County of Loudoun

Department of Planning

MEMORANDUM

DATE: August 26, 2009

TO:

Building and Development,	Mike Seigfried	MS 60A
Building and Development, ERT	William Marsh	MS 60
Building and Development, Zoning	Mark Stultz	MS 60
Capital Construction & Solid Waste	Dan Csizmar	MS 64
Fairfax City, VA	David Hudson	
Fire, Rescue & Emergency Services	Maria Taylor (3)	MS 61
General Services	Randy Williford	MS 48
Goose Creek Scenic River Advisory Board	Helen Casey	
Health Services, Environmental	Alan Brewer	MS 68
Loudoun Water	Julie Atwell	MS 00B
Office of Transportation Services	Terri Smithson	MS 69
Parks, Recreation & Community Services	Mark Novak	MS 78
Planning, Comprehensive	Cindy Keegan	MS 62
Public School Administration	Sam Adamo	MS 00C
Virginia Department of Transportation	Tom Van Poole (3)	MS 00
Board of Supervisors	Stevens Miller	MS 01
Planning Commission	Sandra Chaloux	MS 62

FROM: Mike Elabarger
Project Manager

RE: **ZCPA 2009-0007 & ZMOD 2009-0004**
Belmont Glen Village

COMMENT DUE DATE: **September 25, 2009 (30-day first referral due)**

(Note: Please provide referral comments, one paper copy as well as one electronic copy to Mike.Elabarger@loudoun.gov by the due date. If you have any questions, please contact me at 703-737-8506.)

Please find the enclosed information for your review: **If no hard copy is provided, see LIMS documents. Please also see LMIS or the public hard copy file for the already approved ZMAP-2004-0006.**

1. Information Sheet
2. Checklist Waiver letter & Zoning Correspondence, ZCOR 2009-0089
3. Statement of Justification dated June 12, 2009 and revised August 3, 2009
4. Zoning Ordinance Modifications dated June 22, 2009 and revised July 31, 2009
5. Traffic Statement May 15, 2009, revised June 12, 2009/Traffic Checklist (OTS & VDOT)
6. Plat dated June 12, 2009

ZCPA 2009-0007 & ZMOD 2009-0004
Belmont Glen Village

APPLICANT/OWNER:	Bayshire, LC Richard D. Entsminger, Manager 1355 Beverly Road, Suite 240 McLean, VA 22101 703-734-9730
REPRESENTATIVE:	Walsh, Colucci, Lubeley, Emrich & Walsh, PC Christine E. Gleckner, AICP One East Market Street Leesburg VA 20176 571-209-5776 cgleckner@ldn.thelandlawyers.com
PROPOSAL:	A **Zoning Concept Plan Amendment** to amend ZMAP 2004-0006, the approved concept plan for R-8 traditional design option to standard R-8. Also, a **Zoning Modification** to modify Sections 3-509, 4-109, 4-110, and 7-103.
LOCATION:	21361 Belmont Ridge Road, Ashburn, VA
TAX MAP/PARCEL:	Tax Map— /78/////////9/ MCPI—195-19-3084-000
CURRENT ZONING:	PD-H3 as Traditional R-8
RESIDENTIAL UNITS:	196 single-family detached

SURROUNDING ZONING/LAND USES:

NORTH	TR-10	Residential
SOUTH	R-1 & R-8	Residential/Reservoir
EAST	PD-H4	Residential/Vacant
WEST	PD-RV& TR-10	Conservancy lot/Residential

ELECTION DISTRICT: Dulles

Loudoun County, Virginia
Department of Planning
1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, Leesburg, VA 20177-7000
Telephone (703) 777-0246 • Fax (703) 777-0441

July 31, 2009

Christine Gleckner, Planner
Walsh, Colucci, Lubeley, Emrich & Terpak, P.C.
One East Market Street
3rd FloorLeesburg, Virginia 20176

Re: ZCPA 2009-0007 Belmont Glen Village Checklist Waivers

Dear Chris:

In response to your email dated June 12, 2009, the Director has agreed to waive checklist items J.5 and J10. The agreement to waive these requirements is based upon your explanation that the proposed Zoning Concept Plan Amendment (ZCPA) is only to revise the previously approved Rouse – Belmont Glen, ZMAP 2004-0006. Moreover, the project area has approved land development applications and permits, including grading permit number X20090660001.

This letter does not preclude staff from requesting such information during the review process if it is deemed necessary. Furthermore, this waiver is granted solely for the proposed zoning amendment.

Please include a copy of this letter in your application submission. If you have any questions please feel free to contact me at 703-777-0647.

Sincerely,

Ginni Van Horn
Planner

cc: John Merrithew, Assistant Director, Department of Planning

Gleckner, Christine E.

From: Gleckner, Christine E.

Sent: Friday, June 12, 2009 6:38 PM

To: 'John Merrithew'

Subject: Belmont Glen Village ZCPA application - checklist waiver request

John,
I am requesting a waiver of the following ZCPA application minimum submission requirements for the Belmont Glen Village application:

Item J.5: The locations and general description of vegetation and tree cover
Item J.10: Archeological or historical features

Justification: These two studies were submitted at the time of the rezoning application (ZMAP 2002-0007 and ZMAP 2004-0006). The concept plan layout at the time was based on the findings of these studies. One archeological site was identified and is being preserved undisturbed in the permanent open space area being dedicated to Loudoun County along Goose Creek. The archeological site is identified on the revised concept development plan. With regard to tree cover and preservation, nearly two-thirds of the property is being retained as open space with the proposed development clustered into a compact pattern. A significant portion of this open space is designated as tree preservation area. The rezoning concept plan was approved based on the areas identified as tree preservation area. The revised concept plan is merely a reconfiguration of only the developed area shown on the approved concept plan. The open space and tree preservation areas will remain unaffected by the proposed amendment. In summary, neither of these studies are required for the ZCPA application, since the information included in the studies was taken into account at the time the rezoning was approved, and the proposed revision does not alter the effect on trees and vegetation and archeological and historic features approved with the rezoning.

Sincerely, Chris Gleckner

Christine Gleckner, AICP
Walsh, Colucci, Lubeley, Emrich and Walsh
One East Market Street, SE, Suite 300
Leesburg, VA 20176

571-209-5776 (d)
703-737-3633 (o)
703-737-3632 (f)

RECEIVED
JUN 26 2009
PLANNING AND DEVELOPMENT

Loudoun County, Virginia
www.loudoun.gov

Department of Building and Development
Zoning Administration / MSC# 60
1 Harrison Street, S.E., P.O. Box 7000, Leesburg, VA 20177-7000
Administration: 703-777-0397 • Fax: 703-771-5215

June 17, 2009

Ms. Christine Gleckner
Walsh, Colucci, Lubeley, Emrich and Walsh
1 East Market Street, S.E., # 300
Leesburg, VA 20176

RE: Belmont Glen - Rouse Property (ZMAP 2004-0006); Election District: Dulles
LCTM: /78/////////9/; MCPI #: 195-19-3084

Dear Ms. Gleckner:

This letter is in response to your letter dated May 18, 2009, to Mark Stultz, Deputy Zoning Administrator, in which you inquired whether a potential amendment to the approved Belmont Glen rezoning (ZMAP 2004-0006) could be processed as a special exception application. You have noted that the internal open space of the development will be increased as a result of the revised plan and that open space to be dedicated to the County will not change, nor will the unit count or unit type.

The above referenced development is zoned PD-H3 (Planned Development – Housing 3) and FOD (Floodplain Overlay District), and is subject to the Concept Development Plan and Proffers approved with ZMAP 2004-0006, Belmont Glen - Rouse Property. The development is proposed to be administered as R-8 Traditional Design Option. Pursuant to Section 6-1511, *Approved Changes to Concept Development Plan After Approval*, of the Revised 1993 Zoning Ordinance, changes to an approved Concept Development Plan may be considered a minor change and approved by the Zoning Administrator, or may be made by special exception approved by the Board of Supervisors, or reviewed pursuant to the procedures established for a zoning concept plan amendment (ZMAP).

I have reviewed the proposed changes to the layout for this development (drawing received June 3, 2009) and note that the application proposes to convert the existing layout from the traditional design option (approved) to the standard option through the elimination of alleyways and some alteration to the road and lot layout. It is understood that the active recreation use will be retained, even though it is not shown on the sketch submitted June 3, 2009. Pursuant to Section 6-1511(B)(3) the proposed changes could be processed as a special exception application, since the amendment involves only the arrangement of specified land uses, structures, or land bays within the planned development. Further, any Modifications to the regulations applicable to the Concept Development Plan would also qualify as a special exception pursuant to Section 6-1511(B)(4).

Please note however, that a detailed review of the layout and conformance with the Zoning Ordinance will be done when the special exception application is submitted.

This determination applies solely to the referenced property and is not binding upon the County, the Zoning Administrator or any other official with respect to any other property. No person may rely upon this determination with respect to any property other than the referenced property.

Please be advised that any person aggrieved, or any officer, department or agency of Loudoun County affected by an order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the provisions of the *Zoning Ordinance* may appeal said decision within thirty days to the Board of Zoning Appeals in strict accordance with Section 15.2-2311 of the *Code of Virginia*. This decision is final and unappealable if not appealed within 30 days.

If you have any additional questions, please let me know.

Sincerely,

Val Thomas
Planner, Zoning Administrator

cc: Stevens Miller, Loudoun County Board of Supervisors, Dulles Election District
Dan Schardein, Zoning Administrator
Mark Stultz, Deputy Zoning Administrator
Property Owner: Bayshire, L.C., Elm Street Development, 1355 Beverly Road, Suite 240, McLean VA 22101

DETERMINATION SUMMARY

DATE:	June 17, 2009
DETERMINATION NUMBER:	ZCOR-2009-0089
SUBJECT:	Rouse/Belmont Glen ZCPA Process
1993 Ordinance Reference Numbers:	Section 6-1511*
1972 Ordinance Reference Numbers:	N/A
Other applicable reference numbers: (ZMAP/ZCPA/STPL etc.	ZMAP 2004-0006*
Applicable Tax Map/Pin Number(s):	**LCTM: /78/////////9/; MCPI # 195-19-3084**

Summary of Determination:

Pursuant to Section 6-1511(B)(3) the proposed changes could be processed as a special exception application, since the amendment involves only the arrangement of specified land uses, structures, or land bays within the planned development.

Is this a determination: Check one: Yes __X___ No _____

Author: Val Thomas

* Indicates where to file

det #: desktop/ZCOR2009/ZCOR.2009-0089.vt

STATEMENT OF JUSTIFICATION

BELMONT GLEN VILLAGE
Zoning Concept Plan Amendment Application
TM 78, Parcel 9, MCPI #195-19-3084
June 12, 2009
Revised August 3, 2009

RECEIVED
AUG 18 2009
PLANNING DEPARTMENT

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, created the need for the proposed zoning concept plan amendment application. The proposed concept plan amendment would develop the property under the standard

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 singe 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:

- Less engineering is required 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 1.3 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 two acres in area from 1.8 acres to 3.8 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, which also is desirable in the current real estate market.
- 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 and 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 has approximately 50 feet of 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 subdivision 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 31 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 along the property frontage 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 along the Belmont Ridge Road frontage 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 200X 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 employments 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.

CHECKLIST ITEM P

ZONING ORDINANCE MODIFICATIONS

June 22, 2009

Revised July 31, 2009

RECEIVED
AUG 19 2009
PLANNING DEPARTMENT

I. MODIFICATION OF REQUIRED BUFFER ADJACENT TO RESIDENTIAL DEVELOPMENT

A. ZONING ORDINANCE SECTIONS TO BE MODIFIED

Section 3-509(C) R-8 Single Family Residential District/Additional Development Standards.

Minimum Buffer. *A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 6,000 square feet or greater. Such buffer area may be included in open space calculations.*

Section 4-109(C) Site Planning – External Relationships

Uses adjacent to single-family, agricultural, or residential districts or land bays allowing residential uses. *Where residential uses in a PD-H district adjoin a single-family residential, agricultural, or residential district or land bay allowing residential uses, or a commercially zoned development approved subject to proffers prior to adoption of this ordinance, the development shall provide for either:*

(1) Single family dwellings on minimum lots of (20,000) square feet or greater, exclusive of major floodplain, along such perimeter; or,

(2) A permanent open space buffer along such perimeter at least fifty (50) feet in width, landscaped with a Type 2 Buffer Yard.

Section 4-110(I) Site Planning – Internal Relationships

Uses adjacent to single-family residential, or agricultural and residential districts or land bays allowing residential uses. *Where residential uses in a PD-H district adjoin a single-family residential, agricultural, residential district or land bay allowing residential uses, the development shall provide for either:*

(3) Single family dwellings on minimum lots of (20,000) square feet or greater, exclusive of major floodplain, along such perimeter, or:

(4) A permanent open space buffer along such perimeter at least fifty (50) feet in width, landscaped with a Type 2 Buffer Yard.

B. PROPOSED MODIFICATION

Along the boundary that adjoins the Goose Creek Preserve property to the northeast, the applicant proposes to provide:

- A minimum 25-foot permanent open space buffer along lot 37, a lot containing a minimum of 10,000 square feet;
- A minimum 30-foot permanent open space buffer along lots 48-51, lots containing a minimum of 9,000 square feet;
- A 25-foot rear yard along lots 38 and 39, lots containing a minimum of 7,500 square feet;
- A six-foot side yard along lot 40, a lot containing 6,000 square feet.

C. JUSTIFICATION FOR MODIFICATION

The public purpose of the 50-foot buffer requirement is to provide a visual separation between two zoning districts or residential land bays with potentially dissimilar lot sizes and to provide protection of the development from potentially adverse surrounding influences and protection of surrounding areas from potentially adverse influences within the development. In this case, however, the Goose Creek Preserve property is zoned PD-H4, a higher density than Belmont Glen Village, with both residential communities to be administered under the R-8 district requirements. Belmont Glen Village proposes a minimum single-family detached lot size of 6,000 square feet, while the Goose Creek Preserve property is administered under the R-8 district requirements for projects providing affordable dwelling units, with no minimum lot size requirement. Both projects are proposing single-family detached units in the land bays located along the common property boundary. Therefore, similar uses are proposed adjacent to each other, and do not require "protection" from each other. In addition, the Goose Creek Preserve property is providing an open space buffer area along the common boundary with Belmont Glen Village. Along lot 50, where Belmont Glen Village is providing a minimum 30-foot open space buffer, the Goose Creek Preserve property is providing an open space buffer ranging from a minimum of 35 feet to 100 feet for a total combined buffer ranging from 70 feet to 135 feet. Along lot 40, where there is no open space buffer, the Goose Creek Preserve property is providing a minimum 90-foot open space buffer. And along lots 37 and 38, where there is no open space buffer, the Goose Creek Estates property is providing a minimum 85-foot open space buffer. This open space buffer area is wooded with mature stands of trees. With this naturally wooded area providing ample visual separation between the two neighborhoods, there is no need to provide the full 50-foot open space buffer along every lot on the Belmont Glen Village boundary.

Belmont Glen Village has been laid out with great sensitivity to the natural features/green infrastructure located on the property. In order to respect these features, the built portion of Belmont Glen is located in close proximity to the Goose Creek Preserve property in order to maximize the open space buffer along Goose Creek. The need for this modification request isn't a case of trying to maximize density on the property, since an overall density of 1.37 dwelling units per acre is proposed. Nor is it a request to reduce open space, since 67% of the site will be retained as open space. Rather, the need for this modification request is clearly demonstrated by trying to achieve the best conservation design for the

site possible. Since similar zoning and uses are proposed adjacent to each other, and since the Goose Creek Preserve property is proposing an ample wooded buffer on its side, the public purposes of these zoning ordinance sections will be satisfied.

II. MODIFICATION OF HEIGHT LIMITATION AT EDGE OF PD-H DISTRICT

A. ZONING ORDINANCE SECTION TO BE MODIFIED

Section 4-109(E) Site Planning –External Relationships
Height limitations at edges of PD-H districts. *Except along boundaries where adjoining districts permit greater heights within similar areas, height limitations shall be limited to an imaginary plane leaning inward from district boundaries at an angle representing an increase in height of one (1) foot for every one (1) foot of horizontal distance perpendicular to the district boundary. No portion of any building in such district shall project through said imaginary plane.*

B. PROPOSED MODIFICATION

The applicant proposes that the imaginary plane at the edge of the PD-H district shall not apply to lot 40.

C. JUSTIFICATION FOR MODIFICATION

The public purpose of the height limitation at the edges of PD-H districts is to provide a visual separation between two zoning districts or residential land bays and to provide protection of the development from potentially adverse surrounding influences and protection of surrounding areas from potentially adverse influences within the development. In this case, however, the Goose Creek Preserve property is zoned PD-H4, a higher density than Belmont Glen Village, with both residential communities to be administered under the R-8 district requirements. Both projects are proposing single-family detached units in the land bays located along the common property boundary. Therefore, similar uses are proposed adjacent to each other with similar heights, and do not require "protection" from each other. In addition, the Goose Creek Preserve property is providing an open space buffer area along the common boundary with Belmont Glen Village. Furthermore, adjacent lot 40, the Goose Creek Preserve property is providing a minimum 90-foot open space buffer. This open space buffer area is wooded with mature stands of trees, with this naturally wooded area providing ample visual separation between the two neighborhoods, there is no need to provide a building height limitation along the common boundary.

Belmont Glen Village has been laid out with great sensitivity to the natural features/green infrastructure located on the property. In order to respect these features, the built portion of Belmont Glen is located in close proximity to the

Goose Creek Preserve property in order to maximize the open space buffer along Goose Creek. The need for this modification request isn't a case of trying to maximize density on the property, since an overall density of 1.37 dwelling units per acre is proposed. Nor is it a request to reduce open space, since 67% of the site will be retained as open space. Rather, the need for this modification request is clearly demonstrated by trying to achieve the best conservation design for the site possible. Since similar zoning and uses are proposed adjacent to each other, and since the Goose Creek Preserve property is proposing an ample wooded buffer on its side, the public purpose of this zoning ordinance section will be satisfied.

III. MODIFICATION OF ADU REQUIREMENTS TO PERMIT CASH IN LIEU OF UNITS

A. ZONING ORDINANCE SECTION TO BE MODIFIED

Section 7-103(A)(1) Single Family Detached and Single Family Attached Units.

For active rezoning applications that have not yet complied with Section 6-1204(D)(1) of this Ordinance as of December 16, 2003, and for rezoning, special exception, site plan and preliminary subdivision applications officially accepted after December 16, 2003 which request approval of single family detached dwelling units or single family attached dwelling units, the proposed density shall reflect an increase of twenty percent (20%), including the required number of affordable dwelling units, unless such figure is modified pursuant to the provisions of Section 7-108 or the applicant provides cash in lieu of providing the single family detached units pursuant to Section 7-108(A)(3).

B. PROPOSED MODIFICATION

The applicant proposes to permit the cash in lieu buyout of required Affordable Dwelling Units (ADUs), pursuant to Section 7-108(A)(3), which states as follows:

...any request for rezoning, special exception, or preliminary subdivision (by right) which contain only single family detached units, a modification may be requested to provide cash in lieu of the units. Such cash must be paid prior to the first zoning permit. In the event that an applicant requests a modification to make such cash payment, the following criteria shall apply:

(a) The cash formula of Section 7-108(E) shall apply.

(b) The decision to pay cash in lieu of providing the units has be made at the time of approval of the rezoning, special exception or preliminary subdivision (by right), as applicable.

(c) No bonus density is to be granted for a development, when the applicant opts to provide cash in lieu of units.

(d) The district regulations of Article VII shall not apply to a development when an applicant opts to provide cash in lieu of units.

C. JUSTIFICATION FOR MODIFICATION

The proposed application is an amendment to ZMAP 2002-0007 and adopted as ZMAP 2004-0006 as part of a court settlement of the original rezoning application. The following is the justification for this modification provided with ZMAP 2002-0007 and with ZMAP 2004-0006, since the Zoning Ordinance requirements governing ADU modifications were amended during that time period. The proposed application is seeking to retain the proffers and applicable modifications that were adopted under ZMAP 2004-0006, and this modification is identical to the modification approved under ZMAP 2004-0006. ZMAP 2002-0007 fully complied with all Zoning Ordinance provisions, including Article 7 governing affordable dwelling unit developments and included a cash buy-out of the affordable dwelling units for 6.25% of the total units payable to the County prior to issuance of the first zoning permit on the property. ZMAP 2004-0006 was adopted with the same modification. The Modification Subcommittee of the Affordable Dwelling Unit Advisory Board (ADUAB) as well as the full ADUAB recommended approval at the time of the rezoning, as did staff.

In response to the terms of Section 7-108(A)(3), the cash buy-out included in the proffers meets the cash formula of Section 7-108(E) in effect on December 1, 2003. The original modification was granted as part of a rezoning application constituting all single-family detached dwelling units, which continues to apply to the proposed amendment. No density bonus is included, with a density of 1.37 dwelling units per acre in a PD-H3 (three dwelling units per acre) district. The Article VII district regulations have not been used for the property layout, with the standard R-8 lot requirements being applied.

The following is the applicant's consideration given to criteria contained in Section 7-108(B):

(1) The number of affordable units, low-cost housing, manufactured housing and other similar type housing that exists, or are to be provided, within two (2) miles of the site and within Loudoun County.

Response: Belmont Glen Village is located in the Route 659 corridor in the vicinity of the major planned communities of Belmont Greene, Ashburn Farm, Broadlands and Brambleton plus additional projects including the Corro Property, Goose Creek Preserve, Goose Creek Village and Goose Creek Village South. Each of these communities is providing affordable housing according to Article 7.

(2) Public facilities and services already developed for the overall development capacity to accommodate the maximum density increase permitted for provision of affordable dwelling units.

Response: The availability of public facilities and services has no bearing on providing a cash buy-out in this instance.

(3) Existing unique, or unusual site constraints including, but not limited to, potential adverse impacts on environmental resources and features on the subject parcel and adjacent parcels, and difficult soil conditions.

Response: This site is located in an environmentally sensitive area adjacent to Goose Creek for which Loudoun County and Loudoun Water have adopted measures to protect this valuable drinking water source and which also is a state-designated scenic river. More than 67% of the site will remain as open space to provide environmental and scenic protection of this resource. There are slopes on the property that have been taken into account with the site's design as well as significant tree save areas that are being preserved. In recognition of these factors, the applicant has received only a modest increase in density over the by-right zoning, and, therefore, would not have been able to obtain the bonus density that is granted when affordable dwelling units are constructed. Rather, the cash buy-out provision was selected to protect this environmentally sensitive area and to keep the density low. In an area planned for from one to four dwelling units per acre, Belmont Glen Village is approved for a density of 1.37 dwelling units per acre under the December 1, 2003 application.

(4) Unusual costs associated with development of the subject property.

Response: The approved proffers for Belmont Glen Village allocate more of the proffer contributions toward the Route 659 transportation fund to help pay for a badly needed upgrade to this arterial roadway in the vicinity of this property.

(5) Overriding public needs, health issues, public safety issues, or public welfare issues which are better served by not providing the maximum number of affordable units otherwise required.

Response: The Board of Supervisors requested and received extra proffer contributions from the applicant for the Route 659 transportation fund to help pay for a badly needed upgrade to this arterial roadway in the vicinity of this property, which clearly has been identified as a public need and a public safety issue by the Board of Supervisors.

(6) In the case of a request for a Concept Development Plan Amendment, consideration shall also be given to whether the amendment would result in a reduction in the previously approved rezoning's impact on public facilities and whether the existing proffer commitments for the previously approved rezoning exceed current adopted capital facility guidelines established in the County's comprehensive plan.

Response: The proposed amendment retains equivalent density to the approved rezoning and is merely seeking to change the layout of the site, while retaining the equivalent level of proffer commitments. As stated previously, additional funds were allocated to the Route 659 road improvements, which were considered to be critical at the time of the rezoning application. The applicant paid this contribution in 2004 and 2005 in the amount of $750,000.

F.S.M. Traffic Study Guidelines (12/07)
Checklist for Application Acceptance
Page 1 of 4

Loudoun County Virginia
Office of Transportation Services

Application Name: Belmont Glen Village ZCPA **Date:** 7/2/09
Application Type: ZCPA **Reviewer:** Susan Phillips
# of Guidelines Satisfied: 13 **of 13**
Accept or Reject: Accept **Comment:** See Attached
letter from Walsh Colucci Letter dated June 12, 2009
Change in design layout but not units.

(1) **Study Area**: Roadways internal or adjacent to the development site shall be included in the traffic study. The study area should be defined at the scoping meeting and as a guideline should include other external roads to the extent that the project's generated traffic is anticipated to exceed 10 percent of the road's current/existing traffic volumes (at the time of application).

Does Study Meet Guidelines? Yes Comments: _____

(2) **Traffic Count Locations**: Traffic counts are required on the adjacent roads, the adjacent intersections beyond the project's frontage on adjacent roads in the study area. The AM/PM peak period traffic counts shall not be more than twelve (12) months old at the time of the application submission. Twenty-four (24) hour weekday traffic counts are also required for roadway segments.

Does Study Meet Guidelines? Yes Comments: N.A.

(3) **Trip Generation**: As a general guide to vehicle trip generation, the latest edition of the Institute of Transportation Engineer's (I.T.E.). Trip Generation Report shall be used. These rates may be supplemented by additional information provided by the County. If the applicant chooses to use different rates, they shall be documented and agreed to at the scoping meeting prior to their use in the traffic analyses. Primary trip reductions associated with passby trips and methodologies for trip reductions associated with passby trips shall be discussed and agreed upon at the scoping meeting.

Does Study Meet Guidelines? Yes Comments: No increase in trips.

(4) **Traffic Volume Projections**: The traffic study shall include an agreed upon build out year and provide existing and projected traffic volumes, with and without the subject project, for Average Daily Traffic (ADT), as well as AM and PM peak hours. The peak hour of the project/individual land use(s) (as given in the ITE Trip Generation Report) should be added to the corresponding AM/PM existing peak hour of the adjacent roadway traffic volumes (to show the worst case scenario), if the peak hour of the project/individual land use(s) for the generator is greater than the peak hour of the adjacent roadway (per ITE Trip Generation Report). The existing peak hour of traffic on the roads adjacent to the subject project site shall be identified. These traffic volumes shall be provided at roadway intersections and commercial or private accessways/entrances.

Does Study Meet Guidelines? Yes Comments: N.A.

(5) **LOS Analysis**: : Level of Service (LOS) calculations for existing and projected conditions, with and without the subject project, for highway segments, intersection legs, and entrances shall be provided. Calculations shall be in accordance with the Highway Capacity Manual (HCM) and/or the Highway Capacity Software (HCS), or as may be agreed at the scoping meeting. Traffic volumes and LOS information shall be provided for each phase of development, to include conditions at date of project completion. Projections shall also be made for date of completion plus ten (10) years or to an agreed upon forecast year.

Does Study Meet Guidelines? Yes Comments: N.A.

(6) **Minimum Roadway/Intersection LOS Standards**: Recommendations for phased improvements to the road network links in order to maintain an acceptable LOS (minimum LOS "D") shall be provided. For each phase up to and including buildout, a minimum approach and overall LOS "D" at intersections shall apply.

Does Study Meet Guidelines? Yes Comments: N.A.

(7) **Background Traffic Assumptions**: Assumptions which determine projected background traffic, including through traffic growth rate to be applied on roadway links, shall be confirmed at the scoping meeting. The sources for determining future traffic projections will include one or more of the following:

- The Loudoun County Growth Summary or similar documents from Loudoun County.
- The Loudoun County transportation model which incorporates COG's Cooperative Forecasts for Loudoun County.
- Approved developments in the vicinity of the proposed development.

Specific other approved development names and respective development square footage or residential units in the study shall be provided.

Does Study Meet Guidelines? Yes Comments: N.A.

(8) **Traffic/Trip Distribution**: Directional trip distribution information shall be provided for project entrances and collector and arterial intersections within the study area for the phases and categories (e.g., residential, office, retail, industrial and institutional) of development.

Does Study Meet Guidelines? Yes Comments: N.A.

(9) **LOS Calculations Assumptions**: Traffic counts and LOS worksheets and projected traffic volume LOS analyses, using agreed upon analysis techniques, including existing AM/PM peak hour signal timing, shall be included as a part of the traffic study.

Does Study Meet Guidelines? Yes Comments: N.A.

(10) **Mode Choice**: Modal split information shall be provided for the phases of the analysis, with sources of information identified (e.g., COG model).

Does Study Meet Guidelines? Yes Comments: N.A.

(11) **Safety Locations**: Road safety hazards, as identified by the ISTEA set-aside funding criteria and/or as identified by the County at the scoping meeting, within the study area shall be analyzed for all roadway links and intersections in the traffic study.

Does Study Meet Guidelines? yes Comments: N.A.

(12) **Traffic Mitigation Measures**: If trip reduction factors are used in the study, measures necessary to implement the reduction must be specified, with supporting documentation.

Does Study Meet Guidelines? yes Comments: N.A.

(13) **Bicycle & Pedestrian Accommodations**: When bicycle and pedestrian accommodations are used to reduce anticipated traffic volumes, a description of the physical and functional characteristics of the proposed bicycle and pedestrian accommodations shall be provided. If such separate bicycle accommodations (e.g., striped lanes or multi-purpose trails) are anticipated, they shall also be identified. A description of the functional characteristics shall be provided to identify the transportation options that these accommodations provide (e.g., pedestrian access to retail center, safe bicycle route to elementary school, inter-parcel connections to adjacent neighborhoods, access to W&OD trail, etc.)

Does Study Meet Guidelines? yes Comments: N.A.

lmm/
G:\LCG\OTS\FSM Traffic Study Scoping Documents\FSM Checklist for Application (12-07 FSM Revisions).doc

Gleckner, Christine E.

From: George Phillips [George.Phillips@loudoun.gov]
Sent: Saturday, May 16, 2009 8:11 AM
To: Gleckner, Christine E.
Cc: Andrew Beacher
Subject: Re: Belmont Glen Village

Hi Chris- 5/16/09

Thanks for the letter. It is very detailed and hits the key points. I would only add one other detail. That is related to safety issues. I assume that the entrance(s) on the concept plans onto Route 659 have already been reviewed and approved by VDOT? This should be noted and that, assuming it has already been documented, that sight distance is adequate.
Also, you should provide a drawing showing the previously proposed and currently proposed street layout with the letter so that the road changes can be understood visually.

That's it. Let me know if you have any other questions.

Thanks, George

>>> "Gleckner, Christine E." <cgleckner@ldn.thelandlawyers.com> 5/15/2009 4:38 PM >>>
George,

I have attached a proposed traffic statement for the Belmont Glen Village ZCPA application. The ZCPA merely rearranges the internal road circulation and lot configuration with no changes in unit count or unit type.

Please review and comment.

Thanks, Chris

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail and delete all copies of the message. Thank you very much.

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

RECEIVED
JUN 26 2009
BUILDING AND DEVELOPMENT

Christine Gleckner, AICP
Land Use Planner
(571) 209-5776
cgleckner@ldn.thelandlawyers.com

May 15, 2009
Revised June 12, 2009

George R. Phillips, Senior Transportation Planner
Loudoun County Office of Transportation Services
One Harrison Street, S.E., 3rd Floor
Leesburg, VA 20177

Re: Belmont Glen Village ZCPA – Proposed Traffic Statement

Dear George:

I am providing this traffic information pursuant to the traffic study requirement contained in the minimum submission requirements checklist for a zoning concept plan amendment application for ZMAP 2004-0006, Belmont Glen/Rouse Property. The proposed amendment will result in the same number of lots as permitted under the approved concept plan for Rouse/Belmont Glen, and therefore no additional vehicle trips as compared with the approved concept plan will result from the proposed amendment.

The applicant, Bayshire LC, of McLean, VA, is the developer of Belmont Glen Village, which is zoned PD-H3 and administered R-8 under the traditional design option pursuant to ZMAP 2004-0006, the Belmont Glen/Rouse Property. The Belmont Glen Village community, consisting of approximately 140 acres, is located between Belmont Ridge Road and Goose Creek, south of the Dulles Greenway. It is zoned for 196 dwelling units at a density of 1.4 dwelling units per acre.

The Belmont Glen/Rouse Property rezoning was approved in June 2004 for the development of 196 single family detached dwelling units under the R-8 zoning district 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, providing over 70% open space, most 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. As a result of these applications, the applicant has come 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 has undertaken a new study of the property and has developed an alternative lay-out for the approved 196 lots that fits better with the site topography. The revised lay-out is better suited to the requirements of the standard R-8 building and lot requirements rather than the traditional design option under the R-8 district. I have attached the approved concept plan and the proposed concept plan, which illustrate the internal street lay-out.

The revised lay-out, which works better with the existing grades on the property, offers many advantages over the approved concept plan lay-out. Less engineering is required 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 1.3 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 two acres in area from 1.8 acres to 3.8 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. All of 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, which also is desirable in the current real estate market. 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 units.

Since there is no increase in units proposed, the following traffic information is provided pursuant to the traffic study requirement contained in the minimum submission requirements checklist for a ZMAP application. Belmont Glen Village has approximately 50 feet of frontage on Belmont Ridge Road and no entrance onto Belmont Ridge Road. Access to the property is through the existing Belmont Glen Drive and Fairhunt Drive. The Belmont Glen Drive entrance onto Belmont Ridge Road is constructed and open to traffic, which indicates that it meets all VDOT safety and entrance standards. The proffers restrict development to 31 dwelling units until a second access point through Goose Creek Preserve (ZMAP 2002-0009) is available. 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 Goose Creek Preserve rezoning concept plan entrance onto Belmont Ridge Road is directly across from the Broadlands Boulevard entrance at a planned median crossover location on Belmont Ridge Road when it is upgraded to a four-lane divided roadway. Prior to

construction of this entrance, it will be reviewed and approved by VDOT for compliance with all safety and construction standards.

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 along the property frontage 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 along the Belmont Ridge Road frontage 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.

The concept plan filed with the application illustrates the proposed revised street layout. The concept plan approved with ZMAP 2004-0006 is attached for comparison purposes.

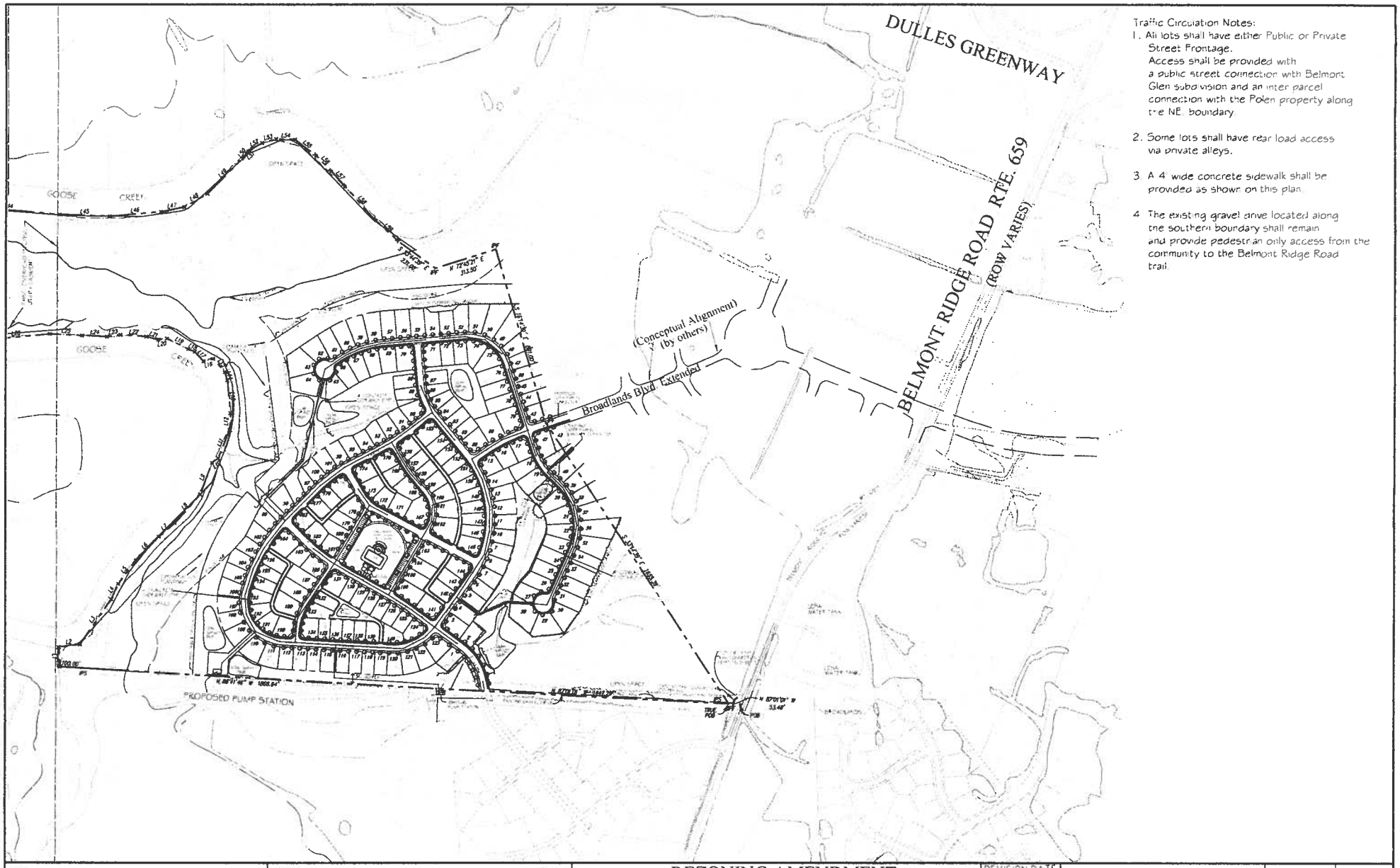
Sincerely,

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

Christine Gleckner, AICP
Land Use Planner

ATTACHMENT

cc: Rick Entsminger, Bayshire LC
Jim Mobley, Bayshire LC



Traffic Circulation Notes:

1. All lots shall have either Public or Private Street Frontage. Access shall be provided with a public street connection with Belmont Glen subdivision and an inter parcel connection with the Polen property along the NE. boundary.
2. Some lots shall have rear load access via private alleys.
3. A 4' wide concrete sidewalk shall be provided as shown on this plan.
4. The existing gravel drive located along the southern boundary shall remain and provide pedestrian only access from the community to the Belmont Ridge Road trail.

Dewberry
Dewberry & Davis LLC
8draft South King Street, Suite 201, Leesburg Virginia 20175
Phone 703.771.8004 Metro 703.478.1335 Fax 703.771.1091
www.dewberry.com

REZONING AMENDMENT
ROUSE / BELMONT GLEN PROPERTY

DULLES ELECTION DISTRICT LOUDOUN COUNTY VIRGINIA

REVISION DATE

TRAFFIC / PEDESTRIAN CIRCULATION PLAN

TAX MAP: 78 PARCEL 9 MCPI: 195-19-3084

Date 02-15-02 | Scale 1" = 200'

SHEET 5 OF 10

RZ-108-LC

Loudoun County, Virginia
Department of Planning
1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, Leesburg, VA 20177-7000
Telephone (703) 777-0246 • Fax (703) 777-0441

August 26, 2009

Ms. Christine E. Gleckner, AICP
Walsh, Colucci, Lubeley, Emrich & Walsh, PC
One East Market Street
Leesburg, VA 20176

RE: ZCPA 2009-0007 & ZMOD 2009-0004
Belmont Glen Village

Dear Ms. Gleckner:

This letter serves to inform you that the above referenced land development application has been officially accepted for processing as of August 26, 2009. I have been asked to serve as the Project Manager and look forward to working with your team. Should you wish to review the public file, a hard copy is available in the file room located in the Department of Building and Development or to access documents electronically, please go to www.loudoun.gov/lola. This link also provides an additional opportunity for public input on active applications. If you have any further questions regarding the review and processing of this application, please feel free to contact me.

Sincerely,

Mike Elabarger
Project Manager

cc: Van Armstrong, Land Use Review Program Manager, Department of Planning

Loudoun County, Virginia
Department of Planning
1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, Leesburg, VA 20177-7000
Telephone (703) 777-0246 • Fax (703) 777-0441

August 26, 2009

RE: ZCPA 2009-0007 & ZMOD 2009-0004
Belmont Glen Village

Dear Adjacent Property Owner:

This letter serves to inform you that the above referenced land development application has been officially accepted for processing as of August 26, 2009. Should you wish to review the public file, a hard copy is available in the file room located in the Department of Building and Development or to access documents electronically, please go to www.loudoun.gov/lola. This link also provides an additional opportunity for public input on active applications. If you have any further questions regarding the review and processing of this application, please feel free to contact me.

Sincerely,

Mike Elabarger
Project Manager

cc: Christine E. Gleckner, AICP, Walsh, Colucci, Lubeley, Emrich & Walsh, PC
Van Armstrong, Land Use Review Program Manager, Department of Planning

Attachment on back

ZCPA 2009-0007 & ZMOD 2009-0004
Belmont Glen Village

APPLICANT/OWNER: Bayshire, LC
Richard D. Entsminger, Manager
1355 Beverly Road, Suite 240
McLean, VA 22101
703-734-9730

REPRESENTATIVE: Walsh, Colucci, Lubeley, Emrich & Walsh, PC
Christine E. Gleckner, AICP
One East Market Street
Leesburg, VA 20176
571-209-5776
cgleckner@ldn.thelandlawyers.com

PROPOSAL: A **Zoning Concept Plan Amendment** to amend ZMAP 2004-0006, the approved concept plan for R-8 traditional design option to standard R-8. Also, a **Zoning Modification** to modify Sections 3-509, 4-109, 4-110, and 7-103.

LOCATION: 21361 Belmont Ridge Road, Ashburn, VA

TAX MAP/PARCEL: Tax Map— /78/////////9/ MCPI—195-19-3084-000

CURRENT ZONING: PD-H3 as Traditional R-8

RESIDENTIAL UNITS: 196 single-family detached

SURROUNDING ZONING/LAND USES:

NORTH	TR-10	Residential
SOUTH	R-1 & R-8	Residential/Reservoir
EAST	PD-H4	Residential/Vacant
WEST	PD-RV& TR-10	Conservancy lot/Residential

ELECTION DISTRICT: Dulles

Dewberry

Transmittal

1503 Edwards Ferry Rd., Suite 200 Leesburg, VA 20176 Phone 703-771-8004 Metro 703-478-1335 Fax 703-771-4091 Survey Fax 703-771-2630

- ☐ Atlanta, GA
- ☐ Baltimore, MD
- ☐ Chicago, IL
- ☐ Fairfax, VA
- ☐ Fredericksburg, VA
- ☐ Gaithersburg, MD
- ☐ Lanham, MD
- ☑ Leesburg, VA
- ☐ Manassas, VA

To: Loudoun County Planning Department		Date: 8/20/2009	Project No: 50019781-T001PLAN
1 Harrison Street, SE 3rd Floor		Project Name:	Belmont Glen
		Reference:	
Leesburg, VA 20175-4099		Carbon Copy:	
Attention: Winni Polis			

We Transmit:

- ☐ as per your request
- ☐ under separate cover
- ☐ by mail
- ☑ by messenger
- ☐ by pick up
- ☐ by overnight carrier
- ☐ _____

the following:

- ☑ prints
- ☐ specifications
- ☐ change order
- ☐ shop drawings
- ☐ reproducibles
- ☐ cd
- ☐ product literature
- ☐ computations
- ☐ descriptions
- ☐ _____

for:

- ☐ your approval
- ☑ your review and comment
- ☐ your file/use
- ☐ revision and submission
- ☐ distribution
- ☐ _____

- ☐ as requested by _____
- ☐ as approved by _____
- ☐ as submitted for approval by _____
- ☐ please acknowledge receipt of enclosures
- ☐ return enclosures to us

Copies:	Date:	Number:	Description:
23	6/12/2009		Belmont Glen ZCPA

Comments:

Winni,

Please find attached 23 copies of the revised Belmont Glen ZCPA. Thanks.

RECEIVED
AUG 20 2009
PLANNING DEPARTMENT

If enclosures are not as noted, please notify us at once

Transmittal # 18571

Sent by: Rich Brittingham

Dewberry & Davis LLC is an equal opportunity employer and, as such, complies with Section of Executive Order 11246 as amended by Executive Order 11357.

Dewberry

Transmittal

1503 Edwards Ferry Rd., Suite 200 Leesburg, VA 20176 Phone 703-771-8004 Metro 703-478-1335 Fax 703-771-4091 Survey Fax 703-771-2630

- ☐ Atlanta, GA
- ☐ Baltimore, MD
- ☐ Chicago, IL
- ☐ Fairfax, VA
- ☐ Fredericksburg, VA
- ☐ Gaithersburg, MD
- ☐ Lanham, MD
- ☑ Leesburg, VA
- ☐ Manassas, VA

To:	Loudoun County Planning Department	Date:	8/20/2009	Project No:	50019781-T001PLAN
1 Harrison Street, SE 3rd Floor		Project Name:	Belmont Glen		
		Reference:			
Leesburg, VA 20175-4099		Carbon Copy:			
Attention:	Winni Polis				

We Transmit:

- ☐ as per your request
- ☐ under separate cover
- ☐ by mail
- ☑ by messenger
- ☐ by pick up
- ☐ by overnight carrier
- ☐ _____

the following:

- ☑ prints
- ☐ specifications
- ☐ change order
- ☐ shop drawings
- ☐ reproducibles
- ☐ cd
- ☐ product literature
- ☐ computations
- ☐ descriptions
- ☐ _____

for:

- ☐ your approval
- ☑ your review and comment
- ☐ your file/use
- ☐ revision and submission
- ☐ distribution
- ☐ _____

- ☐ _____ as requested by
- ☐ _____ as approved by
- ☐ _____ as submitted for approval by
- ☐ please acknowledge receipt of enclosures
- ☐ return enclosures to us

Copies:	Date:	Number:	Description:
23	6/12/2009		Belmont Glen ZCPA

RECEIVED
AUG 20 2009
PLANNING DEPARTMENT

Comments:

Winni,

Please find attached 23 copies of the revised Belmont Glen ZCPA. Thanks.

If enclosures are not as noted, please notify us at once

Transmittal # 18571

Sent by: Rich Brittingham

Dewberry & Davis LLC is an equal opportunity employer and, as such, complies with Section of Executive Order 11246 as amended by Executive Order 11357.

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

RECEIVED
AUG 19 2009
PLANNING DEPARTMENT

LETTER OF TRANSMITTAL

TO: Wini Polis, Planner, Loudoun County Dept. of Planning
One Harrison Street, SE, 3rd floor, Leesburg, VA 20176

FROM: Christine Gleckner, AICP, Land Use Planner

DATE: August 18, 2009

REGARDING: Belmont Glen Village ZCPA

We transmit the attached:

- ☐ Originals
- ☐ Copies
- ☐ Plans
- ☒ Documents
- ☐ Other (described below)

Description: 23 copies of the modifications

Transmitted via:

☐ mail ☒ courier / pickup ☐ scheduled express ☐ federal express

Action requested:

- ☐ your approval
- ☐ your review/comments
- ☐ your submission
- ☐ your file/use
- ☒ your distribution
- ☐ other

Remarks: The hard copies of the concept plan will be submitted directly to you by Dewberry.

PHONE 703 737 3633 ▮ FAX 703 737 3632 ▮ WWW.THELANDLAWYERS.COM
1 E. MARKET STREET, THIRD FLOOR ▮ LEESBURG, VA 20176-3014

ARLINGTON OFFICE 703 528 4700 ▮ PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

LETTER OF TRANSMITTAL

TO: Wini Polis, Planner, Loudoun County Dept. of Planning
One Harrison Street, SE, 3rd floor, Leesburg, VA 20176

FROM: Christine Gleckner, AICP, Land Use Planner

DATE: August 18, 2009

REGARDING: Belmont Glen Village ZCPA

RECEIVED
AUG 18 2009
PLANNING DEPARTMENT

We transmit the attached:

- ☐ Originals
- ☐ Copies
- ☐ Plans
- ☒ Documents
- ☐ Other (described below)

Description: 23 copies of the Statement of Justification with modifications

Transmitted via:

☐ mail ☒ courier / pickup ☐ scheduled express ☐ federal express

Action requested:

- ☐ your approval
- ☐ your review/comments
- ☐ your submission
- ☐ your file/use
- ☒ your distribution
- ☐ other

Remarks: The hard copies of the concept plan will be submitted directly to you by Dewberry.

PHONE 703 737 3633 ▮ FAX 703 737 3632 ▮ WWW.THELANDLAWYERS.COM
1 E. MARKET STREET, THIRD FLOOR ▮ LEESBURG, VA 20176-3014

ARLINGTON OFFICE 703 528 4700 ▮ PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

RECEIVED
AUG 17 2009
PLANNING DEPARTMENT

LETTER OF TRANSMITTAL

TO: Wini Polis, Planner, Loudoun County Dept. of Planning
One Harrison Street, SE, 3rd floor, Leesburg, VA 20176

FROM: Christine Gleckner, AICP, Land Use Planner

DATE: August 17, 2009

REGARDING: Belmont Glen Village ZCPA

We transmit the attached:

- ☐ Originals
- ☐ Copies
- ☐ Plans
- ☒ Documents
- ☐ Other (described below)

Description: One copy of the revised Statement of Justification (with typo corrected)
One copy of the revised CDP corrected per your comments

Transmitted via:

☐ mail ☒ courier / pickup ☐ scheduled express ☐ federal express

Action requested:

- ☐ your approval
- ☒ your review/comments
- ☐ your submission
- ☐ your file/use
- ☐ your distribution
- ☐ other

Remarks: Please let me know the number of copies needed for final submission.

PHONE 703 737 3633 ▮ FAX 703 737 3632 ▮ WWW.THELANDLAWYERS.COM
1 E. MARKET STREET, THIRD FLOOR ▮ LEESBURG, VA 20176-3014

ARLINGTON OFFICE 703 528 4700 ▮ PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

LETTER OF TRANSMITTAL

TO: John Merrithew, Assistant Director, Loudoun County Department of Planning
One Harrison Street, SE, Leesburg, VA 20176

FROM: Christine Gleckner, AICP, Land Use Planner

DATE: July 6, 2009

REGARDING: Belmont Glen Village ZCPA application

We transmit the attached:

- ☐ Originals
- ☐ Copies
- ☐ Plans
- ☐ Documents
- ☒ Other (described below)

Description: One fee check in the amount of $11,180 as balance of fee payment for Belmont Glen Village ZCPA.

Transmitted via:

☐ mail ☒ courier / pickup ☐ scheduled express ☐ federal express

Action requested:

- ☐ your approval
- ☐ your review/comments
- ☒ your submission
- ☐ your file/use
- ☐ your distribution
- ☐ other

PHONE 703 737 3633 ▮ FAX 703 737 3632 ▮ WWW.THELANDLAWYERS.COM
1 E. MARKET STREET, THIRD FLOOR ▮ LEESBURG, VA 20176-3014

ARLINGTON OFFICE 703 528 4700 ▮ PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

RECEIVED
JUN 26 2009
BUILDING AND DEVELOPMENT

LETTER OF TRANSMITTAL

TO: Land Development Application Counter

FROM: Christine Gleckner, AICP, Land Use Planner

DATE: June 26, 2009

REGARDING: Belmont Glen Village - Zoning Concept Plan Amendment Application

We transmit the attached:

- ☒ Originals
- ☒ Plans
- ☒ Documents

Description:
One signed copy of the Minimum Submission Requirements for Zoning Map Amendment application with checklist waiver request dated June 22, 2009;
One signed copy of the Land Development Application;
One copy of the Certificate of Payment of Taxes and Land Use Certificate;
One signed copy of the Disclosure of Real Parties in Interest;
One copy of the Fee Check in the amount of $15,050;
One copy of the Record of Pre-Application Conference dated April 28, 2009;
Five copies of the Statement of Justification dated June 22, 2009;
One copy of the Traffic Statement dated May 15, 2009 and revised June 12, 2009 with e-mail message dated May 16, 2009 from George Phillips approving the traffic statement;
Five copies of the requested Zoning Ordinance Modifications dated June 22, 2009;
One copy of the Community Meeting list dated June 12, 2009;
Two sets of the adjacent property owner mailing labels;
Five sets of the Concept Development Plan.

Transmitted via:
☐ mail ☒ courier / pickup ☐ scheduled express ☐ federal express

Action requested: ☒ your submission

Remarks: Please accept this application for Zoning Concept Plan Amendment.

PHONE 703 737 3633 ▮ FAX 703 737 3632 ▮ WWW.THELANDLAWYERS.COM
1 E. MARKET STREET, THIRD FLOOR ▮ LEESBURG, VA 20176-3014

ARLINGTON OFFICE 703 528 4700 ▮ PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

LOUDOUN COUNTY DEPARTMENT OF PLANNING
1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, Leesburg, VA 20177 Local (703) 777-0246

MINIMUM SUBMISSION REQUIREMENTS FOR A ZONING CONCEPT PLAN AMENDMENT APPLICATION

Application No _____

TO BE COMPLETED BY THE APPLICANT

Project Name: Belmont Glen Village

Proposed Use: Amend approved concept plan for R-8 traditional design option to Standard R-8.

Project Location: Between Belmont Ridge Road & Goose Creek, south of Dulles Greenway

Tax Map #(s): 79 Parcel #(s): 9

Parcel Owner(s): Bayshire, LC Telephone No.: (703) 734-9730

Applicant/Authorized Agent: Bayshire, LC Telephone No.: (703) 734-9730

Engineer/Surveyor: Dewberry Telephone No.: (703) 771-8004

Attorney: Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. / Christine E. Gleckner, AICP Telephone No.: (703) 737-3633

Signature of Person Completing Checklist: C E Gleckner Date: 6/22/2009

****

TO BE COMPLETED BY THE PLANNING OFFICE PERSONNEL

Date Received: _____ Date Reviewed: _____

Reviewed by: _____ Date Accepted/Not Accepted: _____

Reason(s) For Not Accepting: _____

MCPI Number(s): 195-19-3084

RECEIVED
JUN 26 2009
BUILDING AND DEVELOPMENT

A. APPLICANT RESPONSIBILITIES. The applicant must complete all of the information contained in this checklist, or present written approval for any deviation therefrom. Written approval from the designated department for any deviation from mandatory requirements must be obtained prior to application submission. Where proposed project information is requested in this checklist for adjacent property to the proposal, this information may be limited to projects on file with the County or with an adjacent incorporated town or surrounding jurisdiction.

All plats or plans submitted with this application shall be folded to a size of approximately 8½" x 11" with the title block visible.

If the application is judged incomplete, the staff will identify in writing the deficiencies that must be corrected. The application will not be accepted for processing. The fee and materials will be returned to the applicant

All required forms are available in the Department of Planning.

Approved Deviations:

Waiver request for Items J.5 and J.10 is attached.

A letter signed by the applicant and by the owner of the property granting the right of entry upon the property to the Zoning Administrator, law enforcement agents, and County inspectors for the purpose of inspecting, and bringing law enforcement to the property, during the term of any permit which may be issued is required.

B. LAND DEVELOPMENT APPLICATION FORM. Submit a completed land development application form, including the following:	SUBMITTED		
	YES	NO	N/A
1. Applicant's name and address and ownership interest in the subject property.	✓		
2. The name and address, and signed written consent of all those having an ownership interest, if different than the applicant filing the application.	✓		
3. The names and addresses of all consultants representing the applicant with respect to the proposed development plan.	✓		
4. The tax map identification number(s); MCPI number(s).	✓		
C. CERTIFICATE OF PAYMENT OF TAXES. Provide a certificate verifying that real estate taxes have been paid for all property included in the application. *(A certificate of payment of taxes is available from the Treasurer's Office.)*	✓		
D. USE VALUE ASSESSMENT PROGRAM. Provide a statement which identifies any parcel(s) currently subject to the County's Use Value Assessment that are included as part of this application. *(A Land Use certificate is available from the Department of Financial Services.)*	✓		

1. Information available from the Office of Mapping
2. Information available from the Department of Building and Development
3. Information available from the Clerk of the Circuit Court
4. Information available from the Department of Planning

	SUBMITTED		
	YES	NO	N/A
E. DISCLOSURE OF REAL PARTIES IN INTEREST. Provide completed disclosure form(s).	✓		
F. FEES. Provide a check made payable to the County of Loudoun.	✓		
G. RECORD OF PRE-APPLICATION CONFERENCE. Provide a copy of the documentation provided at the conference.	✓		
H. PROJECT SUMMARY. Project summary detailing the following:			
1. The present zoning classification[2] and use of the subject property and adjacent land. If an existing/proposed zoning district line does not follow roads, waterways, or property lines, a metes and bounds description of the district boundary is required.	✓		
2. The planned use designation of the property and adjacent land as contained in the Comprehensive Plan[4] and taxing district,[1] if applicable.			
I. VICINITY MAP. Provide 22 copies of a map labeled "Vicinity Map" at a scale of 1 inch =1000 feet, 8½" x 11" in size with approximate Virginia coordinate grid information with the proposal's property centered on the map[1]. Include the following information on the map:	✓		
1. Approximate location of arterial and collector streets and any local streets connecting to the proposed project and street names or numbers; major streams or rivers; the Potomac River; the W&OD Trail.[1]	✓		
2. For adjacent property within 200 feet, including property across the road from project, include the following:			
a. Approved and proposed projects or subdivision names, lot lines, section and lot numbers[1] and zoning[2].	✓		
b. Existing and proposed land uses at time of submission; lots; existing structures within 200' of the proposed project.[1]	✓		
c. Adjacent open space easements, park and recreation land.			✓
3. Jurisdictional boundaries.[1]			✓
4. Project boundaries and all existing lot boundaries (as shown on the County parcel maps) within the project and surrounding the project within the vicinity map area.	✓		

1. Information available from the Office of Mapping
2. Information available from the Department of Building and Development
3. Information available from the Clerk of the Circuit Court
4. Information available from the Department of Planning

	SUBMITTED		
	YES	NO	N/A
J. EXISTING CONDITIONS. Provide 22 copies of an existing conditions plat at a scale of 1 inch = 200 feet[1] or other appropriate scale as approved by the Director of Planning, including the following:	✓		
1. A survey showing property boundary lines, metes and bounds, utility transmission lines and public rights-of-way crossing and adjacent to the subject property.	✓		
2. Topography at contours not more than five (5) feet.[1] (The Director may request a 2-foot contour).	✓		
3. Steep slopes.[1]	✓		
4. Water courses, drainage ways, ponds, wetlands, lakes and bodies of water.[1]	✓		
5. The location and general description of vegetation and tree cover including: a. A description of type and extent of tree cover that identifies canopy, understory growth and other flora; b. An inventory of evergreen trees with calipers of 14 inches or larger and deciduous trees with calipers of 22 inches or larger (measured 4.5 feet above the ground) provided that areas proffered as open space or undisturbed areas may be excluded from the inventory; and c. Endangered species habitat.[5]			✓
6. The delineation of major and minor floodplain, where applicable. Use and identify the source as the Floodplain Map of Loudoun County.[1]	✓		
7. Soils shown on the Loudoun County Soil Survey.[2]	✓		
8. Features such as roads, stone walls, fences, structures, and other prominent features as shown on the County PCT maps.[1]	✓		
9. Limits of any overlay districts on the property (HCC, AI, FOD, MDOD)[1 or 2]	✓		
10. Archaeological or historical features included in the State or National Register of Historic Places. A delineation of existing structures, and an indication of their date of construction, as determined by record search and visual survey, and whether it is planned that they be retained or demolished. The applicant must also conduct a survey of historic architecture, known and potential historic and archaeological sites to determine whether the proposed development will impact those resources as preservation or mitigation of the resources may be required.			✓

1. Information available from the Office of Mapping
2. Information available from the Department of Building and Development
3. Information available from the Clerk of the Circuit Court
4. Information available from the Department of Planning
5 Information available from the State Department of Natural Resources

	SUBMITTED		
	YES	NO	N/A
11. Approximate delineation of any known grave, object, or structure marking a place of burial, as determined by record search and visual survey.			✓
12. Identification of any Federal or State permits or conditions that directly limit development on the Subject Property			✓
13. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4, and 355; all hazardous waste as set forth in Commonwealth of Virginia Department of Waste Management.			✓
K. STATEMENT OF JUSTIFICATION. Provide 22 copies of a written Statement of Justification describing the proposed development's compliance with the Comprehensive Plan including the following:	✓		
1. The planned use designation of the property and adjacent land as contained in the Comprehensive Plan[4] and taxing district1, if applicable.	✓		
2. A written statement describing the proposed development's compliance with the environmental, cultural, land use, economic and fiscal, and design goals and policies of the Comprehensive Plan.	✓		
3. Address the matters for consideration contained in Section 6-1211(E) of the Zoning Ordinance[2].	✓		
L. CONCEPT PLAN. Provide 22 copies of a Concept Development Plan. The Plan shall include a title block identifying the project, owner, tax map and MCPI numbers, election district, plan date and revision dates. At least one (1) set shall be at a scale of 1"=200'[1] (or other appropriate scale as approved by the Director of Planning) depicting or describing the following features of the development:	✓		
1. A land use plan map with a description of the type, location, and nature of land use and maximum building height within each area of the development indicating the acreage and proposed density and lot requirements of each sub-area or land bay.	✓		
2. A land use map that overlays the proposed land use and transportation elements over the existing conditions information submitted under Item J. This is intended to show the potential changes in topography, drainage, water features, trees and vegetation, etc., anticipated as a result of the proposed development. And to also show the measures proposed to protect or enhance the above features as well as known or potential historic features or structures, archaeological sites or cultural resources as part of the development process.	✓		

1. Information available from the Office of Mapping
2. Information available from the Department of Building and Development
3. Information available from the Clerk of the Circuit Court
4. Information available from the Department of Planning

	SUBMITTED		
	YES	NO	N/A
3. A proposed traffic circulation map which illustrates both external and internal traffic ways related to the development, including existing and proposed rights-of-way, travel lanes, and other transportation improvements.	✓		
4. A general description of the means of providing water service, sanitary sewerage, utilities, refuse collection, schools, fire protection, libraries, parks and similar services.	✓		
5. A delineation and description of the open space areas.	✓		
6. A description and the general location of all proposed community and public facilities (schools, fire protection, libraries, parks and similar services).			✓
7. A statement of those special amenities that are proposed within the development (i.e. community center, park or pool; natural areas to be preserved and incorporated into the design, etc.).	✓		
8. A statement identifying easements and restrictive covenants relating to the establishment of common open space or service facility within the planned development, and the establishment and activation of any entity that is to be responsible for the management and maintenance of any public or private common open space or service facility.	✓		
9. If requested by the Planning Director, the applicant shall provide: a. A minimum of two cross-sections on each land bay in the proposed development where a grade change of 3 feet or more is proposed or where buildings are proposed. The cross-sections shall illustrate existing and proposed topography, height and density of vegetation and the dimensions of proposed buildings.			✓
b. For projects adjacent to existing residentially zoned or used property, three-dimensional sketches providing a "bird's eye" (45°) view and at least two eye-level perspectives (30°) of the project illustrating the relationship between the proposed development and the surrounding community. *Note: The cross-sections and/or sketches shall be provided no later than the applicant's response to the initial agency comments (referrals).*			✓
10. If requested by the Planning Director, the applicant shall provide front, side and rear elevations of all non-residential buildings proposed as part of the development where they abut residentially occupied property.			✓
11. The Concept Development Plan shall include a note indicating the applicant's obligation to establish any separate entity to maintain open space or service facilities prior to approval of the first record plat in the proposed development in a form approved by the County.	✓		

1. Information available from the Office of Mapping
2. Information available from the Department of Building and Development
3. Information available from the Clerk of the Circuit Court
4. Information available from the Department of Planning

	SUBMITTED		
	YES	NO	N/A
M. INFORMATION TABULATION. Provide a tabulation of the following information on the Concept Development Plan:			
1. The maximum total number of dwelling units proposed by type of structure, by sub-area or land bay if applicable.	✓		
2. The maximum total square feet of building floor area proposed for nonresidential uses by type of use, by sub-area or land bay if applicable.			✓
3. The total land area, expressed in acres and as a percent of the total development area, proposed to be devoted to residential and non-residential uses.	✓		
4. The minimum lot requirements for each proposed use, if different than the minimum lot requirements specified in the Zoning Ordinance for the district in which the lot is to be located.	✓		
N. PHASING PLAN. If the planned development is proposed for construction in phases during a period extending beyond a single construction season, a phasing plan shall be submitted stating the proportion of the total public and private open space and public improvements and the proportion of each type of proposed use to be provided or constructed during each such stage and overall chronology of development to be followed from stage to stage.	✓		
O. TRAFFIC STUDY. Provide 6 copies of a traffic analysis indicating the relationship of the proposed development to traffic, road and transit use and plans according to FSM Section 4-200B including the following elements:	✓	**(Traffic Statement approved by Geo. Phillips)**	
1. Study area.			
2. Traffic count locations.			
3. Trip generation.			
4. Traffic volume projections.			
5. Level of service analysis.			
6. Minimum roadway/intersection level of service standards.			
7. Background traffic assumptions.			
8. Traffic/trip distribution.			
9. Level of service calculation assumptions.			
10. Mode choice.			
11. Safety Locations.			
12. Traffic mitigation measures.			

1. Information available from the Office of Mapping
2. Information available from the Department of Building and Development
3. Information available from the Clerk of the Circuit Court
4. Information available from the Department of Planning

	SUBMITTED		
	YES	NO	N/A
P. MODIFICATIONS. A statement identifying each of the planned development regulations or other applicable provisions of this Ordinance, which the applicant proposes to be modified as part of the Concept Development Plan, the proposed modified regulations and the justification therefore.	✓		
Q. COMMUNITY MEETINGS. The applicant must submit a list or schedule of meetings between the applicant and the surrounding communities either held or scheduled to be held.	✓		
R. MAILING LABELS. The applicant must submit two (2) sets of pre-printed address/mailing labels with addresses of all adjacent property owners	✓		

S. CERTIFICATION OF APPLICATION SUBMISSION

I hereby certify that the above stated information is included in the attached zoning concept plan amendment application and accompanying materials.

APPLICANT SIGNATURE C A Gleckner DATE 6/22/2009

Application: _____ Accepted _____ Rejected

Checklist Reviewer _____

Date _____

LOUDOUN COUNTY
LAND DEVELOPMENT APPLICATION

RECEIVED
JUN 26 2009
BUILDING AND DEVELOPMENT

(1) This application form must be filled out in its entirety.
(2) An incomplete application form will result in rejection of the application prior to checklist review.
(3) If additional space is needed to complete any section of this application, attach a separate sheet containing all the required information and refer to such where appropriate on the form.
(4) Do not write in shaded areas.
(5) See attached Instructions for completing the Land Development Application.

PLEASE PRINT IN INK OR USE TYPEWRITER

TYPE OF APPLICATION	Application number Assigned
____ 1972 Zoning Ordinance	Fee Amount Paid
____ 1993 Zoning Ordinance	Receipt Number
✓ Revised 1993 Zoning Ordinance	Date of Official Acceptance

Calculations of Bond (CPAP, CPAP REVISION, REST, STPL, STPR & STMP)

Total Number of Cross-Sections (FPAL Type II & FPST)

Estimated Square Feet of Land Disturbance (SPEX)
46.2 acres

Project Name:	Subdivision Name (*if different from project name*):
Belmont Glen Village	N/A Subdivision Section: N/A Lot Numbers:

Description of Proposed Project:
Amend approved concept plan for R-8 traditional design option to standard R-8.

Number and Types of Proposed Lots:		**PROPOSED RESIDENTIAL UNITS** *(This section is to be completed for all residential applications)*:			
Residential	196		Total Units	Quantity Affordable	Quantity Elderly
Non-Residential		Detached			
		Semi-Detached			
Conservancy		Townhouse			
Open Space	6	Multi-family			
Other (*specify type*)	202	Other *(specify)*			
Total Lots		**Total**	**196**		

PROPOSED NON-RESIDENTIAL SQUARE FOOTAGE *(This section must be completed for all non-residential applications and non-residential components of residential applications. Describe the type(s) in the appropriate category and the total applications square footage for the category)*:

Category	Description of Use	Square Footage
Ag-Residential		
Sales & Service		
Office		
Industrial		
Gov't., Utilities & Public Service		
Recreation & Special Interests		
Transportation & Communications		
Education & Training		
Other (specify)		
Total Square Footage		N/A

PROJECT LOCATION

Property Address:	**Property Location:**	**Adjacent Roads**
21361 Belmont Ridge Road Ashburn, VA 20148	Between Belmont Ridge Road and Goose Creek, south of Dulles Greenway	Belmont Ridge Road
ELECTION DISTRICT(s):	Dulles	

PROPERTY TAX MAP, ACREAGE AND ZONING INFORMATION

Tax Map Number(s) or Pin Number Reference(s)	Zoning District(s)	Acreage	Zoning Status Existing	Zoning Status Proposed
195-19-3084	PD-H3	139.62	✓	

SURROUNDING LAND USES AND ZONING

List all surrounding land uses and zoning districts adjacent to the property, including those across roads.

	LAND USE	ZONING
NORTH	Transition residential	TR-10
SOUTH	reservoir, residential	R-1 & R-8
EAST	Vacant	PD-H4
WEST	Conservancy & transition residential	PD-RV, TR-10

APPLICANT(S)

Company Name	**Bayshire, LC**	Company Name	
Name of Person & Title	**Richard D. Entsminger, Manager**	Name of Person & Title	
Mailing Address	**1355 Beverly Road, Ste 240**	Mailing Address	
City, State, Zip Code	**McLean, VA 22101**	City, State, Zip Code	
Daytime Telephone	**(703) 734-9730**	Daytime Telephone	
E-mail Address		E-mail Address	
Correspondent?	Yes ✓ No	Correspondent?	Yes No

PROPERTY OWNER(S)

Company Name	**Same as above**	Company Name	
Name of Person & Title		Name of Person & Title	
Mailing Address		Mailing Address	
City, State, Zip Code		City, State, Zip Code	
Daytime Telephone		Daytime Telephone	
E-mail Address		E-mail Address	
Correspondent?	Yes No	Correspondent?	Yes No

REPRESENTATIVE(S)

Company Name	**Walsh, Colucci, Lubeley, Emrich & Walsh, PC**	Company Name	
Name of Person & Title	**Christine E. Gleckner, AICP**	Name of Person & Title	
Mailing Address	**One East Market Street**	Mailing Address	
City, State, Zip Code	**Leesburg, VA 20176**	City, State, Zip Code	
Daytime Telephone	**(571) 209-5776**	Daytime Telephone	
E-mail Address	**cgleckner@ldn.thelandlawyers.com**	E-mail Address	
Correspondent?	Yes ✓ No	Correspondent?	Yes No

CERTIFICATIONS

APPLICANT(S):

The information provided is accurate to the best of my knowledge. I acknowledge that any percolation tests, topographic studies, or other requirements of the Health Official, Director of Building and Development, or Zoning Administrator will be carried out at my expense. I understand that the County may deny, approve, or conditionally approve that for which I am applying. I certify that all property corners have been clearly staked and flagged.

Printed Name of Applicant: Bayshire LC Richard D. Entsminger, Manager		Printed Name of Applicant	
Signature of Applicant	Date: June 23, 2009	Signature of Applicant	Date

PROPERTY OWNER(S) ***(to be signed by all property owners):***

I have read this completed application, understand its intent, and freely consent to its filing. Furthermore, I grant permission to the Department of Building and Development and/or Planning or other authorized government agents to enter the property and make such investigations and tests as they deem necessary.

Printed Name of Owner: Bayshire LC Richard D. Entsminger, Manager		Printed Name of Owner	
Signature of Property Owner	Date: June 23, 2009	Signature of Property Owner	Date

Loudoun County Real Estate Tax, Assessment & Parcel Database

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Map It | Recent Sales | Pay Taxes | Assessment

Real Estate Tax - 2009
Owner and Legal

PIN: 195-19-3084-000	**Tax Map:** /78/////////9/
Current Owner Name& Address: BAYSHIRE LC ELM STREET DEVELOPMENT 1355 BEVERLY RD STE 240 MC LEAN VA 22101-3649	**Jan 1 Owner Name& Address::** BAYSHIRE LC ELM STREET DEVELOPMENT 1355 BEVERLY RD STE 240 MC LEAN VA 22101-3649
Legal Description: GOOSE CREEK PC F-769-8 200407150073165	**Acreage:** 139.62 **Land Use:** NO
Annual Taxable Assessment: $ 15,683,200	

District: Regular		**Supplement:**			**Tax Rate:** $1.245 per $100 assessed value
1st Half		**Original Due Date:** 2009-06-05			**Date Levied:** 2009-04-08
Taxable Assessment: $ 7,841,600		**Waiver Date:**			**Date Last Paid:** 2009-05-29
	Tax Amount	**Late Penalty**	**Interest Amount**	**Fees**	**Total Amount**
Levied:	$ 97,627.92				$ 97,627.92
Paid:	$ 97,627.92	$ 0.00	$ 0.00	$ 0.00	$ 97,627.92
Refunded:	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Due:	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00

District: Regular		**Supplement:**			**Tax Rate:** $1.245 per $100 assessed value
2nd Half		**Original Due Date:** 2009-12-07			**Date Levied:** 2009-04-08
Taxable Assessment: $ 7,841,600		**Waiver Date:**			**Date Last Paid:**
	Tax Amount	**Late Penalty**	**Interest Amount**	**Fees**	**Total Amount**
Levied:	$ 97,627.92				$ 97,627.92
Paid:	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Refunded:	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Due:	$ 97,627.92	$ 0.00	$ 0.00	$ 0.00	**$ 97,627.92**

I, Richard D. Entsminger, do hereby state that I am an

___ Applicant

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

in Application Number(s): ZCPA 2009-

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 forgoing 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).

PIN	*NAME (First, M.I., Last)*	*ADDRESS (Street, City, State, Zip Code)*	*RELATIONSHIP (Listed in bold above)*
195-19-3084	Bayshire, L.C.	c/o ESDC, Inc. 1355 Beverly Road, #240 McLean, VA 22101-3649	Applicant/Title Owner
	Dewberry & Davis LLC	8401 Arlington Boulevard Fairfax, VA 22031	Engineer/Agent
	Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.	1 East Market Street, 3rd Fl Leesburg, VA 20176	Attorney/Planner/ 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.

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LISTING OF INDIVIDUAL AGENTS

1. **Bayshire, L.C.**
   Richard D. Entsminger
   James M. Mobley

2. **Dewberry**
   William E. Fissel
   James Brown

3. **Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.**
   J. Randall Minchew, Esq.
   Andrew Painter, Esq.
   Kimberlee Welsh Cummings
   Christine Gleckner
   William J. Keefe
   Michael Romeo

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)

Bayshire, L.C. c/o ESDC, Inc.
1355 Beverly Road, Suite 240, McLean, VA 22101-3649

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:

SHAREHOLDER NAME (First, M.I., Last)	*SHAREHOLDER NAME (First, M.I., Last)*
ESDC, Inc.	
William A. Moran	
David D. Flanagan	

Names of Officers and Directors:

NAME (First, M.I., Last)	*Title (e.g. President, Treasurer)*
Richard D. Entsminger	Manager
ESDC, Inc.	Manager
Jeffrey P. Rice	Manager
Catherine L. Griffin	Manager

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)

ESDC, Inc.
1355 Beverly Road, Suite 240, McLean, VA 22101-3649

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:

SHAREHOLDER NAME (First, M.I., Last)	*SHAREHOLDER NAME (First, M.I., Last)*
William A. Moran	David D. Flanagan

Names of Officers and Directors:

NAME (First, M.I., Last)	*Title (e.g. President, Treasurer)*
William A. Moran	Chairman
David D. Flanagan	President
Jeffrey P. Rice	Vice President
Richard D. Entsminger	Vice President
James M. Mobley	Vice President
Catherine L. Griffin	Secretary/Treasurer

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)

Dewberry & Davis LLC, 8401 Arlington Boulevard, Fairfax, VA 22031

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:

SHAREHOLDER NAME (First, M.I., Last)	*SHAREHOLDER NAME (First, M.I., Last)*
The Dewberry Companies LC, Member	
James L. Beight, Member	
Dennis M. Couture, Member	

Names of Officers and Directors:

NAME (First, M.I., Last)	*Title (e.g. President, Treasurer)*

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)

The Dewberry Companies LC, 8401 Arlington Boulevard, Fairfax, VA 22031

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:

SHAREHOLDER NAME (First, M.I., Last)	*SHAREHOLDER NAME (First, M.I., Last)*
Sidney O. Dewberry, Member	
Barry K. Dewberry, Member	
Karen S. Grand Pre, Member	
Thomas L. Dewberry, Member	

Names of Officers and Directors:

NAME (First, M.I., Last)	*Title (e.g. President, Treasurer)*

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, 3rd Floor, Leesburg, VA 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:

SHAREHOLDER NAME (First, M.I., Last)	*SHAREHOLDER NAME (First, M.I., Last)*
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
Lynne J. Strobel	Garth M. Wainman
Nan E. Walsh	Martin D. Walsh

Names of Officers and Directors:

NAME (First, M.I., Last)	*Title (e.g. President, Treasurer)*

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:

NAME (First, M.I., Last)	*Title (e.g. General Partner, Limited Partner, etc)*

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:

_____

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

Richard D. Entsminger, Agent

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

Subscribed and sworn before me this 3 day of June 2009, in the State/Commonwealth of Virginia, in the County/City of Fairfax

_____
Notary Public

My Commission Expires: 10/31/2012

JENNIFER NICOLE LEPAGE
COMMONWEALTH OF VIRGINIA
REGISTRATION NO. 7201135
MY COMMISSION EXPIRES 10/31/2012
NOTARY PUBLIC

LOUDOUN COUNTY
DISCLOSURES OF REAL PARTIES IN INTEREST AND LAND USE PROCEEDINGS

A. INTRODUCTION

Under the mandatory provisions of Va. Code Ann. § 15.2-2287.1, each member of the Board of Supervisors, Planning Commission, and the Board of Zoning Appeals must make a full public disclosure of any business or financial relationship (including gifts or donations received as described in this Affidavit) that the member has or has had with the applicant, title owner, contract purchaser, or lessee of the land or their agent within twelve months prior to a hearing. This Code Section is specifically applicable only to Loudoun County.

In addition, pursuant to Va. Code Ann. § 15.2-2289, the Board of Supervisors for Loudoun County had previously adopted an ordinance requiring the submission of a completed Disclosure of Real Parties in Interest Form. *See* 1993 Revised Zoning Ordinance, Section 6-403(A).

The Loudoun County Board of Supervisors has directed County Staff to prepare land use affidavit forms to be used with rezoning, special exception, and variance applications, and reaffirmation procedures for affidavits. **The "Affidavit" and "Reaffirmation of Affidavit" forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.**

With the submission of any such zoning application, you are required to submit an Affidavit. Prior to a public hearing, you will be required to reaffirm your Affidavit in accordance with the reaffirmation procedures.

B. INSTRUCTIONS

1. Fill out the Affidavit and file with Application.

2. All listings which include PARTNERSHIPS, CORPORATIONS, or TRUSTS, must include the names of beneficiaries, broken down successively until: (a) only individual persons are listed or (b) the listing is a corporation having more than 100 shareholders that has no shareholder owning 10% or more of any class of stock. In the case of an Applicant, title owner, contract purchaser, or lessee of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all its partners (general and limited), of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the applicant, title owner, contract purchaser, or lessee of the land.

3. **Limited liability companies and real estate investment trusts and their equivalents are treated as corporations**, with members being deemed the equivalent of shareholders; managing members shall also be listed.

4. Prior to each and every public hearing on a Zoning Map Amendment, Zoning Concept Plan Amendment, Zoning Ordinance Modification, Special Exception, Commission Permit, Certificate of Appropriateness or Variance, and prior to Board action, the Applicant shall review the affidavit and provide any changed or supplemental information including business or financial relationships of the type described above, that arise on or after the date of this application. A "Reaffirmation of Affidavit" form is available for your use online at: http://inetdocs.loudoun.gov/planning/docs/documentsandfor_/index.htm

5. As used in these forms "real parties in interest" shall include all sole or joint property owners, parties who have legal interest in the protection of the property such as a trustee or executor, parties who have an equitable or beneficial interest in the property, such as beneficiaries of a trust, and, in the case of corporations, all stockholders, officers, and directors. Pursuant to Va. Code Ann. § 15.2-2289, the requirement of listing names of stockholders, officers, and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders.

6. In the case of a condominium, the requirements shall apply only to the title owner, contract purchaser, or lessee if they own 10% or more of the units in the condominium.

Receipt of Payment

Receipt Number :	090007589	**Date:**	2009-06-30
Transaction Number :	A000000006053	**Amount:**	$15,050.00
Payment Method:	CHECK	**Check Escrow Flag:**	N
Check Number:	311231	**Check Writer:**	BAYSHIRE LC

Detail Information

15,050.00	ZCPA-2009-0007	TOTAL FEE

Receipt of Payment

Receipt Number :	090007782	**Date:**	2009-07-06
Transaction Number :	A000000006075	**Amount:**	$11,180.00
Payment Method:	CHECK	**Check Escrow Flag:**	N
Check Number:	311232	**Check Writer:**	BAYSHIRE, L.C.

Detail Information

11,180.00	ZCPA-2009-0007	TOTAL FEE

Loudoun County, Virginia
Department of Planning
1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, Leesburg, VA 20177-7000
Telephone (703) 777-0246 • Fax (703) 777-0441

RECORD OF PRE-APPLICATION CONFERENCE

PRE-APPLICATION CASE NUMBER/NAME/CASE TYPE	**PRAP 2009-0034** Bayshire, LC Amend Proffers for ZMAP 04-06	**ZCPA**
DATE OF CONFERENCE		04/28/09 1:00pm

ATTENDANCE LISTING

NAME	AFFILIATION
Van Armstrong	Loudoun Co. Planning Dept.
Christine Glickner	Walsh, Colucci
Rick Entsminger	Bayshire LC Elm Street Dev.
Jim Mobley	Bayshie LC Elm Street Dev
Lou Mosurak	Ofc. of Transportation Svcs.
Randy Minchew	Walsh, Colucci
Sarah Milin	Community Planning
Brian Fuller	Parks, Recreation, & Comm. Services
Val Thomas	B&D Zoning
Bill Fissel	Dewberry

I verify that a pre-application conference on the above-referenced proposal has been conducted in accordance with *Article VI* of the *Loudoun County Zoning Ordinance*. No matters discussed shall be binding on either the applicant or the County. A copy of this form shall be submitted by the applicant with the official application for checklist review. A summary of issues discussed is not required to be submitted with the official application.

Director, Department of Planning or Designee: Van Armstrong

Date: 4/28/09

Application Fee: ZCPA: $26,230

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Loudoun County, Virginia
Department of Planning
1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, Leesburg, VA 20177-7000
Telephone (703) 777-0246 • Fax (703) 777-0441

SYNOPSIS OF PRE-APPLICATION CONFERENCE ISSUES DISCUSSED

PRE-APPLICATION CASE NUMBER/NAME/CASE TYPE	**PRAP 2009-0034** **ZCPA** Bayshire, LC Amend Proffers for ZMAP 04-06
DATE OF CONFERENCE	04/28/09 1:00pm

1. ISSUES RAISED BY THE APPLICANT

APPROVED ZMAP; NOW REQUEST TO REVISE DESIGN - SAME TOTAL UNITS (196). REALITY CHECK OF PROPOSAL - CONSIDERING MORE ENVIRONMENTAL SENSITIVITY, PRODUCT DESIGN - LARGE AND SMALL SFD TYPES. WOULD BE SOME ECONOMIC SAVINGS TOO. MARKET HAS CHANGED. MAINTAINED OPEN SPACE, INCREASED INTERNAL. REDUCED PUBLIC ST. LENGTH - LESS EARTH MOVING. REMOVED 2600' OF ALLEYS. WORKING MORE WITH TERRAIN. ALL OTHER PROFFERS/CONTRIBUTIONS TO REMAIN THE SAME. POSSIBLY SHARE POOL/CLUBHOUSE FACILITIES W/ ADJACENT DEVELOPMENT. BMP REVISIONS TO OCCUR W/ LAYOUT CHANGE/LID.

2. COMPREHENSIVE PLANNING ISSUES DISCUSSED

RGP - RESIDENTIAL UP TO 4 D.U./AC. SHOW HOW REVISIONS WILL OCCUR W/ COMPARISON TO OLD DOCS. GENERALLY CONFORMS TO PLAN POLICY. SOME CUL-DE-SACS SUPPORTED BASED ON ENVIRONMENTAL FEATURES. MINIMIZE GARAGE DOMINANCE. FOLLOW GREEN INFRASTRUCTURE POLICIES. WETLAND IMPACTS SHOULD BE W/IN PROPERTY OR LOUDOUN CO. CONSIDER PUBLIC/CIVIC USES ON SITE OR NEARBY. RE-LOOK AT ADU PHASING. UNMET HOUSING NEEDS POLICY APPLIES - MEET CURRENT POLICIES. ENCOURAGE ENERGY EFFICIENCY IN DESIGNS. CAPITAL FACILITIES IMPACTS HAVE INCREASED.

3. ZONING ISSUES DISCUSSED ___1972 ___1993 ✓ Revised 1993 Zoning Ordinance
PD-H3 ZONE, PREVIOUS ZMAP 2004-0006 W/ PROFFERS.
R-8 ADMINISTERED. AD U's ~~PHASING IS A~~ REVIEW FOR A MODIFICATION?
MAY WISH TO REQUEST A Z.A. DETERMINATION FOR ZCPA AS
AS SPEX PROCESS (6-1511).

4. TRANSPORTATION ISSUES DISCUSSED
ACCESS REMAINS SAME, ALL PUBLIC STREETS. NOTE NEW
VDOT CONNECTIVITY STANDARDS. UPDATE BACKGROUND TRIP
#'s + L.O.S. IN TRAFFIC STATEMENT.
NOTE $750,000 REGIONAL ROADS CONTRIBUTION ~~[illegible]~~ FULFILLED.
CONSIDER PER UNIT TRANSIT CONTRIBUTION.
To scope traffic study, contact George Phillips, Office of Transportation Services 703-737-8624.

5. OTHER ISSUES DISCUSSED
PARKS + REC. - PASSIVE PARK PROFFERED PREVIOUSLY. DEDICATION TIMING?
POSSIBLY FOLLOW SITE WORK/INFRASTRUCTURE. - ACCESS/SWM CONCERNS.

6. REVIEW AND PROCESSING PROCEDURES DISCUSSED
ZCPA PROCESS UPTO 1 YEAR TIME LINE. W/ TWO PUBLIC
HEARINGS TO P.C. + B.O.S.

Conference Coordinator: Van [signature]

Date: 4/28/09

ZCPA/ZMOD Application for Belmont Glen Village

Community Meeting List

Checklist Item Q

June 12, 2009

The applicant will meet with the Belmont Glen Homeowners Association.

Easy Peel® Labels
Use Avery® Template 5160®

Feed Paper

Bend along line to expose Pop-Up Edge™

AVERY® 5260™

MCPI #154-16-4753
Goose Creek Estates LLC
c/o Lennar
4443 Brookfield Corp Dr., #305
Chantilly, VA 20148

MCPI#155-35-9071 & 155-35-0962
Belmont Glen Homeowners
Asscn c/o GHA Community Mgt
3020 Hamaker Court, #300
Fairfax, VA 22031

MCPI #195-26-8819
Manthos, Christopher Lean
20992 Gulick Mill Road
Leesburg, VA 20175-4638

MCPI #195-29-1865
Dean Duru, Lynda
21679 Channing Court
Ashburn, VA 20147-5847

MPCI #195-30-0226
Balcona, Ana Lopez
624 Marshall Drive, NE
Leesburg, VA 20176-2398

MCPI #155-46-9841
Loudoun County Sanitation
Authority
PO Box 4000
Ashburn, VA 20146-2591

MCPI #196-20-0496 & 196-18-9396
Bob Sisson, City Manager
Fairfax City
City Hall Room 316
10455 Armstrong Street
Fairfax, VA 22030

MCPI #195-29-5549
Bianucci, Gary W & Barbara A
R/S
21014 Cisco Lane
Leesburg, VA 20175-4649

MCPI #195-39-3842
Custer, Joel C & Brigitte A R/S
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