation.*

Safe road access will be available via Belmont Ridge Road and Sycolin Road, as described elsewhere in this statement. The Goose Creek Village North proffers provide significant transportation proffers to both of these roads to contribute to the orderly and safe road development and transportation.

(P) *Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.*

The Goose Creek Village North project will provide desirable employment and enlarge the tax base by encouraging economic development activities, with the proposed use providing an important commercial service for the users of this mixed-use regional office community as well as enhancing the tax base. Child care centers are an essential service needed by the working public.

(Q) *Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.*

The property is zoned as a mixed-use regional office community in accordance with the Comprehensive Plan, which takes into account the needs of agriculture, industry and businesses with its land use recommendation policies.

(R) *Whether adequate on and off-site infrastructure is available.*

The Goose Creek Village North project is providing significant improvements to the adjacent road network. Public water and sewer is being extended to the property.

(S) *Any anticipated odors which may be generated by the uses on site and which may negatively impact adjacent uses.*

No unusual odors will be generated by the proposed use that would impact adjacent uses.

(T) *Whether the proposed special exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas.*

Construction traffic can access the site without impacting existing neighborhoods and school areas.

**VII. Conclusion**

The proposed child care center will provide a needed service in the commercial area of a planned, mixed-use regional office community. The retail center for the Goose Creek Village North community has been planned and designed to accommodate the proposed use. The proposed use conforms to the Comprehensive Plan and zoning for the property. The proffers for the Goose Creek Village North community provide for significant transportation improvements in the vicinity serving the proposed use. Restricting the maximum number of children using the play area at one time to the 75 square feet per child standard recognizes standard practices at large child care centers, and permits the child care center to fit more compactly within the mixed-use commercial center.



**WALSH COLUCCI  
LUBELEY EMRICH  
& WALSH PC**

Christine Gleckner, AICP  
Land Use Planner  
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August 2, 2010

**Via Hand Delivery**

Sophia S. Fisher, Planner  
Loudoun County Department of Planning  
1 Harrison Street, SE, Third Floor  
Leesburg, VA 20177-7000

Re: Goose Creek Village Child Care Center – SPMI 2010-0004

Dear Ms. Fisher:

This letter addresses and provides you with a written response to the referral agency comments in the above referenced application. For your convenience, each of the staff comments are stated below and the Applicant's responses follow in bold italics.

**LOUDOUN COUNTY DEPARTMENT OF PLANNING – COMMUNITY PLANNING  
(MARIE GENOVESE, 7/16/2010)**

**RECOMMENDATIONS**

Staff has no issue with the requested Minor Special Exception modifying the outdoor play area from 75 square feet per child for the maximum capacity of the child care center to 75 square feet per child for the total number of children that can use the play area at any one time provided the applicant commits to no more than 80 children within the outdoor play area at any one time.

***Applicant Response: The applicant agrees to such a commitment.***

**LOUDOUN COUNTY DEPARTMENT OF BUILDING & DEVELOPMENT – ZONING  
ADMINISTRATION (TERESA MILLER, 7/19/2010)**

**III. Statement of Justification**

1. Section 5-909(A)(5) requires day care uses provide 75 square foot of outdoor play area per child. The applicant indicates a potential maximum of 200 children, requiring 15,000 square feet of outdoor play space. This application for minor

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special exception proposes a 6,000 square foot outdoor play space, limiting the number of children in the play area at any one time to 80 children. A Site Plan Revision, STPR-2010-0018, currently in review to add the day care use to the site details an 8,000 square foot outdoor play area. Zoning staff questions why this minor special exception is for only 6,000 square feet when the site plan indicates a larger play area can be accommodated.

***Applicant Response:*** *The site plan is being amended to provide an outdoor play space of 6,000 square, which will then conform to the minor special exception request.*

2. Section 5-609(B)(2)(b) requires a designated pickup and delivery zone providing at a minimum one (1) parking space per twenty (20) children. STPR-2010-0018 has allowed for 9 such spaces for a proposed 180 children. This minor special exception application proposes up to 200 children maximum. In the event the required amount of pickup/delivery parking spaces is not able to be met, a minor special exception would be required. The applicant may wish to consider adding such request to this application for minor special exception should a reduction in these required parking spaces be necessary.

***Applicant Response:*** *The applicant does not have a concern with providing the required designated pick-up and delivery zone spaces and does not need to request a modification of this standard. The site plan will reflect the required number of spaces for the anticipated day care provider.*

**LOUDOUN COUNTY DEPARTMENT OF FIRE, RESCUE AND EMERGENCY MANAGEMENT (MARIA FIGUEROA TAYLOR, 7/15/2010)**

The Fire-Rescue GIS and Mapping coordinator offered the following information regarding estimated response times:

PIN	Project name	Ashburn VFRC Travel Time
046-36-8231	child care center	4 minutes

The Travel Times for each project were calculated using ArcGIS and Network Analyst extension to calculate the travel time in minutes. To get the total response time another two minutes were added to account for dispatching and turnout. This assumes that the station is staffed at the time of the call. If the station is unoccupied another one to three minutes should be added.

Project name	Ashburn VFRC Response Times
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child care center	6 minutes
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**Applicant Response:** *Comment noted.*

**LOUDOUN COUNTY OFFICE OF TRANSPORTATION SERVICES (AARON ZIMMERMAN – 7/14/2010)**

**Transportation Comment**

1. The number of expected vehicular trips generated by this site would not change based on a reduction in outdoor play space. No additional transportation improvements or changes to the approved site access are necessary as a result of this application.

**Applicant Response:** *The applicant concurs with the OTS assessment that there are traffic impacts resulting from the proposed application.*

Sincerely,

WALSH, COLUCCI, LUBELEY, EMRICH &  
WALSH, P.C.

Christine Gleckner, AICP  
Land Use Planner

Enclosure

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