

County of Loudoun
Department of Planning
MEMORANDUM

DATE: January 13, 2010

TO: Ginny Rowen, Project Manager
Land Use Review

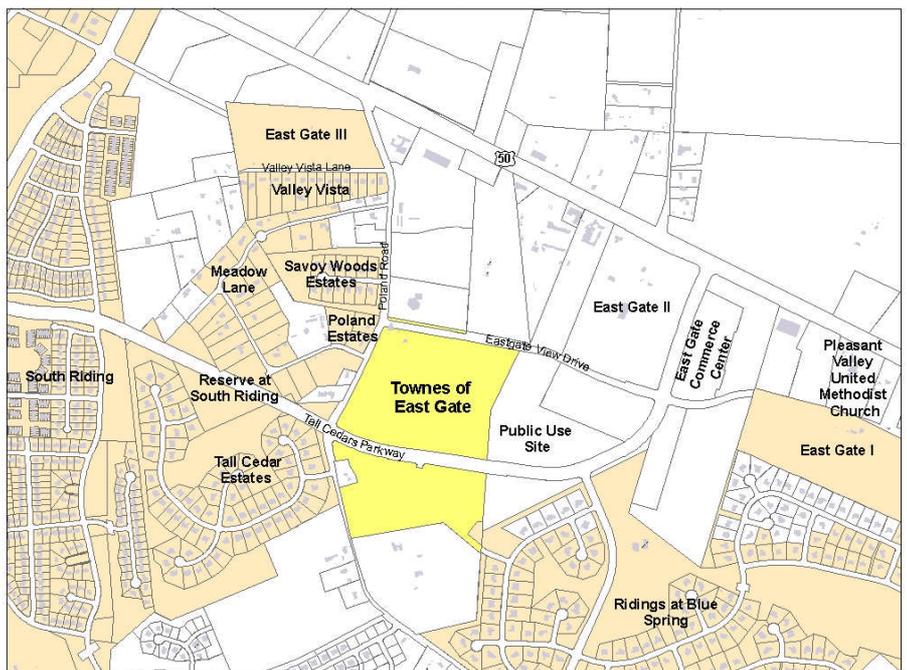
FROM: Marie Genovese, AICP
Planner III, Community Planning

SUBJECT: ZCPA 2009-0010, Townes of East Gate Proffer Amendment

BACKGROUND

Pulte Homes is requesting a Zoning Concept Plan Amendment (ZCPA) to amend the proffers associated with the Townes of East Gate (ZMAP 2002-0022) rezoning application. The property is located both north and south of Tall Cedars Parkway; south of Route 50 and East Gate View Drive; east of Poland Road and the residential developments of Tall Cedar Estates, Poland Estates, and the Reserve at South Riding; and west of the Ridings at Blue Springs residential neighborhood and the public use site proffered as part of the East Gate I (ZMAP 2004-0020) and East Gate III (ZMAP 2005-0003) rezoning applications (see Vicinity Map). The property consists of approximately 57.4 acres zoned PD-H6 (Planned Development - Housing) governed under the provisions of the Revised 1993 Zoning Ordinance.

Vicinity Map



The property was rezoned on October 18, 2005 permitting the development of 324 residential units. The proffers associated with this application called for the construction of two 250-foot long left-turn lanes from westbound Route 50 to southbound Poland Road and traffic signal modifications to the existing traffic signal at the Route 50/Poland

Road intersection (Proffers VC1a and VC1c). Subsequent to the approval of this application a VDOT project was funded to improve Route 50 to a six-lane facility from Poland Road east to Route 28, which includes the proffered improvements. In reviewing the Route 50 intersection improvements proposed by the applicant, VDOT determined that the proposed improvements would conflict with their ultimate improvements to Route 50. The Board of Supervisors at their December 1, 2009 Business Meeting voted to initiate a zoning concept plan for the Townes of East Gate to amend the proffers associated with the Route 50 improvements to allow for a monetary contribution of an equivalent value.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The subject property is guided by the land use policies of the Revised General Plan as amended. The property is located within the Dulles Community of the Suburban Policy Area, and is suitable for Business community and Residential uses (*Arcola Area/Route 50 Corridor Plan, Planned Land Use Map*). The policies of the Revised Countywide Transportation Plan (CTP) also apply.

ANALYSIS

As stated above, the applicant seeks to amend the proffers associated with the two 250-foot long left turn lanes from westbound Route 50 to southbound Poland Road and structural and timing adjustments to the existing traffic signal at the Route 50/Poland Road intersection as approved with the Townes of East Gate (ZMAP 2002-0022) application. The proffers call for the applicant to bond and construct the Route 50 improvements prior to the issuance of any occupancy permit (Proffer VC1). This is consistent with Plan policies calling for road and transportation proffers in the Route 50 Corridor within the initial phases of development (*Revised General Plan, Chapter 6, Arcola Area/Route 50 Corridor Plan Policy 7*). While the approved proffers do allow for a cash equivalent contribution if any of the proffered transportation improvements are constructed or bonded by others prior to the applicant doing so (Proffer VC4), this proffer does not apply to the Route 50 VDOT improvements as they do not anticipate awarding the contract for the Route 50 widening until March 2010 with initial construction anticipated in the fall of 2010. The applicant has amended the proffers to allow for a one-time cash contribution in lieu of the Route 50 improvements to be made prior to the issuance of the first occupancy permit for any residential use (Proffer VD1).

It does not appear the Sheet 6, Conceptual Transportation Improvements has been updated to reflect the proposed changes to the Route 50 improvements.

RECOMMENDATIONS

Staff has no issue with the requested Zoning Concept Plan Amendment and defers to the Office of Transportation Services in determining whether the cash contribution, as proposed by the applicant meets County standards.

cc: Julie Pastor, AICP, Director, Planning
Cynthia Keegan, AICP, Program Manager, Community Planning via e-mail