

**County of Loudoun**  
**Department of Planning**  
**MEMORANDUM**

**DATE:** July 31, 2009

**TO:** Stephen Gardner, Project Manager  
Land Use Review

**FROM:** Kelly Williams, Planner  
Community Planning

**SUBJECT:** ZMAP 2006-0011 and ZCPA 2006-0003 Stone Ridge Commercial, 3<sup>rd</sup> Referral

**BACKGROUND**

Stone Ridge Community Development, LLC (the "applicant") is requesting a rezoning and zoning concept plan amendment ("Stone Ridge Commercial") of approximately 68 acres in order to relocate and consolidate residential and non-residential uses, accommodate road re-alignments, designate public use sites for a future fire and rescue site and future commuter parking facility, and amend the previously approved proffers and concept plan to reflect these changes.

This is the third submission of the application. The applicant has responded to second submission comments by providing a revised statement of justification, response letter and a revised Concept Development plat dated June 16, 2009. This referral is intended to be supplementary to Community Planning's December 14, 2006 and May 5, 2009 referrals.

The Stone Ridge community was originally approved as a mixed-use, planned community on approximately 800 acres within the Route 50 corridor and included a core of employment-related land uses for community residents. The community is located at the southwest intersection of Gum Spring Road and Route 50 and is bisected east-west by Tall Cedars Parkway and lies between future relocated 659 and Stone Springs Boulevard.

**OUTSTANDING ISSUES**

**A. LAND USE**

**Suburban Policy Area**

In the first and second referrals staff identified the following land use issues:

- the impact of the Stone Ridge Commercial application, and in particular that the rezoning of a Land Bays 5R and 6 (formally Land Bay DD) from industrial to residential and the existing PD-IP parcel to CLI, would result in 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;
- 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;
- no 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; and,
- the Plan does not support increasing the amount of CLI zoned property in the Route 50 Corridor.

The application has been revised to address the above issues by removing the request to rezone property to CLI and has provided an acre-to-acre and use-to-use land swap for residential and commercial uses between land bays. There will be no change in zoning acreage, unit number or unit type. The land use mix between the previously approved ZMAP 2002-0013 and the proposed ZMAP 2006-0003 are consistent with each other and no employment related area has been lost (see Table 1 below).

**Table 1: Land Use Mix Comparison**

Land Use Category	ZMAP 2002-0013*		ZMAP 2006-0003*	
	Ac.	%	Ac.	%
Residential	447.0	58.0%	451.3	58.0%
Commercial Retail	31.0	4.0%	31.0	4.0%
Office/Light Industrial	56.2	7.0%	56.2	7.0%
Parks/Open Space	178.0	23.0%	178.0	23.0%
Public/Civic	61.0	8.0%	61.0	8.0%
<b>Totals</b>	<b>773.2</b>	<b>100%</b>	<b>777.5</b>	<b>100%</b>

\*Within the Suburban Policy Area portion

Further, the application is proposing to rezone additional CLI zoned property along Route 50, which was not part of the original Stone Ridge rezoning, to PD-OP. This property is contiguous with the PD-OP parcel of Stone Ridge Commercial and meets the Plan's objective to consolidate and rezone CLI property in the Route 50 Corridor.

***This issue is resolved.***

### **Transition Policy Area**

In the first referral, staff requested more information regarding the revisions proposed for Land Bay 1 in order to determine if the application is in keeping with the land use policies of the Plan. The applicant's response stated that it is the intent of the application to provide for adjustments to the tree conservation areas and to amend the proffers to allow Land Bay 1 to be developed with any special exception use permitted in the Zoning Ordinance upon the approval of a special exception application.

***Staff requests that the applicant clarify if it is the intent of the proffer amendment to allow for a mix of uses (residential and special exception uses) or if it will be limited to one or the other. The tree conservation revisions are addressed in the Forests, Trees, and Vegetation section of this referral.***

### **B. FIRE AND RESCUE PUBLIC USE SITE**

In the previous submittal, staff expressed concern with the location of the public use site for the fire and rescue station related to the size and environmental constraints of the parcel. The application has been revised to relocate the proposed future fire and rescue site further north to Land Bay 7. Evaluation of the site indicates that it is larger in size and is not encumbered by environmental constraints as was the previous proposal. This application proposes a site that is more appropriate in size and location for a fire and rescue station and that is more in keeping with the County's Capital Facility Standard for Fire and Rescue stations.

***This issue is resolved.***

### **C. EXISTING CONDITIONS**

#### **1. Forests, Trees, and Vegetation**

The Revised General Plan calls for the preservation, protection and management of forests and natural vegetation for the various economic and environmental benefits that they provide (*Revised General Plan, Chapter 5, Forests, Trees, and Vegetation, policy 1*). Staff supports the preservation of existing forest and vegetation along the tributaries to the maximum extent possible.

In the second referral, staff noted that Land Bay 1 located in the Transition Area eliminated the previously approved open space and tree conservation areas along the eastern border of Land Bay 1 which follows the existing tributary that parallels Northstar Boulevard. This submittal of the application has been revised to add a portion of that

tree save area back onto the Concept Development Plan (CDP), however it appears that residential lots and roadways will continue to impact the stream in the southern portion of the site. The Revised General Plan establishes stream corridor policies that reinforce the important role rivers and stream corridors play in protecting Loudoun County's water resources (Revised General Plan, Chapter 5, River and Stream Corridor Resources and Surface and Groundwater Resources, text). Stream corridor policies include the protection of rivers and streams, adjacent steep slopes, wetlands, forests, and historic, cultural and archeological resources within the floodplain (Revised General Plan, Chapter 5, River and Stream Corridor Resources, policy 2).

***Staff continues to recommend that the tributary be included as open space and identified as a tree conservation area as previously approved to ensure its protection.***

In the second referral, staff supported the establishment of a forested buffer along the tributary and within the stream corridor between Land Bays 5R and 6 in order to protect the overall water quality of the Broad Run. It appears that the tree conservation area has been removed from this location.

***Staff recommends that the tree conservation area be re-established between Land Bays 5R and 6 as shown on prior application materials.***

It appears that there are several locations where designated tree conservation areas on the CDP conflict with the statement of justification and the proposed proffer language (see ERT's referral for specific details).

***Staff recommends that the application be revised in accordance with ERT's recommendations dated July 22, 2009 related to tree conservation areas.***

## **2. Steep Slopes**

There are areas of moderately steep slopes along the western border of Land Bay 7R that will be impacted by the proposed re-alignment of Millstream Drive. Moderately steep slopes refer to areas with a 15%-25% grade. Steep slopes include areas greater than a 25% grade (Revised General Plan, Chapter 5, Steep Slopes and Moderately Steep Slopes, text). The hazards associated with the disturbance of steep and moderately steep slopes include erosion, building and/or road failure, and downstream flooding. For these reasons, the Plan calls for the County to prohibit land disturbance on steep slopes and special performance standards when developing on moderately steep slopes (Revised General Plan, Chapter 5, Steep Slopes and Moderately Steep Slopes, policy 3). "Standards will include best management practices, locational clearances for clearing and grading, and approval of natural drainageways" (Revised General Plan, Chapter 5, Steep Slopes and Moderately Steep Slopes, policy 3).

***Staff concurs with ERT's recommendations dated July 22, 2009 and continues to recommend that Millstream Drive be designed to minimize impacts to moderately steep slopes and that commitments be made to protect the steep slopes areas and adjacent floodplain and stream during construction activities.***

### **3. Wetlands**

The County's Predictive Wetlands Model indicates that wetlands exist throughout the site. The County supports the federal goal of no net loss to wetlands (Revised General Plan, Chapter 5, River and Stream Corridor Resources, policy 23) and seeks to protect its green infrastructure elements and recapture elements where possible (Revised General Plan, Chapter 6, Green Infrastructure, text). Mitigating wetland and stream impacts close to the impact area will help maintain water quality and flood protection functions, as well as habitat.

The applicant indicates that wetland mitigation has already been approved and contracted for in accordance with the approved wetlands permits.

***Staff concurs with the ERT's recommendations dated July 22, 2009 to "identify the location of the mitigation and provide a copy of the approved wetland permit, authorizing the impacts. If mitigation is proposed outside of Loudoun County, it is recommended that the permit be modified to provide mitigation within Loudoun County. Staff further 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 U.S. Army Corps of Engineers (Corps) and the Virginia Department of Environmental Quality (DEQ).***

#### **D. SITE DESIGN**

In the second referral, the following design features were recommended as called for in the Plan for businesses locating in the Route 50 corridor (DSAMP, Route 50 Corridor, text and policies 1 & 2):

- compact site design;
- buildings as the prominent feature;
- unity of design and architectural appearance within a development;
- extensive landscaping and berms to screen and buffer parking, loading and outside storage;
- trees along street frontage;
- limited use of signs; and,
- compatibility with adjacent properties.

New development within the Arcola Area/Route 50 Corridor should conform to the design objectives of the Plan. In addition, on February 20, 2007 the Board of

Supervisors approved the Route 50 Corridor Design Guidelines (dated January 4, 2007), which also apply to the subject site. The Route 50 Corridor Design Guidelines provide guidance in the Route 50 corridor for design standards related to building arrangement, streetscape, parking, service area, site element and building design.

***The applicant has proffered to construct all buildings located in the PD-OP portion of this development adjacent to Route 50 to a minimum height of three stories. This is in keeping with the Plan's vision of prominent buildings and more compact design. However, staff continues to request 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.***

#### **E. CAPITAL FACILITIES**

Under the Revised General Plan, all residential rezoning requests will be evaluated in accordance with the Capital Facility policies of the Plan (Revised General Plan, Chapter 3, Proffer Policies, policy 3). The Revised General Plan calls for capital facilities contributions valued at 100 percent of capital facility costs per dwelling unit at densities above the specified base density (Revised General Plan, Proffer Guidelines, Capital Facilities, policy 1).

The application is proposing no changes in residential acreage, unit number, unit type or density with this application, therefore the previously proffered capital facilities contribution of \$12,602,744 less the library site, and water storage/pumping facility as specified in the previously approved proffers of ZMAP 2002-0013 and ZCPA 2002-0004 shall be retained.

In this application, however, the applicant has proposed to receive credit against the previously proffered capital facilities cash contribution for the dedication of the proposed public use sites (fire and rescue site and commuter parking facility). In accordance to CPAM 2006-0001, for the purposes of evaluating proffers for public use sites, the developer shall provide the County with an appraisal, by a County approved appraisal firm, for the per-acre value of land not requiring improvements by the developer. The appraisal of the market value of the site will be based upon comparison of properties with similar densities suggested by the Planned Land Use Designation in the Revised General Plan (Revised General Plan, Chapter 3, Fiscal Planning and Public Facilities, Proffer Policies, policy 8 and Chapter 11, Implementation, Capital Facilities, policy 5).

***An appraisal of the proposed public use sites, in accordance with the Revised General Plan policies is necessary to complete the review of the Capital Facilities proffer amendments for this application.***

**G. OPEN SPACE PRESERVATION PROGRAM**

The application has been revised and is proposing no changes in residential acreage, unit number, unit type or density with this application, therefore the previously proffered open space contribution for 133 easements shall be retained.

***This issue is resolved.***

**RECOMMENDATION**

Over time, the Stone Ridge Development has become a predominately residential development that currently does not conform to the Business Community land use designation as identified in the Revised General Plan and the Route 50 Corridor Plan. However, this application is proposing a land use mix that maintains consistency with the previously approved rezoning of Stone Ridge. Therefore, Community Planning staff could support this application if the outstanding issues related to green infrastructure, site design for development along the Route 50 Corridor, and capital facilities as outlined in this referral, are addressed.

Cc: Julie Pastor, AICP, Planning Director  
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