

# # 6

DEPARTMENT OF PLANNING  
STAFF REPORT

## BOARD OF SUPERVISORS PUBLIC HEARING

**DATE OF HEARING: September 13, 2010**  
**SPMI 2010-0004, Goose Creek Village Child Care Center**  
**DECISION DEADLINE: September 29, 2010**  
**PROJECT PLANNER: Sophia Fisher DEPARTMENT DIRECTOR: Julie Pastor**  
**ELECTION DISTRICT: Dulles**

### EXECUTIVE SUMMARY

Goose Creek Commercial, L.L.C. of Washington, District of Columbia, has submitted an application for a Minor Special Exception to modify the additional regulations of Section 5-609 of the Revised 1993 Zoning Ordinance regarding Child Care Facilities to permit a Child Care Center expected to serve 150 to 200 children with a 6,000 square foot outdoor play area in the PD-OP (Planned Development-Office Park) zoning district. The property is also located partially within the PD-IP (Planned Development-Industrial Park) zoning district, and located partially within the FOD (Floodplain Overlay District). The proposed use is listed as a Permitted Use under Section 4-303(Y) of the Ordinance, subject to the Additional Regulations set forth in Section 5-609. The modification of the Additional Regulations applicable to the proposed use is authorized by Minor Special Exception under Section 5-600, Additional Regulations for Specific Uses, pursuant to which the applicant requests a modification of Section 5-609(A)(5) to decrease the minimum required outdoor play space from 75 square feet per child (total minimum required outdoor play space for 150 to 200 children would be 11,250 to 15,000 square feet) to a maximum required outdoor play space of 6,000 square feet regardless of the number of children.

The area of the proposed Minor Special Exception is an approximately 0.46 acre portion of a 77.43 acre parcel located in the southwest quadrant of the intersection of Belmont Ridge Road (Route 659) and Sycolin Road (Route 625), Ashburn, Virginia, in the Dulles Election District. The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Ashburn Community)), Revised Countywide Transportation Plan, the Bicycle and Pedestrian Mobility Master Plan, and the Countywide Retail Plan which designate this area for business uses.

## RECOMMENDATION

### Planning Commission:

This is a Minor Special Exception, which is processed directly to the Board of Supervisors without Planning Commission review.

### Staff:

Staff recommends approval of SPMI 2010-0004, Goose Creek Village Child Care Center subject to the Conditions of Approval dated September 1, 2010 and with the Findings contained in the September 13, 2010 Staff Report. Staff is awaiting final review of the Conditions by the County Attorney's office.

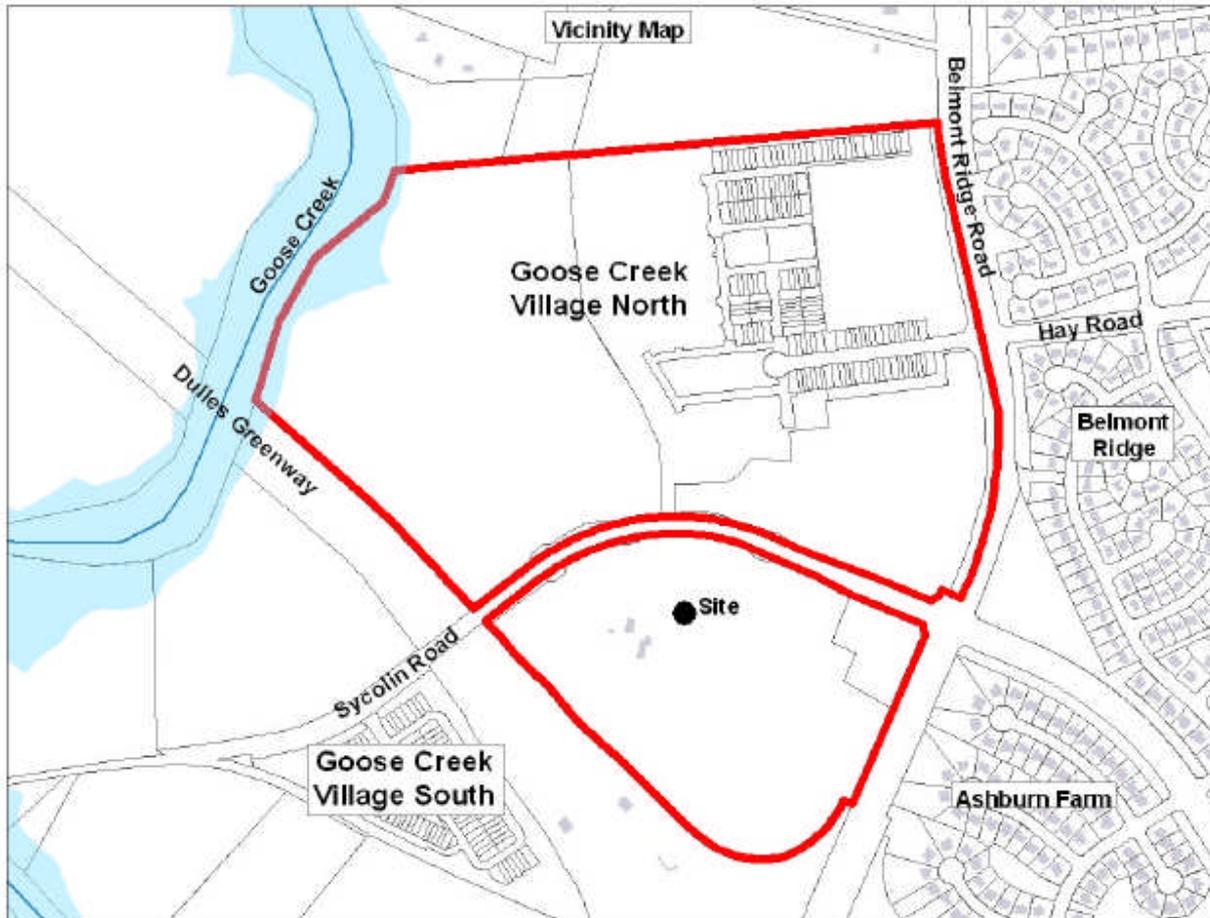
## SUGGESTED MOTIONS

1. I move that the Board of Supervisors forward SPMI 2010-0004, Goose Creek Village Child Care Center, to the October 5, 2010 Board of Supervisors Business Meeting for action. **\*\*\*A timeline extension will be necessary\*\*\***

OR

2. I move an alternate motion.

VICINITY MAP



**Directions:** From Leesburg, take Route 7 east. Turn right (south) on Belmont Ridge Road. Turn right (west) on Sycolin Road. Site will be on the left.

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**APPLICANT:** Goose Creek Commercial, LLC  
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**PROPOSAL:** 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 to 6,000 square feet.

**LOCATION:** Southwest quadrant of Belmont Ridge Road and Sycolin Road

**TAX MAP/PIN #s:** Tax Map # /78//86/////A/ PIN # 153-27-7697

**ZONING:** PD-OP

**PROPOSED NON-RES FLOOR AREA:** N/A (use is by-right)

**SURROUNDING ZONING/LAND USES:**

<b>NORTH</b>	PD-IP/PD-CC(CC)	Business/Shopping Center/Vacant
<b>SOUTH</b>	PD-H4	Residential
<b>EAST</b>	PD-H4/PD-IP/PD-CC(CC)	Residential/Business/ Retail
<b>WEST</b>	TR-10	Transitional/Rural Residential

**ELECTION DISTRICT:** Dulles

## II. SUMMARY OF DISCUSSION

Topic/Issue Area	Issues Examined and Status
Community Planning	<ul style="list-style-type: none"> <li>• Recommends a condition of approval allowing no more than 80 children in the outdoor play area at one time. Status: Resolved—the applicant has agreed to the condition.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>• Clarify whether the play area is intended to be 8,000 SF as indicated in the site plan currently under County review, or the 6,000 SF proposed with this application. Status: Resolved—the applicant will revise the site plan to be consistent with the 6,000 SF play area requested with this application.</li> </ul>
Transportation	<ul style="list-style-type: none"> <li>• No comments—the proposed reduction in the outdoor play area has no impact on the transportation network.</li> </ul>
Fire and Rescue	<ul style="list-style-type: none"> <li>• No comments.</li> </ul>

## III. PLANNING COMMISSION REVIEW AND RECOMMENDATION

This Minor Special Exception proceeds directly to the Board of Supervisors without Planning Commission review.

## IV. FINDINGS

1. The proposed modification to the child care center is compatible with the land use and retail policies of the Comprehensive Plan and is consistent with the approved rezoning for Goose Creek Village.
2. The proposed modification to the outdoor play area does not produce any impact on the transportation network.
3. The proposed use, as conditioned, complies with the applicable requirements of the Revised 1993 Zoning Ordinance.

## V. CONDITIONS OF APPROVAL (September 1, 2010)

1. Substantial Conformance. The proposed Minor Special Exception, reduction of the required outdoor play area space, shall be developed in substantial conformance with the Minor Special Exception Plat (“Child Care Center at Goose Creek Village – South Commercial Center”), prepared by Urban LTD, dated June 10, 2010, as revised through August 24, 2010, (the “Plat”), and the Revised 1993 Loudoun County Zoning Ordinance. Approval of this application for an approximately 0.46 portion of Tax Map Number /78//86/////A/ (PIN# 153-27-7697) (the “Property”) shall not relieve the Applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
2. Number of Children in the Play Area. The number of children in the outdoor play area shall not exceed 80 at any one time, in accordance with State licensing

requirements that require at least 75 square feet of space per child at any one time (22 VAC 15-30-380).

## **V. PROJECT REVIEW**

### **A. Context**

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 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 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. Summary of Outstanding Issues**

- The Conditions of Approval are under review by the County Attorney's office; an update will be provided at the public hearing.

### **C. Overall Analysis**

#### COMPREHENSIVE PLAN

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 states that standard practice for 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).

#### ZONING

The applicant is seeking to modify Section 5-609(A)(5) of the Revised 1993 Zoning Ordinance in order to decrease the size of the outdoor play area. There is an active site plan revision (STPR 2010-0018) to add the child care use to the commercial center. The two comments related to this application were intended to ensure consistency between the site plan revision and this minor special exception. The first was requesting clarification of the size of the proposed play area, which was shown as 8,000 SF on the site plan revision and 6,000 SF on the minor special exception plat. The other comment was to ensure that there are enough pickup/drop off parking spaces to meet Ordinance requirements.

The applicant responded that they will revise the site plan to be consistent with the minor special exception, and will have an outdoor play area of 6,000 SF. The applicant also replied that there is adequate parking and that an additional pickup/drop off space can be provided if necessary. These issues are resolved.

#### TRANSPORTATION

The proposal to reduce the required outdoor play area will not have an impact on the transportation network, which has the capacity to accommodate all the trips that could be generated by the use.

#### **D. ZONING ORDINANCE CRITERIA FOR APPROVAL**

*Section 6-1310 of the Revised 1993 Zoning Ordinance states "In considering a Special Exception application, the following factors shall be given reasonable consideration. The applicant shall address all the following in its statement of justification or Special Exception plat unless not applicable, in addition to any other standards imposed by this Ordinance":*

Standard      *Whether the proposed Special Exception is consistent with the Comprehensive Plan.*

Analysis        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.

Standard        *Whether the proposed Special Exception will adequately provide for safety from fire hazards and have effective measures of fire control.*

Analysis        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.

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- Standard      *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.*
- Analysis      The proposed use does not generate any more noise that will negatively impact the uses in the immediate area than a larger required play area.
- Standard      *Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.*
- Analysis      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.
- Standard      *Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.*
- Analysis      The proposed use will be locating in the office portion of a planned mixed-use regional office community. 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.
- Standard      *Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.*
- Analysis      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.
- Standard      *Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archeological or historic feature of significant importance.*
- Analysis      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.
- Standard      *Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.*
- Analysis      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 Goose Creek Village North.
- Standard      *Whether the proposed Special Exception at the specified location will contribute to or promote the welfare or convenience of the public.*

- Analysis The proposed use will be locating in the office portion of a planned, mixed-use regional office community. The proposed use will provide a needed commercial service to the users of this community, and will help to fulfill the goal of users within the mixed-use community meeting their service needs within the community. 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.
- Standard *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.*
- Analysis 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.
- Standard *Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet the code requirements of Loudoun County.*
- Analysis The proposed use will occupy a newly constructed structure.
- Standard *Whether the proposed Special Exception will be served adequately by essential public facilities and services.*
- Analysis 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.
- Standard *The effect of the proposed special exception on groundwater supply.*
- Analysis Groundwater will not be used to serve the proposed use.
- Standard *Whether the proposed use will affect the structural capacity of the soils.*
- Analysis 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.
- Standard *Whether the proposed use will negatively impact orderly and safe road development and transportation.*

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- Analysis Safe road access will be available via Belmont Ridge Road and Sycolin Road. 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.
- Standard *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.*
- Analysis 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. Child care centers are an essential service needed by the working public.
- Standard *Whether the proposed special exception considers the needs of agriculture, industry and businesses in future growth.*
- Analysis 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.
- Standard *Whether adequate on and off-site infrastructure is available.*
- Analysis 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.
- Standard *Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.*
- Analysis No unusual odors will be generated by the proposed use that would impact adjacent uses.
- Standard *Whether the proposed Special Exception uses sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.*
- Analysis Construction traffic can access the site without impacting existing neighborhoods and school areas.

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<b>VI. ATTACHMENTS</b>		<b>PAGE NUMBER</b>
<b>1. Review Agency Comments</b>		
a. Planning, Comprehensive Planning	(07/16/10)	A-1
b. Building and Development, Zoning Administration	(07/19/10)	A-3
c. Office of Transportation Services	(07/14/10)	A-5
d. Fire and Rescue Services	(07/15/10)	A-9
<b>2. Disclosure of Real Parties in Interest</b>	(06/11/10)	A-11
<b>3. Applicant's Statement of Justification</b>	(06/11/10)	A-21
<b>4. Applicant's Response to Referral Comments</b>	(08/02/10)	A-27
<b>5. Special Exception Plat</b>	(08/25/10)	Follows A-30