

## **STATEMENT OF JUSTIFICATION**

### **BELMONT GLEN VILLAGE Zoning Concept Plan Amendment Application**

TM 78, Parcel 9, MCPI #195-19-3084

June 12, 2009

Revised November 6, 2009

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#### **1. Introduction**

**Bayshire, LC** of McLean, Virginia, is the applicant for the Zoning Concept Plan Amendment (ZCPA) for the proposed Belmont Glen Village community (MCPI #195-19-3084), which includes 143 acres. The Rouse/Belmont Glen rezoning application was approved in June 2004 for a residential community of 196 single-family detached dwelling units at a density of 1.37 dwelling units per acre. The property is located within the suburban policy area designated in the Revised General Plan on the west side of Route 659 (Belmont Ridge Road), the east side of Goose Creek, north of the Beaverdam Reservoir and south of the Dulles Greenway. The property is planned for residential use in the Revised General Plan (RGP) at a density between one and four dwelling units per acre. The original rezoning was for the PD-H3 zoning district administered under the R-8 traditional design option. The primary traditional design feature of the approved concept plan, along with an interconnecting street network, was the use of alleys with rear-loaded units along the alleys, and front-loaded units that required the garage to be set back twenty feet from the front of the house. The concept plan also proposed a highly clustered lay-out, maintaining nearly two-thirds of the site as open space, much of which is located adjacent to Goose Creek and is proffered for dedication to Loudoun County.

Since the time of rezoning approval, the applicant has received preliminary subdivision and construction plan approval for the project. As a result of these applications, the applicant came to the understanding that the traditional design option placed on a site with the topographical features of this property results in “over-engineering” the property. There also was difficulty finding homebuilders who had houses that could be accommodated on the lots with the slopes of the approved plans. As a result, the applicant undertook a new study of the property, which has resulted in the revised concept plan with an alternative lay-out for the approved 196 lots that fits better with the site topography. This revised lay-out is better suited to the requirements of the standard R-8 building and lot requirements, creating the need for the proposed zoning concept plan amendment application. The proposed concept plan amendment would develop the property under the standard R-8 district requirements. The revised concept plan will maintain the same density and number of dwelling units, as well as retaining the significant environmental protection features and the preservation of permanent open space to protect the green infrastructure and to

preserve the environmental integrity of the property.

**2. Project Summary**

The applicant for Belmont Glen Village is requesting to amend the approved concept plan from being administered under the R-8 district traditional design option to being administered under the standard R-8 district requirements. The revised concept plan will continue to provide 196 single family detached lots divided between small and large lot units. Open space will continue to be the predominant feature of the property with 67 percent of the land area preserved as permanent open space, with two-thirds of the open space area being dedicated to the County.

Belmont Glen Village will have no direct vehicular access to Belmont Ridge Road (Route 659), but will have access through inter-parcel access through the communities initially to the south and eventually to the east, as well, when the Goose Creek Estates property is developed. Internal access will be provided by public residential streets designed and built to Virginia Department of Transportation (VDOT) standards. Route 659 is planned for an ultimate six-lane, controlled access, median-divided, minor arterial roadway, with a four-lane divided interim improvement.

In summary, Belmont Glen Village constitutes the following:

- Size: 143 ± acres
- Existing Zoning and Concept Plan: PD-H3 administered under the R-8 district traditional design option
- Proposed Zoning and Concept Plan: PD-H 3 administered under the standard R-8 district requirements
- Density: 1.37 dwelling units per acre
- Development Program: 196 single family detached dwelling units
- Project Amenities: Community design that implements green infrastructure policies with tree preservation areas, dedication of open space encompassing Goose Creek floodplain and wetlands, active recreation space and open space central to the community, sidewalks and pedestrian trails throughout property.
- Open Space: 67 percent permanent open space (97 acres)
- Surrounding Land Use:
  - North: Goose Creek, transition residential across Goose Creek
  - East: Vacant (zoned PD-H4 residential)
  - South: Residential (Belmont Glen) & Goose Creek Reservoir
  - West: Goose Creek, transition residential across Goose Creek

Planned Land Use:           Suburban policy area/residential east of Goose Creek  
  Transition policy area west of Goose Creek

The revised concept plan, which works better with the existing grades on the property, offers many advantages over the approved concept plan lay-out, outlined as follows:

- The proposed design is more consistent with the existing topography resulting in less overall earthwork and existing landform modification.
- The more efficient lay-out reduces infrastructure needs including reduced road lengths, site utilities, elimination of alleys, less need for retaining walls, and, when needed, smaller retaining walls, and a potential decrease in wetland impacts.
- By following the topography, the pedestrian network will be more user friendly, especially in terms of ADA accessibility, with less steep grades encountered in the pedestrian system.
- As a result of eliminating the alleys and a more efficient street lay-out, there is a 5.2 acre reduction of the impervious surface on the property, an increase in the pervious area on individual lots, and an overall increase in the open space on the property.
- The central community open space has increased nearly two acres in area from 1.8 acres to 3.6 acres, while the significant open space area preserved along Goose Creek remains unaffected.
- These elements also potentially lead to a decrease in the stormwater management requirements, thereby allowing for increased opportunities to use low impact design techniques.
- Together, these features result in a “greener community” design.
- The costs of home construction also are reduced as a result of the revised lay-out, resulting in a more-cost efficient home to the consumer.
- Along with the advantages of the revised lay-out listed above, there will be no detrimental effects to the County as a result of the proposed ZCPA, since the existing proffers will be essentially maintained and there will be no increase in the number of dwelling units.

### **3. Comprehensive Plan Conformance**

The property is governed by the land use policies contained in the suburban policy area of the RGP and the transportation policies found in the Revised Countywide Transportation Plan (CTP). This property lies on the western edge of the suburban policy area in the Ashburn community. Belmont Glen Village is proposed as a residential neighborhood as outlined in the RGP.

A maximum of 196 single family detached dwelling units are proposed for Belmont Glen Village under a concept plan that allows for open space to be the dominant visual feature with emphasis on the

green infrastructure elements located on the property. While the RGP permits new residential neighborhoods to develop at densities up to four dwelling units per acre, Belmont Glen Village is proposed for a density of 1.37 dwelling units per acre in order to achieve maximum open space sympathetic to the natural features of the property. As a result, Belmont Glen Village achieves a compact and efficient design minimizing the need for extensive infrastructure extensions. The proposed amendment to the approved concept plan reduces the amount of the infrastructure to an even greater extent, as well as an increase in the amount of open space area. The active recreation site, which has been enlarged under the proposed concept plan, is located centrally in the community and will be a prominent feature of the built portion of the property.

The proposed amendment improves Belmont Glen Village's response to the environmental recommendations specified in the RGP. These environmental features include the Goose Creek floodplain and management buffer, the steep slope areas, the tree preservation areas, and the on-site stream corridors. The revised concept plan responds to the on-site features as follows:

1. River and Stream Corridor Management Buffer

The Goose Creek floodplain and rivers and streams corridor management buffer areas have been preserved with the design for Belmont Glen Village. The property has two miles of frontage on the Goose Creek, with 64 acres along this frontage being dedicated to the County for the linear park planned and being implemented by the County along the east side of Goose Creek. The compact community design coupled with the low density preserves the Goose Creek floodplain/buffer area.

2. Existing Tree Cover

Belmont Glen Village provides an efficient lot lay-out that preserves the existing vegetation and tree cover and limits clearing to the compact building area (only one-third of the site) enabling the preservation of a significant portion of the existing tree cover. Again, 67% of the site is being retained as permanent open space, with much of that designated as tree preservation area.

3. Steep Slopes

The revised concept plan for Belmont Glen Village protects the steep slope areas as did the approved concept plan.

4. Zoning

The property currently is zoned PD-H3 and administered under the R-8 district traditional design option. The revised concept plan proposes to be administered under the standard R-8 district requirements, which is the primary revision to this application. The proffer commitments will remain essentially

unchanged. Several of the Zoning Ordinance modifications granted with the approved rezoning are being continued with this application including reducing the buffer required at the edge of a PD-H district and the modification to permit a cash contribution for the affordable dwelling unit (ADU) requirement. Several modifications granted with the approved rezoning no longer are needed with the revised concept plan including private streets and modifications to the traditional design option criteria. An additional modification regarding height limitations at the edges of PD-H districts is proposed, since one lot under the revised lay-out cannot meet this provision. The requested modifications with justification are included in a separate document submitted with this application.

**5. Transportation**

Belmont Glen Village, while located on the west side of Belmont Ridge Road, it has no frontage on Belmont Ridge Road and no entrance onto Belmont Ridge Road. Belmont Glen Village will not have direct access to Route 659, but will have access via interparcel access with the Goose Creek Estates property to the east and the Belmont Glen and Corro subdivisions to the south. The Goose Creek Estates property provides a second access point to Route 659 at a signalized intersection opposite Broadlands Boulevard with the approved Goose Creek Preserve rezoning application (ZMAP 2002-0009) Until the intersection and road access through the Goose Creek Estates property is constructed, the proffers restrict Belmont Glen Village to constructing 60 units for which the access will be provided through the Belmont Glen subdivision via Fairhunt Drive and Belmont Glen Drive, which has a full-movement intersection at Route 659. Prior to construction of this entrance, it will be reviewed and approved by VDOT for compliance with all safety and construction standards. The Belmont Glen Drive entrance, which is constructed and is open to traffic, meets all VDOT construction and safety standards, including adequate sight distance. Since the Belmont Glen rezoning was approved, the entrance for the Corro property rezoning on Belmont Ridge Road also has been constructed and is accessible from Belmont Glen Village through Belmont Glen.

The Belmont Glen Village forecasted traffic (determined at the time of the rezoning application) can be accommodated adequately at the key intersections in the study area without additional roadway improvements beyond those identified under background conditions. The up-front regional road cash contribution of \$750,000 has been paid to the County. The proffers also provide for dedication of Belmont Ridge Road right-of-way where any portions of the property are within 60 feet of the centerline of Belmont Ridge Road at the time of record plat or upon request of the County. The proffers also provide for the construction of a 10-foot wide trail where the right-of way for Belmont Ridge Road crosses the property at

the time of record plat approval. The applicant intends to maintain the same road proffers with the proposed amendment.

Belmont Ridge Road is classified as a minor arterial road in the CTP and planned ultimately as a six-lane median divided controlled access roadway, with 120 feet of right-of-way. It currently is being upgraded from a two-lane rural roadway to a four-lane median divided controlled access roadway as an interim condition. With no difference in the number of lots proposed, there is no difference in trip generation from the approved concept plan for the property.

**6. Zoning Ordinance Section 6-1211(E) - Issues for Consideration**

**(1) *Whether the proposed zoning district classification is consistent with the Comprehensive Plan.***

The Comprehensive Plan designates the location of Belmont Glen Village as appropriate for suburban residential development with a density of up to four dwelling units per acre. The approved concept plan and zoning is PD-H3 for the purpose of constructing 196 single-family detached units at a density of 1.37 dwelling units per acre, which will not change with the revised concept plan. The project design conforms to the land use and residential densities recommended in the RGP, as well as the green infrastructure policies.

**(2) *Whether there are any changed or changing conditions in the area affected that make the proposed rezoning appropriate.***

The applicant is proposing the amendment in response to the current housing market conditions, which have changed since the time of the rezoning approval. The applicant found that the builders' house plans did not fit the lots and the site conditions. The applicant determined that due to the difficult topographic features of the property, the standard lot layout works better with the site contours than did the traditional layout, and provides lots that better suits the builders' house plans. The Comprehensive Plan designates this area as appropriate for suburban residential development with special emphasis on preservation of open space, river and stream corridor management buffers, and tree preservation, all of which have been preserved by the revised concept plan.

**3) *Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity.***

Both the approved and proposed uses are compatible with the surrounding properties due to the proposed use (single family detached) and density (1.37 dwelling units per acre). Adjacent land to the south of Belmont Glen Village is zoned R-8 and is developed as single family detached

units. The Goose Creek Estates property to the east is zoned PD-H4 and also is to be administered under the R-8 district regulations. The Broadlands planned community located across Route 659 from Belmont Glen Village is developed at approximately 3.0 dwelling units per acre.

**(4) *Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned.***

Belmont Glen Village is located in an area of the county that is designated for suburban residential development. The full array of public infrastructure and utilities are available in this location. Central sewer and water extensions are located in proximity to the property. Elementary, middle, and high school facilities are planned or exist within a five-mile radius of the property. The proffers provide significant contributions for county capital facilities and transportation, as well as require the applicant to fund the costs of extending water and sewer to the property.

**(5) *The effect of the proposed rezoning on the County's ground water supply.***

Belmont Glen Village will not negatively impact the ground water supply in Loudoun County as the project will use central water and will not use ground water from the immediate area. Additionally, with 67% of the site being retained as open space, Belmont Glen Village is preserving the majority of the property's capacity to replenish the groundwater supply.

**(6) *The effect of uses allowed by the proposed rezoning on the structural capacity of the soils.***

The applicant will use proper engineering techniques to insure that appropriate measures are taken to safeguard the integrity of the structural capacity of the soils.

**(7) *The impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas.***

Belmont Glen Village is located along Route 659, which is designated as a minor arterial roadway that will provide access to Belmont Glen Village. The proffers include a \$750,000 contribution for improvements to Route 659, which the applicant paid in 2004 and 2005 to off set the regional road impacts generated by the rezoning.

**(8) *Whether a reasonably viable economic use of the subject property exists under the current zoning.***

The applicant has determined that the approved concept plan is not viable in today's housing

market primarily due to the fact that the builders do not have house plans that work with the approved lot configuration. The revised concept plan better meets the current housing market house plans.

- (9) *The effect of the proposed rezoning on the environment or natural features, wildlife habitat, vegetation, water quality and air quality.***

Both the approved and revised concept plans have been designed in accord with the Comprehensive Plan's green infrastructure policies, and which have been designed to minimize the impact of the development on the natural features, wildlife habitat, vegetation, water quality and air quality. Conservation design is one of the major design features of this concept plan. Sixty-seven percent of the site will remain as open space to preserve these features.

- (10) *Whether the proposed rezoning encourages economic development activities in areas designated by the Comprehensive Plan and provides desirable employment and enlarges the tax base.***

Belmont Glen Village is located in the suburban policy area as designated in the Comprehensive Plan that calls for residential use up to four dwelling units per acre and is not an area intended for economic development activity. Belmont Glen Village will provide a support residential use in proximity to existing and planned commercial and office centers by providing housing needed for the employees of these centers. Major employment centers are located along the Dulles Greenway in the vicinity of the project.

- (11) *Whether the proposed rezoning considers the needs of agriculture, industry, and businesses in future growth.***

Belmont Glen Village is not located in an area designated in the Comprehensive Plan for agriculture, industry or business.

- (12) *Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes as determined by population and economic studies.***

The Comprehensive Plan designates this location for residential development. The RGP policies provide for a balanced land use pattern and call for this area to be a residential neighborhood.

- (13) *Whether the proposed rezoning encourages the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County.***

The Comprehensive Plan designates residential uses with densities between one and four dwelling units per acre as the most appropriate uses in this location. The revised concept plan preserves the valued open space elements of the property and will implement the green

infrastructure policies set forth in the RGP.

- (14) *Whether the proposed rezoning considers trends of growth or changes, employment, and economic factors, the need for housing, probable future economic and population growth of the county and the capacity of existing and/or planned public facilities and infrastructure.***

Belmont Glen Village is located south of the Dulles Greenway in proximity to major office and commercial centers. Belmont Glen Village is well-situated to provide the housing for the workers in these employment centers in accordance with the Comprehensive Plan. This area is planned for public facilities and infrastructure which is being constructed as the residential communities develop to accommodate the residential uses.

- (15) *The effect of the proposed rezoning to provide moderate housing by enhancing opportunities for all qualified residents of Loudoun County.***

Affordable dwelling units (ADU's) are being addressed under the provisions of Article 7 of the Zoning Ordinance, which permit the payment of cash contributions in lieu of construction.

- (16) *The effect of the rezoning on natural, scenic, archaeological, or historic features of significant importance.***

The compact design of the revised concept plan enables 67% of the property to remain as open space, which is protecting the floodplain, river and stream corridor management buffer, steep slopes and the one archeological site identified on the property.

## **7. Conclusion**

Belmont Glen Village conformance with the land use, density, and green infrastructure policies of the RGP and is in compliance with the applicable provisions of the Zoning Ordinance, with appropriate modifications included with the application. At a density of only 1.37 dwelling units per acre, the project is at the low end of the density range recommended in the RGP. The compact and pedestrian scale residential development will preserve valued open space, natural features, and existing tree cover. Along with the advantages of the revised concept plan enumerated in this statement, there will be no detrimental effects to the County as a result of the proposed ZCPA, since the existing proffers will be essentially maintained and there will be no increase in units.

The proposed amendment to the approved concept plan represents an excellent example of an environmentally responsive designed residential development that warrants approval by the Planning Commission and the Board of Supervisors as a residential community that implements the green infrastructure design practices articulated in the County plans and ordinances.