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BY HAND DELIVERY

June 16, 2009

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**RE: ZMAP 2006-0011/ZCPA 2006-0003, Stone Ridge Commercial  
Third Submission and Response to Second Review Comments**

Dear Stephen:

We are pleased to submit the revised ZMAP/ZCPA application for Stone Ridge Commercial with the program changes we have discussed over the past several months. The main elements of this revised application are as follows:

- elimination of the previously proposed additions to existing CLI zoning districts (PD-IP and PD-OP district additions are proposed, instead),
- adjustments to maintain approved balance of residential and employment land areas,
- additional tree conservation areas,
- contribution for a traffic signal at Stone Springs Boulevard and Millstream Drive,
- relocation of a public use site for a potential fire & rescue station,
- commitment to dedicate public use site for future commuter parking lot,
- commitment to grant public access easement for future stream valley trail, and
- contribution for amenities at Byrne's Ridge Park.

Enclosed with this submission are 17 copies each of the revised Statement of Justification, the draft proffer statement and a comparison with the approved proffers, and 4 copies of the updated traffic study. Seventeen copies of the revised Application plan set will be delivered to you under separate cover.

The staff review comments are addressed below in chronological order. Each agency's comments are summarized (noted in *Italics*) and followed by our response.

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**Environmental Health (comments dated 2/13/09)**

*This Department reviewed the package provided to this office and the plat prepared by Urban dated January 2009 and has no comments to the proposal.*

Response acknowledged.

**Loudoun County Public Schools (comments dated 3/4/09)**

*School Board staff has reviewed the revised zoning map and zoning concept plan amendment application for Stone Ridge Commercial. As no additional residential units are proposed with the revised application, staff is not providing a project assessment. Staff will note that the Stone Ridge developer has provided land for Mercer Middle School and the new Arcola Elementary School. In order to ensure that students residing in Stone Ridge can safely walk to and from school and/or school bus stop locations, pedestrian walkways should be provided and allow for public access easements.*

The Applicant has constructed a pedestrian system that connects the residential areas with Mercer Middle School and Arcola Elementary School. Additional trails and sidewalk connections are provided with this Application.

**Virginia Department of Transportation (comments dated 4/9/09)**

1. *Eliminate the newly proposed right-in/right-out access point to Route 50.*

Both the previously proposed access on Route 50 and proposed Land Bay 9 have been eliminated and are reflected in the revised TIA.

2. *The traffic impact study (TIA) needs to be revised to include a "Recommendations" Section. A complete and thorough review cannot be conducted until this aspect of the TIA is completed. Receipt of this information may generate additional comments.*

A revised TIA is included with this submission and includes the requested section.

3. *All traffic signals and signal modifications costs associated with this application are to be borne by the applicant. Verbiage to this effect should be included in the proffers including the associated warrant analyses. The intersections of particular interest have Level of Service (LOS) "F" on the side streets and are the following:*

1. *Stone Springs Boulevard/Tall Cedars Parkway*
2. *Stone Springs Boulevard/Millstream Drive*

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The Stone Ridge proffers approved with ZMAP 1994-0017 include a commitment (Proffer II.F.2.) to study on-site signalization needs at the time of preliminary subdivision submission. The required studies were performed and concluded that VDOT signal warrants would not be met for the referenced intersections through the buildout of the project. Nevertheless, the Applicant has committed to provide a signal warrant analysis for the Stone Springs Boulevard/Millstream Drive intersection and to contribute \$250,000 for a signal if warranted.

*4. The north-south traffic volume on Gum Spring Road, Route 659, is significant. If the complete Future Route 659 West Spine Road is not open to traffic by the time South Point Drive connects to existing Route 659, Gum Spring Road, then left and right turn lanes will be required on existing Route 659, Gum Spring Road.*

Comment acknowledged. The Southpoint Drive connection to existing Route 659 will include any required turn lanes if the connection of Southpoint Drive is made prior to the opening of the West Spine Road to vehicle traffic.

*5. Please see the attached memorandum dated 3/19/09 from Mr. Arsalan (Alex) Faghri of VDOT's Traffic Engineering Section regarding the TIS dated January 26, 2009. These comments indicate that the TIS needs correction and resubmission:*

*1. All VDOT comments dated September 29, 2006 still applies. Please modify study to address those comments.*

The referred to comments were based on the traffic study prepared in July 2006. Since that time the site development densities, background data assumptions, existing traffic information, and improvement data have changed. As evidenced in the 2006 report, the anticipated site changes were expected to increase peak hour trips by 200 to 250 vehicles. The current development program results in a minimal increase of only 35 to 60 peak hour trips. Therefore, since the impacts and background information have changed, a point-by point response to these comments has not been provided. The revised TIA has been designed to adequately address them.

*2. Please justify 2% growth rates.*

Previous studies of Stone Ridge and others in Dulles South utilized a one (1) percent growth rate. This rate was increased to 2 percent based on discussions with VDOT planning staff (Cina Dabestani) to account for "through traffic growth" within the U.S. Route 50 corridor, and was not mentioned in his specific comments for this project. The amount and magnitude of other specific background developments included as part of the study account for localized growth expected in the study area.

*6. Please see the attached memorandum dated Friday, April 3, 2009 from Mr. Cina Dabestani of VDOT's Transportation Planning Section. These comments indicate that the TIS needs correction and resubmission:*

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1. *Page 12 – Other Approved Developments – South Riding and South Village developments are way out of the area to have any impact on this study. These two development should not be included as the background traffic generator impacting roadways that are impacted by the development (Stone Ridge Commercial).*

The revised TIA eliminates these developments from the background trip generation.

2. *Page 22 – Trip Distribution Analysis – Assumption of the distribution will stay the same is FALSE. There is no support provided for such assumption other than stating other previous studies were the base!! It is incomplete without showing what studies show for distribution patterns.*

Since major portions of Stone Ridge are constructed, the existing traffic count data was reviewed and compared to the trip distributions used in the study. The results show that the existing traffic distributions are consistent with those utilized in the study, noting that separate distributions were used for various land uses rather than a single distribution.

3. *Page 27 – 2030 Loudoun County Model Analysis – This section provides the raw & unadjusted traffic assignment of Loudoun County Model without any analysis. Raw and unadjusted traffic volume are very misleading in this case, VA 606 relocated just to the south of US 50 is shown to carry 63,731 ADT when VA 659 (Gum Spring Road) parallel to VA 606 relocated is shown to carry 93,693. A review of these numbers reveals adjustments are needed as part of VA 606 will make up Dulles Airport's "loop" along with VA 28 and US 50 which is expected to have heavier traffic volume than VA 659 (Gum Spring Road). Loudoun County's model has been updated with round 7.1 land use for the horizon year 2030 which is close enough for 22 years plus buildout year, fulfilling the requirements on study's of this magnitude.*

The original traffic scoping agreement for this project did not indicate the need to prepare a buildout plus 10 (or 22-year) condition since the original traffic report identified improvements under long-range conditions. The modeled volumes were provided by OTS and represent the best available information at the time the traffic report was prepared and were intended for informational purposes, not for analytical purposes. Updated volumes have been requested and will be included in the revised TIA if received from OTS when the revised report is published.

4. *This report does not provide any 2030 traffic impact analysis as the original did not either. US 50 is a NHS and long range impact analysis are a requirements by FHWA which VDOT oversee.*

See response 3.

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**Parks, Recreation and Community Services (comments dated 4/13/09)**

1. *Previous Comment: Please provide proffers for review. Applicant Response: Draft proffers are provided with this submission. Issue Status: Resolved.*

Comment acknowledged.

2. *Previous Comment: The Applicant should demonstrate how the recreational and leisure needs of these new residents will be met without further taxing the existing public recreational facilities in eastern Loudoun. Applicant Response: The Application has been revised to propose no increase in the number of previously approved residential units for Stone Ridge. All residents of Stone Ridge have access to private recreational amenities. Issue Status: Resolved, due to the removal of the previous request for additional residential units.*

Comment acknowledged.

3. *Previous Comment: Commercial, office and industrial developments based on their zoning are potential areas where facilities such as athletic fields (lighted) could be co-located. Applicant Response: Stone Ridge has previously dedicated the County's 25-acre Byrne's Ridge Park on Stone Springs Boulevard, as well as the Mercer Middle School and Arcola Elementary School sites, all of which have several athletic fields. Issue Status: Resolved. PRCS appreciates the Applicant's previous contributions to active recreation facilities.*

Comment acknowledged.

4. *Previous Comment: PRCS recommends that all internal sidewalks be a minimum of 5 feet. Applicant Response: Comment acknowledged. Issue Status: Resolved.*

Comment acknowledged.

5. *Previous Comment: On Sheet 8 of the Concept Plan, the Applicant is proposing an extension of the trail system throughout the Stone Ridge community. PRCS requests the Applicant to provide a typical section, including width and surface type, of each of the types of trails proposed and their locations. PRCS recommends that the trail proposed along Tall Cedars Parkway be a 10-foot wide, paved shared bicycle/pedestrian trail, and that the trail along the South Fork Broad Run be a natural pedestrian only trail. Applicant Response: The width and surface type of the proposed trails will be consistent with FSM requirements and will be determined at the time of site development to be consistent with the existing trail network within Stone Ridge. Issue Status: Resolved.*

Comment acknowledged.

6. and 7. *Previous Comments: PRCS would like to discuss with the Applicant a potential opportunity for dedication of the South Fork Broad Run flood plain to the County as a linear*

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*stream valley park. Staff is currently coordinating with other proposed area project applicants on both sides of the South Fork Broad Run for a potential contiguous linear stream valley park. Applicant Responses: Staff may contact the Applicant at any time to discuss this matter. It has been the Applicant's intent to retain the passive park in the TR-1UBF land bay as an HOA amenity. Issues Status: PRCS respects the Applicant's desire for the passive park in the TR-1 UBF land bay between Goshen Road and future Relocated Route 659 to remain an HOA amenity, much like the passive area in the existing Land Bay ZZ Open Space. Staff commends the Applicant for retaining and protecting the stream valley for passive parkland and open space. However, Staff requests more information concerning the proposed amenities within the passive HOA park, such as trails, etc. Furthermore, Staff requests that a public access easement be located along the South Fork Broad Run stream valley to facilitate a future, natural-surface trail to connect with other future public trail segments upstream and downstream. Staff will contact the Applicant to set up a meeting to further discuss the matter.*

The Applicant has no plans to construct amenities within the HOA open space adjacent to the South Fork of Broad Run and intends to maintain it in its natural condition. However, the Applicant will proffer to grant the County a 10-foot wide public access easement within the stream valley within or adjacent to the existing sanitary sewer easement, subject to Loudoun Water approval, for a future County trail system. Please see Proffer III.B.4.

*8. Previous Comment: Staff requests the opportunity to discuss with the Applicant potential options for providing a much-needed restroom facility at Byrne's Ridge Park. Applicant Response: Staff may contact the Applicant at any time to discuss this matter. Issue Status: PRCS has been in preliminary discussions with the Applicant concerning a potential restroom/concessions facility at Byrne's Ridge Park after the Applicant's presentation to County staff on April 2, 2009. PRCS is requesting the Applicant consider the opportunity to proffer this additional amenity or a monetary contribution for the future construction of this facility. PRCS can provide additional information concerning specifics of the facility in a future meeting and Staff will contact the Applicant to set up a meeting to further discuss the matter.*

The Applicant will contribute \$75,000 to the PRCS for improvements at Byrne's Ridge Park. Please see Proffer III.B.3.

**Proffer Matrix Team, Office of Capital Construction (comments dated 4/7/09)**

Proffer I.C.1.a. Please make sure the CDP labels Land Bay EE2A and Land Bay EE2B.

The reference in Proffer I.C.1.a. to Land Bay EE2B has been revised to Land Bay EE2 to be consistent with the CDP.

Proffer I.E.b and Proffer III.F. The proffered Public Use Site in Land Bay 8 is approximately 3.37 acres and does not meet the County's capital facility standard of 5 acres for a Fire & Rescue Station; therefore the Applicant is not eligible to receive a capital facilities credit for the

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*proffered site. Please revise these sections of the proffer statement to eliminate the capital facilities credit for the Public Use Site in Land Bay 8.*

The CDP has been revised to designate a potential fire and rescue station site in Land Bay 7 that will satisfy the County's capital facility standards for public use sites.

*Proffer II.B. Please revise this proffer to state "...prior to the issuance of any zoning permits for the residential units in Land Bays 1, 2, 3, 4 or 5."*

The referenced proffer has been revised as requested.

*Proffer III.C. Please revise the 2<sup>nd</sup> sentence to state "... of a four-story office building to be constructed on Land Bay FF2A."*

The referenced proffer has been revised as requested.

*Typically, all County-owned facilities and public use sites proffered to the County are excluded from any Owner's Associations. In this case, the County is being proffered a portion of an office building proposed to be within an office condominium. Please consult with the Office of the County Attorney to review the Condominium Association documents and agree to their provisions prior to the approval of this zoning amendment application.*

The Library Board and the County Attorney's office are aware that the County's portion of the office building will be part of a condominium association. The applicable condominium documents have been submitted to the County Attorney's office for review.

*Proffer III.G. Please revise the proffer statement to provide that "The Owner shall convey to Loudoun County Land Bay 8, shown on Sheet 4 of the CDP, within 60 days of the County's request for conveyance of the Public Use Site. The County may request conveyance of the Public Use Site immediately upon approval of ZMAP 2006-0011."*

Proffer III.G.3 has been revised to reflect the Applicant's commitment for the conveyance of Public Use Site #3, now located in Land Bay 7, to the County.

*The County is not in favor of accepting a site where its ability to use the site is limited or restricted. Please revise the proffer statement to state the Applicant's preference is a Fire & Rescue Station.*

Proffer III.G.3 has been revised to remove the reference to a fire and rescue station.

*The usable acreage of the site is approximately 2.5 acres once all setbacks and environmental constraints are established. These physical constraints limit the County's ability to develop the site as a Fire & Rescue Station.*

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The site for a potential fire and rescue station has been relocated to Land Bay 7 to address this concern.

*Please revise the proffer statement to address the following concerns regarding the Public Use Site:*

1. *The timeframe in which Millstream Drive would be relocated.*

Proffer II.B.6 provides the timeframe for the construction of relocated Millstream Drive.

2. *The ultimate elevation of Millstream at the proposed entrance to the facility for evaluation of grading impacts. Site development may require a minor retaining wall along the northern slope.*

The site for a potential fire and rescue station has been relocated to Land Bay 7 to address this concern.

3. *The current layout accounts for a site elevation delta of approximately 12 feet. The current layout would require approximately 6 feet of cut adjacent to Tall Cedars with 6 feet of fill along the northern side adjacent to the wetlands.*

The site for a potential fire and rescue station has been relocated to Land Bay 7 to address this concern.

4. *Final storm water management requirements for the site and any impacts that relocated Millstream would have on drainage.*

The relocated public use site within Land Bay 7 meets the minimum 5-acre criteria and is large enough to accommodate storm water management requirements. Relocated Millstream Drive will not impact site drainage.

5. *Due to extensive forest cover, buffering requirements should be minimal so long as selective clearing is imposed.*

The relocated public use site in Land Bay 7 is not heavily wooded.

6. *The site will most likely accommodate only one entrance onto Millstream which would have to be shared by Fire and Rescue operations as well as the public.*

The site for a potential fire and rescue station has been relocated to Land Bay 7 to address this concern.

*The proffer statement needs to stipulate that all permanent utilities will be provided to the Public Use Site, at no cost to the County, prior to the dedication of the site to the County. Staff*

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*requests that the Applicant pay for all tap fees and hookup charge backs to access the public water and sewer systems at the Public Use Site.*

The Applicant will extend sanitary sewer and water lines to points 10 feet within the public use site in Land Bay 7. Please see Proffer III.G.3.a.

*The County requests that the Applicant not use the proffered Public Use Site for staging, dumping, or other activities prior to conveyance of the site to the County.*

Proffer III.G.3.a. provides for the rough grading of Land Bay 7, at the Applicant's option, and for construction activities associated with relocated Millstream Drive. All other activities within the public use site area are prohibited without County approval.

*The Applicant's proffered site will be evaluated for suitability by the County against Loudoun County's Usable Land Criteria for Public Use Sites, and must meet these criteria. The usable acreage must be exclusive of the encumbrances and conditions listed in the Criteria. The Applicant shall prepare and issue a report that demonstrates that the proposed site meets each of the Criteria.*

The Applicant has evaluated Public Use Site #3 with respect to the Usable Land Criteria and finds that the site has no regulatory wetlands, no hydric soils, no steep slopes, no existing stormwater management facilities, will not be impacted by road dedications, has no archeological sites, no rare and endangered species, no scenic creek valley buffers, is outside the Ldn 60 airport noise contour, is not impacted by existing easements, will have frontage on and access to a VDOT road (Millstream Drive), both public water and sewer will be extended to the site, other permanent utilities are available, will have pedestrian access and exceeds the 5-acre minimum size requirement.

*Park & Ride Lot.* *The County's CIP calls for the expansion of the current Park & Ride Lot at Stone Ridge in the FY 09-14 timeframe. From the County's perspective, the ideal location for the expansion of the Park & Ride Lot is directly across Millstream Drive from the current Park & Ride Lot in Land Bay EE2. The County requests that the Applicant consider proffering an additional 100 parking spaces in the immediate vicinity of the current Park & Ride to accommodate additional patrons of the Commuter Bus Service.*

The Applicant has designated a site, Public Use Site #4, to be conveyed to the County for a 100-space park and ride facility. Please see Proffer III.G.4.

*The general location of the facility is to be depicted on the CDP and the Proffer Statement must indicate that the location of the proposed Park & Ride facility will be reviewed and accepted by County Staff prior to Site Plan approval. If the facility is not dedicated to the County, the County requests that the Applicant provide public access easements on the Park & Ride facility. Language should be included related to the ongoing maintenance of the lot to include lighting, bus shelter maintenance, asphalt/pavement, pavement markings, and snow removal.*

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The location of Public Use Site #4, depicted on the CDP, has been reviewed by staff and acknowledged to be acceptable. The Applicant has committed to provide ordinary maintenance of landscaping, trash collection and snow removal. Please see Proffer III.G.4.a.

*The Applicant may claim a credit towards their regional transportation contribution for constructing the Park & Ride facility.*

The Applicant will claim a credit of \$989,000 against the capital facilities contribution for this 2.9012 acre public use site.

HOA. *Please stipulate that all sidewalks and trails, other than those located on the Public Use Site, will be maintained by the HOA. The HOA will also be responsible for the maintenance and landscaping of all common areas and open space, trash removal and recycling services, snow removal, and the maintenance of private roads.*

All sidewalks and trails located within public rights-of-way are maintained by VDOT. The HOA is responsible for the maintenance of the common areas and for other services as stipulated in the existing Stone Ridge proffers, Proffer V.

Recycling *Recycling is mandatory in Loudoun County per Chapters 1084 and 1086 of the Loudoun County Codified Ordinance. Additionally, developers and contractors are encouraged to establish a recycling plan for recyclable materials that will be generated during land clearing, construction and demolition.*

Comment acknowledged.

Litter Control and Prevention. *Construction sites are required to have separate receptacles for construction waste and workers' litter per Chapter 1088.08(b) of the Loudoun County Codified Ordinance.*

Comment acknowledged.

**Department of Fire, Rescue and Emergency Management (comments dated 4/13/09)**

*The Applicant has proffered a 3.376 acre parcel for public use (less than the endorsed Service Plan's requirement of 5 acres). Staff is concerned that the size of the parcel would not be enough to accommodate all the program requirements, and ensure adequate circulation and deployment of emergency vehicles.*

The Applicant has met with County staff to review an alternative site and has provided a site of approximately 5.6 acres within Land Bay 7 that will accommodate the needs of the Department. Please see Proffer III.G.3.

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*The Department has no immediate plans to construct an additional fire station as it is not part of the current CIP or CNA documents. The proffer site at Stone Ridge can be considered for a future station since it would benefit delivery service as it improves response times and alleviates some existing coverage voids.*

The Applicant has proffered to convey Public Use Site #3 to the County within 12 months of the approval of this Application so that it is available to the County when needed.

*Staff concurs with the referral submitted by the Office of Capital Construction/Proffer Matrix Group regarding the timing of conveyance, any additional site work that would be performed prior to conveyance, timing of utilities, site issues, etc. Staff respectfully requests that the Applicant revise the proffer statement to reflect the recommendations of the proffer matrix group regarding the before mentioned issues.*

The relocated and enlarged site will conform with the County's development requirements.

**Zoning Administration, Department of Building and Development (comments dated 4/15/09)**

*II. Conformance with §6-1211 Zoning Map Amendments*

*1. Section 6-1211(E)1 – Whether the Proposed Zoning District Classification is consistent with the Comprehensive Plan. Zoning defers to Community Planning for comment.*

The requested zoning districts are consistent with the Revised General Plan's Business community designation for this area and are expansions of existing zoning districts within Stone Ridge.

*2. Section 6-1211(E)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. Staff defers to Community Planning, OTS, School Board, Library Services, and Parks and Recreation.*

All infrastructure needed to support this Application is either in place or is provided by the Application.

*3. Section 6-1211(E)6 – The effect of uses allowed by the proposed rezoning on the structural capacity of the soils. According to County records, hydric soils (types 66A and 69A) are present in the rezoning area and the applicant has identified wetland areas. Development of the site should consider these areas with respect to grading and the construction of buildings and infrastructure.*

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Development of the Property will conform with all applicable hydric soils regulations. The requisite wetland permits have been obtained. The proposed rezoning areas are currently approved for comparable levels of development.

4. *Section 6-1211(E)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. Staff would recommend more specific measures to mitigate the impact of construction traffic on the surrounding area. The applicant should also address how construction traffic will enter and exit the property during construction. Zoning Staff defers to OTS and VDOT for comments on the impact of the rezoning proposal on the volume of vehicular and pedestrian traffic and traffic safety in the vicinity.*

An updated TIA that addresses traffic volumes for the rezoning area is included with this submission. The proposed rezoning areas are all internal to Stone Ridge and are currently approved for comparable levels of development.

5. *Section 6-1211(E)9 – The effect of the proposed rezoning on environmentally sensitive land or natural features, wildlife habitat, vegetation, water quality and air quality. The site contains areas of major and minor floodplain. Staff recommends that the Applicant identify areas of existing vegetation that will be preserved and show such areas on a proffered plan.*

The development of the Property will not impact any floodplain areas. Tree conservation areas are depicted on the CDP.

### *III. Conformance with PD-H4 Zoning District (4-100)*

*The rezoning plan set should state in the Notes section that Land Bay 5R and portion of Land Bay ZZ will be rezoned from PD-IP to PD-H4 and will be developed in accord with all regulations for the PD-H4 zoning districts. All subsequent Subdivision Plans or Site Plans must show how the PD-H4 zoning district requirements are met.*

The rezoning plan set includes tables that describe the proposed zoning district changes for each subject parcel and land bay. Please see Sheets 2 and 5. All subsequent subdivision and site plans will demonstrate compliance with the PD-H4 district zoning requirements.

1. *Please note that Tall Cedars is a public road and has no zoning designation. As such, please remove the proposed zoning for Tall Cedars.*

All existing public streets within Stone Ridge are mapped. The proposed changes to the existing right-of-way zoning have been tabulated separately and the right-of-way areas have not been included in any land bay area or in any open space tabulation.

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2. *The proposed PD-H4 district may be approved as a logical extension of the existing PD-H4 district. Staff asks that the Applicant address the requirements of Section 4-103 of the Ordinance, Timing of Development.*

The proposed PD-H4 district is a relocation of a PD-H4 district, with the same number and type of dwelling units, previously approved under ZMAP 2002-0013/ZCPA 2002-0004. This area is served by existing streets, utilities, public facilities, private amenities, and shopping and employment areas.

3. *Please demonstrate compliance with Section 4-110(I). If providing the 50-foot permanent open space with Type 2 Buffer Yard, depict this on the CDP adjacent to the R-16 district on the east and north.*

A modification of Section 4-110(I) is requested with this submission.

4. *On the CDP, note the minimum requirement of 30% open space for the PDH district (Section 4-111(A)). Also depict the proposed open space for the same.*

The PDH district requirements are provided on Sheet 5 of the CDP. The 30% open space requirement is satisfied by the HOA recreation facility and by the PDH-4 portion of Land Bay ZZ, as depicted on Sheet 11.

5. *The Applicant should demonstrate conformance with Section 4-110 at the time of site plan.*

Comment acknowledged.

6. *Include proposed Land Bay ZZ (MCPI 204-46-2780) in the Density Exchange Table on Sheet 5. Staff recommends separating Land Bay ZZ to the south and north of Millstream Drive. Do not include the road in the calculation of open space.*

A revised Density Exchange Table is provided on Sheet 5. Open space calculations do not include any existing road areas.

#### *IV. Conformance with R-8 District (§3-500) & (§7-800)*

*The rezoning plan set should state in the Notes section that Land Bay 5R and portion of Land Bay ZZ will be developed in accord with all regulations for the R-8 zoning districts. All subsequent Subdivision Plans or Site Plans must show how the PD-H4 zoning district requirements are met.*

The plan set notes that Land Bay 5R will be administered as R-8. Land Bay ZZ remains as open space and will not be developed. All subsequent subdivision and site plans will demonstrate compliance with the PD-H4 district zoning requirements.

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1. *On Sheet 5, please add Section 3-500 as there are requirements of this section that apply in addition to those of Section 7-800.*

The applicable R-8 district requirements have been added to Sheet 5 as requested.

2. *On the CDP, depict the Lot and Building requirements of the R-8 ADU Section 7-803, such as lot size, lot width, yards and lot coverage.*

The Section 7-803 requirements are included with the R-8 district requirements on Sheet 5.

3. *On the CDP, correct the minimum required amount of active recreation space to 14,000 square feet. Also denote the proposed amount of active recreation space for this district and depict the location and type of such active recreation space. Demonstrate that such active recreation space is accessible to all residents by means of internal pedestrian walkways (7-803(E)).*

The active recreation tabulation on Sheet 5 has been corrected as requested. Pedestrian access to the active recreation areas, as well as the type of active recreation amenities, will be demonstrated at the time of site plan. This land bay also includes a proffered HOA active recreation facility that includes a swimming pool, tennis court and community building.

4. *On the CDP, depict the building requirements of the R-8 district pursuant to Section 3-508.*

The R-8 district requirements are provided on Sheet 5.

5. *On Sheet 5, depict the maximum length/width ratio as required by Section 3-506(D).*

The R-8 district requirements are provided on Sheet 5.

6. *Clarify that Land Bay EE2 to the east and Land Bay 6 to the north are not proposed for minimum allowable lot size of 6,000 square feet or greater. Otherwise a permanent open space buffer of 50 feet in depth with a Category 2 Buffer Yard must be provided (Section 3-509(C)) adjacent to those land bays.*

A zoning modification request for Section 3-509(C) is included with this submission.

### *III. Conformance with R-16 District*

*The rezoning plan set should state in the Notes section that Land Bay 6 and a portion of Land Bay ZZ will be developed in accord with all regulations for the R-16 zoning district. All subsequent subdivision plans and site plans must show how the R-16 zoning district requirements are met.*

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Land Bay 6 is now proposed as an R-24 district. All subsequent subdivision and site plans will demonstrate compliance with the R-24 district zoning requirements.

*1. On Sheet 5, please add Section 3-600 as there are requirements of this section that apply in addition to those of Section 7-900.*

As noted above, Land Bay 6 is now proposed as an R-24 district and the R-24 zoning district requirements are provided on Sheet 5.

*2. On the CDP, depict the Lot and Building requirements of the R-16 ADU Section 7-903, such as lot size, lot width, yards and lot coverage.*

As noted above, Land Bay 6 is now proposed as an R-24 district and the R-24 district requirements are provided on Sheet 5.

*3. On the CDP, denote the proposed amount of active recreation space for this district. Demonstrate that such active recreation space is accessible to all residents by means of internal pedestrian walkways (7-903(E)). Designate on the CDP the location and types of active recreation uses and include this in the Proffer Statement.*

As noted above, Land Bay 6 is now proposed as an R-24 district and the R-24 district requirements are provided on Sheet 5.

*4. On the CDP, depict the building requirements of the R-16 district pursuant to Section 3-607.*

As noted above, Land Bay 6 is now proposed as an R-24 district and the R-24 district requirements are provided on Sheet 5.

*5. Demonstrate conformance with Section 3-602 regarding pedestrian linkages to employment and shopping centers. This Section also requires that the district is served or planned to be served by public transit or designated for public transit in the Comprehensive Plan.*

As noted above, Land Bay 6 is now proposed as an R-24 district and the R-24 district requirements are provided on Sheet 5.

*6. On Sheet 5, note the maximum permitted density of 19.2 dwelling units per acre in the R-16 zoning district (§ 7-901).*

As noted above, Land Bay 6 is now proposed as an R-24 district and the R-24 district requirements are provided on Sheet 5.

*7. On Sheet 5, depict the maximum length/width ratio as required by Section 3-606(D).*

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As noted above, Land Bay 6 is now proposed as an R-24 district and the R-24 district requirements are provided on Sheet 5.

8. *With regard to Section 3-608(B), staff asks that either detailed drawings be submitted with this application or provide a note that this requirement will be evaluated at the time of site plan.*

As noted above, Land Bay 6 is now proposed as an R-24 district and the R-24 district requirements are provided on Sheet 5.

9. *Include a note on the CDP that residences to be served by private roads shall be subject to a recorded covenant regarding the private maintenance of such roads (Section 3-610(C)).*

As noted above, Land Bay 6 is now proposed as an R-24 district and the R-24 district requirements are provided on Sheet 5.

*VI. Conformance with R-24 District (§3-700) & (§7-1000)*

1. *On Sheet 5, please add Section 3-700 as there are requirements of this section that apply in addition to those of Section 7-1000.*

This correction has been made to the R-24 district regulations on Sheet 5.

2. *On the CDP, Exhibit A (Sheet 5), in the Minimum Lot Requirement for R-24, the minimum lot width is repeated twice. Correct this.*

The requested correction has been made.

*VII. Conformance with the PD-IP, Planned Development-Industrial Park District (§4-500)*

*The rezoning plan set should state in the Notes section that Land Bay 7 will be developed in accord with all PD-IP regulations. All subsequent subdivision plans or site plans must show how the requirements of this zoning district are met.*

The CDP designates Land Bay 8 for development under the PD-IP regulations. All subsequent subdivision plans and site plans will demonstrate compliance with the PD-IP zoning requirements. Land Bay 7 is currently zoned PD-IP and is not being rezoned with this Application.

1. *A special exception application is required for the proposed fire and rescue station in Land Bay 8. Please label the fire and rescue use on the CDP.*

A special exception application will be filed when the County is ready to proceed with plans for the fire and rescue station. The location of Public Use Site #3, the site of a future fire and rescue station, is depicted on the CDP within Land Bay 7.

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2. *Please demonstrate conformance with Section 4-501.*

Conformance will be demonstrated at the time of site plan review.

3. *Zoning defers to Comprehensive Planning regarding the consistency of the proposed PD-IP district with the Comprehensive Plan. In addition, Section 4-502 requires that incremental additions to an existing PD-IP district must demonstrate their relationship and compatibility with the previously approved district to which it is being added.*

The proposed PD-IP district, Land Bay 8, is a relocation of an existing PD-IP area within Stone Ridge and is located adjacent to another existing PD-IP district. This PD-IP area is being relocated to the west side of the power lines to provide a consolidated residential area on the east side of the power lines and to solidify the residential character of Tall Cedars Parkway. PD-IP districts are consistent with the RGP's Business Community designation for this area.

4. *A minimum yard of 75 feet is required adjacent to the PD-H4 zoning district (Section 4-505(B)(2)). Depict this requirement adjacent to the PD-H4 zoning district to the west, or request a modification of this section.*

A modification of the referenced section is included with this submission.

5. *Depict the minimum yard of 15 feet adjacent to the CLI district on the north (Section 4-505(B)(3)).*

The PD-IP district requirements are provided on Sheet 4 of the CDP.

6. *In the Density Exchange Table on Sheet 5, Staff questions if it is the Applicant's intent to limit the maximum floor area ratio (FAR) for the public use site to 0.3 and the square footage to 44,060 square feet.*

Proffer III.G.3. specifies that the 5.595-acre Public Use Site #3 in Land Bay 7 will have a floor area of 73,115 square feet, an FAR of 0.30 as per the current proffers for Land Bay 7.

7. *Staff asks that the Applicant provide a detailed illustrative to demonstrate compliance with Sections 4-505(B)(4) and 4-507 or provide a note stating that these requirements will be met at site plan.*

Notes have been added to the CDP stating that compliance with all applicable zoning ordinance regulations will be demonstrated at the time of site plan.

8. *On Sheet 4, note the maximum lot coverage and building height as required by Ordinance as well as maximums proposed by the Applicant for the PD-IP district (§4-506(A) & §4-506(B)).*

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The PD-IP zoning regulations and the proposed lot coverage and building height are provided on Sheet 4.

*9. On Sheet 4, include a note stating the minimum landscaped open space on any individual lot shall not be less than .20 times the buildable area of the lot (§ 4-507(B)).*

The PD-IP zoning regulations provided on Sheet 4 note that the minimum landscaped open space is 0.20 times the buildable area of the lot.

*VIII. Conformance with the PD-OP, Planned Development-Office Park District (§4-300)*

*The rezoning plan set should state in the Notes section (Sheet 4) that Land Bay FF2B will be developed in accord with all PD-OP regulations. All subsequent subdivision plans or site plans must show how the requirements of this zoning district are met.*

The CDP designates Land Bay FF2B for development under the PD-OP regulations. All subsequent subdivision plans and site plans will demonstrate compliance with the PD-OP zoning requirements.

*1. This application proposes a rezoning of 0.90 acres of R-24 zoning district to PD-OP zoning district. Revise the application to include a minimum of one acre for incremental additions to an existing PD-OP district (Section 4-302).*

The Application has been revised to increase the area to be added to PD-OP Land Bay FF2B.

*2. A minimum yard of 15 feet is required adjacent to the CLI zoning district pursuant to Section 4-305(B)(3). Depict this requirement adjacent to the CLI zoning district to the east.*

This minimum yard for Land Bay FF2B is depicted adjacent to the CLI zoning district.

*3. Staff asks that the Applicant provide a detailed illustrative to demonstrate of the proposed design of the PD-OP district and demonstrate how such design conforms to the requirements of the ordinance (Section 4-307).*

Notes have been added to the CDP stating that compliance with all applicable zoning ordinance regulations will be demonstrated at the time of site plan.

*4. On Sheet 5, note the maximum lot coverage and building height as required by Ordinance as well as maximums proposed by the Applicant for the PD-OP district (§4-306(A) & §4-306(B)).*

The PD-OP zoning regulations and the proposed lot coverage and building height are provided on Sheet 5.

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5. *On Sheet 5, include a note stating the minimum landscaped open space on any individual lot shall not be less than .20 times the buildable area of the lot (§ 4-307(B)).*

The PD-OP zoning regulations are provided on Sheet 5 and note that the minimum landscaped open space is 0.20 times the buildable area of the lot.

*IX. Conformance with the CLI (Commercial Light Industrial) District (§3-900)*

Please note that the previously requested additions to the existing CLI districts have been removed from this Application.

*X. Conformance with Zoning Overlay District Regulations*

*A. Section 4-1400, Airport Impact (AI) Overlay District*

*The Applicant should add the Disclosure Statement in Section 4-1405 to the Note Sheet of the plan in the note section.*

The AI district disclosure statement has been added to the Cover Sheet.

*B. Section 4-1500, Floodplain (FOD) Overlay District*

*The Plan appears to be sensitive to the existing floodplain areas. See attached ERT referral for additional comments.*

Comment acknowledged.

*XI. Conformance with §6-1500, PD District*

*1. Section 6-1505, CDP Submission Requirements. The proposed CDP does not provide any detail with regard to layout, design, phasing, etc., for the proposed PD-H4, PD-OP and PD-IP zoning districts, and Staff asks that the Applicant address this.*

The CDP depicts the means of access to all land bays the zoning district tabulations provide the framework for the developable areas of the land bays. An illustrative design for the PD-H4 area is provided on Sheet 11. Layouts for the PD-OP and PD-IP land bays will be provided at the time of site plan review.

*2. Section 6-1504 Zoning Modifications*

Please note that the previously requested zoning modification for Section 4-305(B)(2) has been removed from this Application.

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*XII. Conformance with Additional Regulations & Standards*

*A. Section 5-1100, Off-Street Parking & Loading Requirements. Staff recommends that the required and proposed parking and loading spaces for all uses be provided at this time, otherwise, a note should be provided on the plat stating that parking will be provided at the time of site plan and will conform to the requirements of the Zoning Ordinance.*

Notes have been added to the CDP stating that compliance with all applicable zoning ordinance regulations will be demonstrated at the time of site plan.

*B. Section 5-1300, Tree Planting and Replacement. Since this site has existing vegetation, the applicant should ensure and proffer that existing viable stands of trees will be preserved to the greatest extent possible and depict this on the CDP.*

Tree conservation areas are depicted on the CDP.

*C. Section 5-1400, Buffering and Screening.*

*1. The presentation and approval of a landscape plan is addressed at site plan. However, comments on the utilization of existing vegetation to meet buffer planting requirements should be placed in the Notes.*

Existing vegetation will be utilized where practicable to meet buffer planting requirements.

*2. The Applicant will have the option of requesting a modification or waiver of the required buffer yard by the Zoning Administrator at the time of site plan, pursuant to Section 5-1409, unless a specific condition of approval is added prohibiting such a request.*

Comment acknowledged.

*D. Section 5-900, Setbacks.*

*Please note that pursuant to Section 5-900(C) new access points (public or private) to major collector roads (Tall Cedars) shall be limited to locations at existing median breaks, planned median breaks or other locations approved by Loudoun County or VDOT.*

The Application does not propose any new access points on Tall Cedars Parkway.

*E. Section 5-1000, Scenic Creek Valley Buffer*

*On the Existing Condition Map (Sheet 6), clearly label and depict the 150-foot Scenic Creek Buffer on either side of South Fork Broad Run measured along the slope of the ground from the channel scar line of the stream. As shown, it is not clearly defined.*

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The Existing Conditions Map has been revised as requested.

*XIII. Proffer Statement*

*1. With regard to Proffer I.C.1., please revise the reference to Land Bay EE2B to read Land Bay EE2.*

The referenced proffer has been revised as requested.

*2. With regard to Proffer I.C.2., please demonstrate that there is not a community need for the clubhouse and swimming pool now proposed in Land Bay FF1A if the residential units in Land Bays EE2 and EE2A, the previous location of this recreational amenity, are constructed prior to the development of Land Bay FF1A.*

The CDP has been revised to keep the previously approved clubhouse and swimming pool within Land Bay EE2A, but this recreational amenity has been relocated to the northeast corner of this land bay to accommodate a request for 100 additional commuter parking spaces within relocated PD-CC(SC) Land Bay EE1A.

*3. With regard to Proffer I.E.1.b., please resolve the inconsistency between the 44,063 square foot floor area noted in the proffer for Land Bay 8 and the 44,060 square foot floor area noted in the Density Exchange Table on Sheet 5.*

The referenced proffer has been revised to be consistent with the revised Density Exchange Table.

*4. With regard to Proffer I.E.1.a., please resolve the inconsistency between the 309,881 square foot floor area noted in the proffer for Land Bay 7R and the 309,880 square foot floor area noted in the Density Exchange Table on Sheet 5.*

The referenced proffer has been revised to be consistent with the Density Exchange Table.

*5. With regard to Proffer III.C., staff questions if the office condominium association for the building containing the library site will include the County.*

Yes. The County's floor area within the office condominium will be part of the condominium association. This arrangement was approved by the County with ZMAP 2006-0011/ZCPA 2006-0003 and the condominium documents have been submitted to the County Attorney's office for review.

*6. With regard to Proffer III.C., staff recommends that in addition to the date certain of completion of June 30, 2011, the current proffer language for obtaining approvals prior to issuance of the 1,601 residential zoning permit be included in the proffer as an option, whichever comes first.*

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Proffer III.C. has been revised to retain the current trigger of 1,601 residential permits for the completion of construction documents and issuance of permits to allow construction of the office building to commence.

7. *With regard to Proffer I.A., it appears that the Applicant has removed the language that provides for the reservation of an LCSA water storage pumping facility, identified on the CDP as "Proffered Water Tank Site" on Sheet 4. Explain.*

The LCSA water tank site has been subdivided and conveyed to LCSA (MCPI: 247-19-1835), as noted in the Application plan set. Accordingly, the former "Proffered Water Tank Site" label has been changed to "Dulles South Water Tanks Site".

8. *With regard to Proffer I.B., referenced Land Bay 2 is not labeled on Sheet 4 of the CDP. Please label Land Bay 2 on Sheet 4 and clearly depict the land bay lines for Land Bays 2, 3 and 4 on Sheet 4.*

Sheet 4 has been revised as requested.

9. *With regard to Proffer I.B., the Applicant states that the PD-H4 district shall include a maximum of 289 residential units, while in the approved Proffer Statement, the Applicant notes a maximum of 505 total residential units. Please clarify.*

The November 30, 2005 Letter of Clarification regarding ZMAP 2002-0013/ZCPA 2002-0004 states in Proffer I.B. that the proposed PD-H4 district will have a maximum of 289 residential units. This Application retains that maximum number, as well as the approved mix of residential units in the PD-H4 district.

10. *With regard to Proffer I.B. of the approved proffers, clarify that the club house and swimming pool is fulfilled.*

The club house and swimming pool commitment remains and is will be provided in PD-H4 Land Bay 5R, as noted in Proffer I.B. and as depicted on the CDP.

11. *With regard to Proffer I.G., the proposed amount of office and light industrial square footage is more than that shown on the Proffer Statement approved with ZMAP 2002-0013/ZCPA 2002-0004. Clarify.*

Please refer to Proffer I.G. in the November 30, 2005 Letter of Clarification regarding ZMAP 2002-0013/ZCPA 2002-0004. This Application proposes an increase in office floor area and a decrease in light industrial floor that results in a net increase of 133 square feet of non-residential floor area.

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12. *With regard to Proffer III.F., in the last line, the Applicant referenced paragraph "VII.A. below". Please revise this so as not to create confusion, since paragraph VII.A is part of the previous approved proffers, and not the proposed Proffer Statement.*

Proffer III.F. has been revised as requested.

13. *Please provide a comparison of existing road proffers and proposed road proffers. In addition, provide a redline copy of the proffers to clarify the proposed changes of proffer language approved versus proposed.*

The only change to the existing road proffers is the realignment of Millstream Drive, as depicted on the CDP. All other existing road proffers are continued. A new commitment for two lanes of Northstar Boulevard between Tall Cedars Parkway and the southern boundary of Stone Ridge is provided with this Application. A comparison of the proposed versus the existing road proffers is included with TIA provided with this submission. A comparison version of the approved and proposed proffers is also provided with this submission.

### *XIII. Other Issues/Comments*

1. *On the Certified Plat (Sheet 3), for the two portions of parcel with MCPI # 205-36-2224 adjacent to Route 50, the Applicant has noted the incorrect tax map number of 101 instead of 100. Please correct this.*

This referenced notation has been corrected as requested.

2. *Public rights of way do not have a zoning designation. Please remove the proposed rezoning of Tall Cedars, Relocated 659 and existing Millstream Drive and recalculate the total areas of parcels subject to the rezoning/concept plan amendment.*

All existing public streets within Stone Ridge are mapped. The proposed changes to the existing right-of-way zoning have been tabulated separately and the right-of-way areas have not been included in any land bay area or in any open space tabulation.

3. *It appears that in the County Mapping System (WebLogis) the parcel with MCPI #204-46-2760 is shown as zoned PD-IP, PD-CC(SC), R-16, AI and FOD. The LMIS system also indicates that this parcel is zoned CLI. Sheet 3 of the application depicts this parcel to be zoned PD-IP only. Please clarify/correct this inconsistency.*

The existing PD-IP zoning district shown on Sheet 3 for the portion of parcel MCPI #204-46-2760 subject to this rezoning request is consistent with the zoning district shown on the approved rezoning plats for Stone Ridge.

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4. *It appears that the County LMIS system indicates that a portion of this parcel (MCPI #247-20-9549) is zoned CLI. Sheet 3 of the application depicts this parcel to be zoned PD-IP and PD-H4 only. Please clarify/correct this inconsistency.*

The existing PD-IP and PD-H4 zoning districts shown on Sheet 3 for the portion of parcel MCPI #247-20-9549 subject to this rezoning request are consistent with the zoning districts shown on the approved rezoning plats for Stone Ridge.

5. *It appears that the County LMIS system indicates that a portion of this parcel (MCPI #204-47-0343) is zoned CLI. Sheet 3 of the application depicts this parcel to be zoned PD-IP only. Please clarify/correct this inconsistency.*

The existing PD-IP zoning district shown on Sheet 3 for the portion of parcel MCPI #204-47-0343 subject to this rezoning request is consistent with the zoning district shown on the approved rezoning plats for Stone Ridge.

6. *Staff asked that the Applicant provide an illustrative depicting land bays for the proposed application in order for staff to evaluate buffers required between land bays. As depicted on the CDP, it appears that there are areas between land bays that are not part of any land bay. Please provide a legend for the land bay lines.*

The CDP has been revised to address this comment.

7. *In the Density Exchange Table on Sheet 5, the difference between the current maximum floor area and the proposed floor area is 44,452 square feet for Land Bay FF2. The total proposed floor area is 157,498 square feet while in the Proffer Statement (Proffer I.E.2.) it is noted as 157,509 square feet. Correct this inconsistency. Staff asks that the Applicant provide a tabulation of permitted and proposed non-residential use square footage for the land bays affected with this application.*

The areas noted in revised Density Exchange Table on Sheet 5 and in the revised proffers are now consistent. The Density Exchange Table provides a tabulation of the currently permitted and the proposed non-residential floor areas, as requested.

8. *In the Statement of Justification (Page 7) in the Zoning Modification Justification, correct the reference to R-16, as Staff believes the correct zoning district is R-24.*

The referenced zoning modification has been removed from the Application.

9. *Specify on the CDP that Land Bay 8 will be a fire and rescue station.*

The CDP depicts the location of Public Use Site #3 in Land Bay 7. The Proffer Matrix Team has advised us not to reference a specific use for this public use site.

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10. *In the Statement of Justification, Land Use Mix (page 1), the Applicant notes that the minimum amount of public and civic space required is 10%, while that being proposed is only 8%. Explain.*

The original Stone Ridge rezoning provided approximately 5% of its land area for public/civic uses. Over time, the development of Stone Ridge has increased the amount of public/civic space to 8%, which includes the new Arcola Elementary School site and the fire and rescue station site proffered with this application, to be more consistent with the RGP recommendation of 10% for the Suburban Policy area.

11. *On Sheet 4, the land bay number is missing below Land Bay 3. Please complete it.*

Sheet 4 has been revised as requested.

12. *The application must clearly distinguish and label the public and private streets in the development.*

All access drives within townhouse and multi-family areas will be private. All subdivision streets will be/are public streets. See Note 6 on Sheet 4.

13. *Provide an Open Space Exhibit and depict the calculation for open space in the R-24, R-16, PD-H4, PD-OP and PD-IP zoning districts. Clarify, depict, label and describe the character of the open space and any proposed active recreation on the site.*

The PD-H4 open space tabulation is provided on Sheet 5. The other referenced zoning districts do not have a specific open space requirement. Open space areas are depicted on Sheet 11.

14. *Revise the Statement of Justification to explain the proposal with regard to the ZCPA for the TR-1 zoned Land Bay 1.*

The Statement of Justification has been revised as requested.

**Environmental Review Team, Department of Building and Development (comments dated 4/16/09)**

*Regarding forest resources, steep slopes and floodplain*

1. *The Proposed Public Use Site is limited in size at 3.4 acres, located in close proximity to the floodplain and steep slopes, predominantly covered with healthy deciduous trees, and has an existing stream system located in the rear of the property. Staff recommends that the applicant consider another site for public use.*

Public Use Site #3 has been increased in area and relocated to Land Bay 7 to address staff comments.

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2. *Staff recommends shifting the proposed alignment of Millstream Drive farther east to minimize impacts to moderately steep slopes. In addition, staff recommends committing to measures that will be used to protect the steep slope areas and adjacent floodplain and stream during construction activities.*

Millstream Drive has been relocated as recommended. Existing proffer VI.A. addresses the protection of steep slopes and is being continued with this Application.

3. *Staff recommends that the existing vegetation in the area of relocated South Point Drive be identified as a tree conservation area on sheets 5 and 11. The tree conservation area should include a suitable width to avoid impacting the critical root zone of the oak trees.*

Two areas of trees near Southpoint Drive have been identified for conservation and are depicted on the CDP. Proffer VI.G. commits to tree conservation areas measured from the perimeter drip lines of the tree areas.

4. *Staff recommends including a commitment that establishes the intent and limitations within tree conservation areas, similar to what has been provided with previous Stone Ridge rezoning and concept plan amendment applications.*

The referenced tree conservation commitment, Proffer VI.G., as approved with ZMAP 2002-0013/ZCPA 2002-0004, remains in effect and apply to the Property included in this Application.

5. *Staff recommends depicting the current Loudoun County Geographic Information System (LOGIS) floodplain, forest cover and steep slope layers on sheets 4-13. The current depictions are inconsistent with County mapping.*

The floodplain, forest cover and steep slopes depicted on the Application plan set are based on approved floodplain studies and field surveys, and accurately represent existing conditions.

*Regarding wetlands*

6. *Staff emphasizes the importance of mitigating wetland and stream impacts close to the impact area to help maintain water quality and flood protection functions.*

All wetland and stream impacts have been mapped and the required mitigation measures are subject to contractual obligations.

7. *Staff recommends relocating the potential BMP facility in Land Bay 1.*

The CDP for Land Bay 1 has been revised to address this comment.

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*Regarding water quality*

*8. Staff recommends several measures for the existing pond south of Millstream Drive:*

- *Staff recommends that forebays be installed at all current and future stormwater pipe outfalls.*

The existing pond was designed and constructed in accordance with the County standards in effect at that time. However, the Applicant has committed to provide forebays with all new or relocated outfalls. Please see proffer VI.C.1.

- *Staff encourages the applicant to address proper facility management.*

The Applicant has repaired the ruts and mowed the pond banks as recommended by staff.

- *Staff encourages establishing a forested buffer along the side slopes of the existing pond.*

Comment acknowledged. It is noted that existing underground utilities, particularly on the west side of the pond, restrict the extent of plantings.

*Regarding green building practices*

*9. Staff recommends that the applicant implement design measures that conserve energy and water consumption, minimize waste generated during construction, and maintain interior and exterior air quality.*

The Applicant will continue to evaluate and implement such measures that have no negative financial impact on construction and development costs.

*10. Staff encourages the implementation of green building standards within the residential portions of the application.*

The Applicant will continue to evaluate and implement such measures that have no negative financial impact on construction and development costs.

*Other*

*11. Please add information to the "ZCPA Proposal" section of the Statement of Justification explaining the proposal in terms of Land Bay 1.*

The Statement of Justification has been revised as requested.

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12. Staff recommends removing the "175 feet" threshold from Proffer VI.E. Staff further recommends that the proffer commit to a noise study to be submitted to the County for review and that the study is based on the most recent, applicable forecasted traffic volumes available from OTS and the ultimate design speed of the specified roadways. Staff recommends that the timing be changed to construction plan or site plan to allow the noise analysis to be based on final topography.

The proposed changes to Proffer VI.E. have been removed as recommended.

**Office of Transportation Services (comments dated 4/17/09)**

1. *Previous Comment:* The proposed right-in, right out movement for Gum Spring Road at Route 50 is inconsistent with the CTP limited access policy for Route 50 and would result in weave/merge conflicts with the future Route 50/West Spine Road interchange. A more acceptable configuration would be to extend Canary Grass Drive to tie into the east-west road (Southpoint Boulevard) approved as part of the adjacent Gum Spring Village Center development, with future access to the West Spine Road south of Route 50. The Applicant should coordinate this connection with Gum Spring Village Center.

*Applicant's Response:* The Application provides for the extension of former Canary Grass Drive (now South Point Drive) to tie into existing South Point Drive in the Gum Spring Village Center project. This street configuration is consistent with the eventual closure of the existing Route 659 and Route 50 intersection and median crossover.

**Issue Status:** OTS appreciates the revised road layout to connect Southpoint Drive from its existing terminus west to Millstream Drive. This connection will provide beneficial local access between Stone Ridge and the future West Spine Road without the need to access Route 50. Further discussion with VDOT and other adjacent property owners is necessary with respect to the eventual closing of the existing Route 50/Gum Spring Road intersection.

The Applicant has met with VDOT and OTS on this matter and does not object to the eventual closing of the Route 50/Gum Spring Road intersection. The Applicant has added Proffer II.4.d. with respect to this matter that was also addressed in the Glascock Field rezoning case. The Applicant also does not object to the vacation of Gum Spring Road between Southpoint Drive and Tall Cedars Parkway.

2. *Previous Comment:* Issues with right-of-way acquisition and construction of the proposed West Spine Road between Tall Cedars Parkway and Route 50 add additional complications and uncertainty to the interim and ultimate roadway configuration in this area. Additional discussion and coordination on this matter and the overall status of the West Spine Road are necessary.

*Applicant's Response:* We look forward to a meeting with OTS to discuss these matters.

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**Issue Status:** *As stated above, OTS appreciates the revised road layout to connect Southpoint Drive to Millstream Drive. The timing of this connection is not specified. Should this connection be made prior to the closure of Gum Spring Road south of Route 50, additional turn lanes and signalization would likely be necessary.*

The Applicant will comply with all applicable VDOT requirements at the time Southpoint Drive is extended to Gum Spring Road.

3. *Previous Comment: While the Applicant's traffic study indicates that the existing Gum Spring Road/Route 50 signalized intersection operates at LOS E during the AM peak hour, other traffic studies recently submitted to the County (e.g., Arcola Center) indicate that the intersection operates at LOS F during both the AM and PM peak hours. An explanation/clarification of this discrepancy needs to be provided.*

*Applicant's Response: An updated traffic study is included with this submission.*

**Issue Status:** *OTS has no further comments on this issue. Issue resolved.*

Comment acknowledged.

4. *Previous Comment: Proffered improvements to Route 50 committed to as part of the previous Stone Ridge rezoning (ZMAP 2002-0013) should also be included with this proposal as "up front" improvements as the current application is also part of Stone Ridge and would add trips to the Route 50 corridor.*

*Applicant's Response: The Route 50 improvements proffered with ZMAP 2002-0013 remain in effect and will not be changed by this Application.*

**Issue Status:** *The Applicant is requested to confirm the approval status of the third Route 50 eastbound lane between the current terminus of the eastbound three-lane section and the West Spine Road.*

The plans for this road improvement have been approved by the County.

5. *Previous Comment: Currently, a diamond interchange is envisioned at the intersection of the West Spine Road and Route 50. The Applicant should proffer a fair-share contribution towards this future improvement.*

*Applicant's Response: The existing Stone Ridge proffers, Proffer II.1., include a cash contribution commitment for regional transportation improvements. This Application does not change the existing commitment.*

**Issue Status:** *See comment #9 below.*

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See response to comment #9 below.

6. *Previous Comment: Staff has no issues with the proposed re-alignment of Millstream Drive, provided that the future east-west segment intersects with Route 659 Relocated at a point sufficiently south of the planned interchange of Route 659 Relocated and Route 50.*

*Applicant's Response: Comment acknowledged.*

**Issue Status: Issue resolved.**

Comment acknowledged.

7. *Previous Comment: The inclusion of 307 additional residential units as part of this application appears to be a reversal of Board action taken with the previous Stone Ridge rezoning (ZMAP 2002-0013), in which 216 residential units were eliminated and approximately 200,000 sq.ft. of non-residential uses were instead retained.*

*Applicant's Response: The Application has been revised to relocate previously approved residential units within the Property, but does not request an increase in the number of approved residential units. A modest increase in the amount of non-residential floor area is requested.*

**Issue Status: Issue resolved.**

Comment acknowledged.

8. *Previous Comment: An appropriate transit contribution should be provided for the 307 residential units proposed on site.*

*Applicant's Response: As noted above, the revised Application proposes no increase in the number of previously approved residential units.*

**Issue Status: Issue resolved.**

Comment acknowledged.

**New Issues**

9. *The Applicant is requested to provide a comparison of the transportation improvements proposed with the subject applications with those improvements proffered as part of previous Stone Ridge approvals.*

This comparison is provided in the revised TIA as requested.

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10. *The Applicant should commit to implement/construct the on-site "proffered" and "site" improvements identified in the updated traffic study for the proposed development program.*

The proffers for the proposed development program commit to implementing/constructing both the "proffered" and "site" improvements.

11. *Future traffic control at the intersections of Stone Springs Boulevard and Millstream Drive and Stone Springs Boulevard and Tall Cedars Parkway requires further clarification and discussion. It is unclear from the draft proffers whether the existing on-site signalization proffer (Proffer II.F.) is proposed to be retained with the subject applications.*

The existing on-site signalization proffer (Proffer II.F.) is being retained. However, the revised proffers include a provision for an updated traffic signal warrant study for the Millstream Drive/Stone Springs Boulevard intersection and a contribution of \$250,000 if a signal is warranted.

12. *As part of this application, OTS recommends a commitment from Stone Ridge to terminate direct Route 50 access to Landbay 9 at such time as Route 659 Relocated (Northstar Boulevard) is in place and provides access to Route 50. The Applicant should indicate an alternate means of access to Landbay 9.*

Land Bay 9 and its Route 50 access have been removed from the Application.

13. *The Applicant is requested to clarify the intent/status of the text on the plan set indicating "Alternative Private Access Road" from Landbay 9 north to Route 50.*

Land Bay 9 and its Route 50 access have been removed from the Application.

14. *OTS appreciates the Applicant's proposed commitment to construct/bond for construction the eastern two lanes of Northstar Boulevard between Tall Cedars Parkway and the southern Stone Ridge property line. However, given that VDOT will not accept a half section of roadway without a guarantee from the County that the remaining half section will be constructed, OTS requests that the Applicant commit to construct a four-lane divided roadway in a configuration that will accommodate future expansion to a six-lane divided section.*

The Applicant understands that it may be responsible for maintaining the half section until the road is accepted by VDOT. The offered half section is consistent with the commitment made for this regional road by the C.D. Smith rezoning immediately to the south, and will complete a network of interconnecting public streets consisting of Northstar Boulevard, Tall Cedars Parkway, Gum Spring Road and Braddock Road.

15. *OTS has no objection to the realignment of Millstream Drive as proposed with these applications.*

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Comment acknowledged.

**Community Planning, Department of Planning (comments dated 5/5/09)**

A. Land Use

*Suburban Policy Area. Staff does not support any further conversion of land from employment-related land uses to residential within the Business community portion of Stone Ridge based on four concerns:*

*First, the impact of the Stone Ridge Commercial application, in particular the rezoning of Land bays 5R and 6 (formally Land Bay DD) from industrial to residential and the existing PD-IP parcel to CLI, would result in the continued erosion of employment-related land uses that are emphasized within the Business Community policies of the Revised General Plan and the original Stone Ridge community land use mix.*

The Application has been revised to expand the PD-IP and PD-OP land bays to ensure that there will be no net loss of developable employment-related land uses when compared with the currently approved land uses for Stone Ridge. We respectfully point out that the original Stone Ridge land use mix (ZMAP 1994-0017) cited by staff contained large PD-IP and PD-GI land bays that were inconsistent in terms of location and scale with the land use policies adopted in 2001 with the Revised General Plan. The inconsistent industrial land uses were removed with the approval of ZMAP 2002-0013 / ZCPA 2002-0004, Stone Ridge, in 2005.

*Second, further erosion of land dedicated to employment-related land uses within the Stone Ridge community will negatively impact the County's opportunity to maximize employment opportunities for residents of Stone Ridge and the surrounding community along these business corridors.*

The Application has been revised to provide no erosion of previously approved employment-related land area within Stone Ridge.

*Third, the application does not guarantee that development will build to that maximum level of intensity and could in fact result in the loss of additional square feet of employment-related land uses.*

We do not believe it is the intent of the RGP to encourage potentially non-compatible light industrial uses within the middle of an established residential neighborhood.

*Fourth, the Plan does not support increasing the amount of CLI zoned property in the Route 50 Corridor.*

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The revised Application has eliminated the previously proposed CLI districts in favor of expanded PD-OP and PD-IP districts, both of which are supported by the Plan for Business Communities.

*Compatibility.* The applicant's proposed Land Bays 5R and 6, where multi-family and single family attached residential are located, does not take into account the stream corridor that currently defines the separation of existing residential land uses from planned employment-related land uses, and is contrary to Stone Ridge's original intent to utilize green infrastructure to separate residential and non-residential land uses. Land Bays 5R and 6 are also bounded on the west by an existing 250-foot wide easement that contains underground transmission and high-voltage power lines. The existence of the utility easement, when combined with the natural stream corridor, makes former Land Bay DD ideally suited for employment-related land uses.

To the contrary, the revised application takes full advantage of the 250-foot wide utility easement to separate residential Land Bays 5R and 6 from industrial Land Bays 7R and 8, and incorporates the existing stream corridor as an integral open space feature between the proposed and existing residential neighborhoods. The consolidation of residential units from the west side of the power lines to the east side creates a continuous residential neighborhood in the area bounded by Tall Cedars Parkway, Stone Springs Boulevard, Millstream Drive and the power lines. The shift and consolidation of the employment related zoning districts on west side of the power lines is consistent with the original Stone Ridge CDP. Furthermore, the more mature and dense vegetation on the west side of the powerlines will provide more effective screening for the PD-IP uses than the less dense vegetation on the west side of residential Land Bay EE2.

*Transition Policy Area.* More information regarding the revisions proposed for Land Bay 1 is required in order to determine if the application is in keeping with the land use policies of the Plan.

The Statement of Justification has been revised to address this comment.

**B. Public Use Site**

*Staff requests that the applicant provide more information as to why the fire and rescue public use site is proposed in this location, as it has not been identified as needed in this area by the County's CIP or CNA. Further, this location has considerable environmental constraints and is not sizable enough to meet the County's Capital Facility Standard for Fire and Rescue stations.*

The Applicant has had on-going discussions with Fire and Rescue personnel regarding the need for another station site in the Stone Ridge area. Both the Arcola-Pleasant Valley Volunteer Fire Department and the Department of Fire, Rescue and Emergency Management have acknowledged that a site in Stone Ridge can be considered for a future station. The revised Application provides a new public use site location that meets the Capital Facility Standard criteria for a fire and rescue station.

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C. Existing Conditions

1. *Stream Corridors.* The applicant has complied with staff's previous request to locate the management buffers on the parcels subject to this application. Staff continues to recommend that the applicant commit to the protection, enhancement and long-term maintenance of the stream corridors along the two tributaries.

The CDP depicts the location of the RGP recommended management buffers that restrict future development activities. All common open space is maintained by the applicable owners association.

2. *Forests, Trees and Vegetation.* Staff recommends the applicant commit to protecting the overall quality of Broad Run through the preservation of existing forest and vegetation along the tributaries of the subject site to the maximum extent possible. In particular, staff supports the establishment of a forested buffer along the tributary and within the stream corridor adjacent to the east boundary of existing Land Bays 5R and 6 (formerly Land Bay DD) to protect the overall water quality of the Broad Run. Further, staff recommends retaining the existing oak trees along the realignment of South Point Drive and re-establishing the tree conservation area on Land Bay 1 to maintain the previously approved open space and to protect the existing tributary of Broad Run.

The CDP depicts the location of the RGP recommended management buffers that restrict future development activities. Land Bay ZZ to the east of Land Bays 5R and DD is adjacent to the referenced tributary and is designated as an open space area that will help protect water quality. New tree conservation areas along Southpoint Drive have been added to the CDP, as recommended. The tree conservation areas within Land Bay 1 have been reconfigured and Proffer VI.G. has been revised to increase minimum amount of tree preservation within the Land Bay 1 designated tree conservation areas from 80% to 90%.

3. *Steep Slopes.* Staff recommends that Millstream Drive be relocated to the east to minimize impacts to moderately steep slopes and that commitments be made to protect the steep slope areas and the adjacent floodplain and stream during construction activities.

The revised CDP has shifted Millstream Drive to the east, as recommended.

4. *Wetlands.* Staff concurs with ERT's recommendation that the applicant should commit to prioritizing wetland mitigation as follows: 1) onsite, 2) within the Broad Run Watershed within the same Planning Policy Area, 3) within the Broad Run Watershed outside the Planning Policy Area, and 4) Loudoun County, subject to approval by the COE and DEQ.

Wetlands mitigation has already been approved and contracted for in accordance with the approved wetlands permits.

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5. *Historic Resources.* Upon review of the current application and the Phase 1 archeological survey of the "Glascock Property" prepared by Thunderbird in 2006, it appears that the area tested in the 2006 survey does not match the project area now under consideration. Staff requests that the applicant submit archeological reports relevant to the entire project area as soon as possible.

In addition to the 2006 archeological report addendum for the, then, 124.5 acre Glascock Field property, the County also has on file copies of a 2000 Phase I archeological report prepared by Thunderbird for Stone Ridge, ZMAP 2002-0013, and a 2004 Phase II archeological report prepared by KCI and filed for the Dean Property added to the ZMAP 2002-0013 case. These reports cover the entire project area subject to this Application.

6. *Noise Impacts.* Staff recommends that the applicant demonstrate how the application complies with the highway noise policies of the Plan.

Approved Proffer VI.E., Highway Noise, which addresses compliance with the RGP noise policies, is retained in its entirety.

D. Site Design

Staff requests more detail as to the proposed building design, loading areas, lighting, signage, and usable outdoor spaces for this application along with commitments to ensure compliance with the Plan policies for the Route 50 Corridor.

The Applicant has committed that all buildings within the PD-OP land bay adjacent to Route 50 (Land Bay FF2B) will be a minimum of three stories in height to demonstrate compliance with the Route 50 Corridor policies. Furthermore, the Applicant has expanded this Land Bay by the inclusion of approximately 4.3 acres of CLI land. The rezoning of CLI land to PD-OP eliminates uses that may not be consistent with the County's vision for Route 50.

E. Pedestrian and Bicycle Linkage

Staff requests more information regarding the proposed pedestrian and bicycle circulation system, including the type of facilities provided (such as sidewalks, shared use paths, etc.) and their materials. Bicycle racks should also be provided throughout the development in support of non-vehicular modes of transportation to this facility.

The CDP depicts the location of an extensive trail system, in addition to the sidewalks that are required within the land bays. The pedestrian system provides connectivity with the residential, commercial, and employment areas, as well as the community facilities and public schools.

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F. Capital Facilities

*Because of the major land use issues associated with this application, Capital Facilities have calculations have not been calculated. If this application is considered further, recommends that the applicant revise the proffers to identify the proposed residential unit types in order to determine capital facilities costs for the rezoning of Land Bays 5R and 6 so that staff can determine capital facilities contributions for this application.*

The Application proposes no change to either the mix or number of currently approved residential units. Therefore, no change to the previously proffered capital facilities contribution (Proffer III.F.) is warranted.

G. Open Space Preservation Program

*Because of the major land use issues associated with this application, Open Space calculations have not been reviewed. If this application is considered further, anticipated contributions to the County's Open Space Program will be included in subsequent referrals.*

The Application proposes no change to either the mix or number of currently approved residential units. Therefore, no change to the previously proffered open space contribution (Proffer VI.B.) is warranted.

H. Zoning Modifications

*Staff requests a more detailed design that provides assurances that the modification of the setback achieves a more desirable design as indicated by the Statement of Justification.*

The descriptions of the zoning modification justifications have been expanded to address this comment.

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We believe this response letter, the draft proffers, the revised Statement of Justification and the amended application plans address all remaining staff comments. Please schedule this case for the next available Planning Commission public hearing.

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions.

Very truly yours,

Cooley Godward Kronish LLP



Jeffrey A. Nein, AICP  
Senior Land Use Planner

Enclosures

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