



HUNTON & WILLIAMS LLP
1751 PINNACLE DRIVE
SUITE 1700
MCLEAN, VIRGINIA 22102

TEL 703 • 714 • 7400
FAX 703 • 714 • 7410

JOHN C. MCGRANAHAN, JR.
DIRECT DIAL: 703-714-7464
EMAIL: jmcgranahan@hunton.com

April 8, 2010

FILE NO: 67442.8

**BY ELECTRONIC MAIL AND
REGULAR MAIL**

Judi Birkitt, Senior Planner
Loudoun County Department of Planning
1 Harrison Street, S.E., Third Floor
Leesburg, Virginia 20175

**Board of Supervisors Legal Notice
Kincora Village Center - ZMAP 2008-0021**

Dear Judi:

Thank you for the opportunity to review the draft legal notice for the Board of Supervisors public hearing. Attached is a blacklined copy which reflects a few corrections.

The first correction updates the reductions in the floor area for various uses which the Applicant has made in response to Staff and Planning Commission comments. The maximum permitted floor area for the hotel uses and the retail uses has been reduced, from 575,000 square feet to 475,000 square feet and from 398,825 square feet to 393,825 square feet, respectively. Further, in response to our discussions with Staff, the floodplain areas have been updated. The updated floodplain information causes the maximum calculated floor area ratio (FAR) to be .80, instead of .76 and the residential density to be 9.3 units per acre, instead of 8.38 units per acre. Again, the intensity of the uses proposed with this application has been reduced from what was advertised for the Planning Commission public hearing. The FAR and residential density are slightly higher solely as a result of using the updated floodplain areas in the calculation. The maximum FAR and residential density based on the updated floodplain information should be reflected in the notice for the Board public hearing.

Our second revision is to suggest that the breakout of floor area for civic uses not be identified as a "maximum" in the notice. The Applicant has proffered to provide a minimum amount of civic space in accordance with the recommendations of the Revised General Plan. The actual civic space could be higher, which presumably the County would welcome as long as the total permitted floor area remains under the maximum identified in the proffers and in the legal notice. Including a "maximum" for civic uses in the legal notice may unnecessarily preclude future civic uses.



Judi Birkitt, Senior Planner

April 8, 2010

Page 2

Finally, in response to Staff and Planning Commission comments, the Applicant has revised the requested modification of Zoning Ordinance § 4-1356(B)(1) Front Yard. This revision is necessary to accommodate the location of the keynote office buildings along Pacific Boulevard as shown during the Planning Commission public hearing and in the subsequent work sessions. The revision to this modification request is not a substantial change in the application. It is necessary simply to permit the keynote employment uses along the Route 28/Pacific Boulevard frontage in the locations shown consistently on the Concept Plan submissions and discussed with Staff and the Planning Commission.

With the revisions reflected in the attached blackline, the draft legal notice accurately reflects the application as it has been modified in response to Staff and Planning Commission comments.

If you have any questions, please call me at (703) 714-7464.

With best regards,

A handwritten signature in black ink, appearing to read "John C. McGranahan, Jr.".

John C. McGranahan, Jr.

Enclosure

cc: The Honorable Robert J. Klancher
Mr. Michael W. Scott
Mr. Daniel P. Coughlan

ZMAP 2008-0021
KINCORA VILLAGE CENTER
(Zoning Map Amendment Petition)

NA Dulles Real Estate Investor LLC of Great Falls, Virginia has submitted an application to rezone approximately 336.64 acres of land from the PD-IP (Planned Development-Industrial Park) under the 1972 Zoning Ordinance to the PD-MUB (Planned Development-Mixed Use Business District) zoning district under the Revised 1993 Zoning Ordinance in order to develop up to 2,722,200 square feet of office, ~~398,825~~393,825 square feet of commercial, ~~575,000~~475,000 square feet of hotel and 1,544,000 square feet of residential (1,400 multi-family units), ~~and 277,000 square feet of civic uses~~ at an overall Floor Area Ratio (FAR) of ~~0.76~~0.80, including a residential density of approximately ~~8.38~~9.3 units per acre. The subject property is located within the Route 28 Taxing District. The subject property is also located partially within the FOD (Floodplain Overlay District) and partially within the AI (Airport Impact) Overlay District, outside of but within one (1) mile of the Ldn 60 aircraft noise contour. This application is subject to the Revised 1993 Zoning Ordinance. The applicant is also requesting modifications of the Zoning Ordinance (ZO) sections as follows:

ZO §4-1356(B)(1) Front Yard.	To increase the maximum front yard for Land Bay Q <u>Bays B, F, I and N</u> from 30 feet, or 50 feet where a courtyard, plaza, terrace, or other common gathering space that is a minimum of 300 square feet is provided adjacent to the front property line, to 150 feet, <u>and for Land Bay Q, to 620 feet.</u>
ZO §4-1356(B)(3) Rear Yard.	To reduce the minimum rear yard from 5 feet to 0 feet.
ZO §4-1356(C) Building Height.	To increase the maximum building height from 75 feet to 160 feet.
ZO §4-1358(B)(2) Buffering and Screening. <ul style="list-style-type: none"> • 5-1413(C)(1)(a) Peripheral Parking Lot Landscaping, Where the property line abuts land other than street right-of way. • 5-1413(C)(2)(a) Peripheral Parking Lot Landscaping, Where the property line abuts the street right-of-way. 	To reduce the landscape strip located between any parking lot and the abutting property lines from 10 feet to 6 feet in width To reduce the landscape strip located between any parking lot and right-of-way line from 10 feet to 6 feet in width
ZO §4-1358(C) Street Trees.	To reduce the planting density <u>calculation</u> from 1 tree per 25 linear feet along all areas dedicated for use for vehicular access to 1 tree per 44 linear feet where on-street parking is provided, and to 1 tree per 35 linear feet where on-street parking is not provided.
ZO § 4-1359(D)(2) Private Streets.	To permit private streets if residential uses are located within 1,200 feet of principal business uses without 75% of the structures being multi-story mixed use structures.
LSDO §1245.01(2) Lots and Building Areas.	To permit lots to front on private streets.

FSM § Section 4.310(C) General Design Requirements.	To reduce the minimum permitted road jog center line offset for Category A private roadways from 225 feet to 90 feet.
FSM § Section 4.310(G) General Design Requirements.	To reduce the minimum length between curb returns and/or curb cuts on roadways intersecting with a public or Category A private roadway from 50 feet to 0 feet.
FSM §4.330(B)(2) Category A Roadways, Roadway Cross Section Easement Limit, Curb and Gutter.	To reduce the minimum width of the access easement within which a private roadway is located from 6 feet behind the face of curb to 0.5 feet behind the face of curb.
FSM § 4.330(B)(3) Private Roadway Standards, Table I. <ul style="list-style-type: none"> • Minimum Curve Radius. • Minimum Vertical Curve Design • Minimum Stopping Sight Distance 	<p>To reduce the minimum curve radii of Category A1, A2, A3, A4, and A5 roadways from 110, 165, 165, 338, and 478 feet, respectively, to 50 feet.</p> <p>To reduce the minimum vertical curve design speeds for Category A2, A3, A4, and A5 roadways from 25, 25, 30, and 35 miles per hour (mph), respectively, to 20 mph.</p> <p>To reduce the minimum stopping sight distances for Category A1, A2, A3, A4, and A5 roadways from 150, 150, 150, 200, and 275 feet, respectively, to 100 feet.</p>

The subject property comprises three (3) parcels that are located in the southwest quadrant of the Harry Byrd Highway (Route 7) and Sully Road (Route 28) interchange, on the west side of the Sully Road, Gloucester Parkway (Route 2150), and Nokes Boulevard (Route 1793) interchange, north of West Severn Way (Route 1748), at 21391 Pacific Boulevard, Sterling, Virginia, in the Broad Run Election District. The subject property is more particularly described as Tax Map Numbers /80///1/////3/ (PIN# 041-29-8238), /80//27/////1/ (PIN# 042-29-6582), and /80//27/////2/ (PIN# 042-49-0209). The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Sterling Community)), the Countywide Retail Policy Plan Amendment, and the Revised Countywide Transportation Plan, which designate this area for Keynote Employment uses at a Floor Area Ratio (FAR) of 0.40 to 1.0 and a portion of the property for Destination Retail uses.

Application Number/Name: Kincora Village Center/ZMAP 2008-0021

Staff Contact/Telephone Ext. Judi Birkitt/x5784

Applicant/Representative Contact Telephone # and address: Hunton & Williams LLP
John C. McGranahan, Jr., Esquire and
Aaron Shriber, Land Use Planner
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102
703-714-7464 and 703-714-7465

Which Zoning Ordinance?

Revised 1993 Zoning Ordinance

of posters needed in reference to Section 6-601B1: 2

Critical Action Date: February 13, 2010

Is application Controversial? Yes

Number of speakers anticipated: 5

Is PC/Staff in agreement? To be determined

Date of Planning Commission public hearing: October 15, ~~2010~~2009

Is the property within 1/2 mile of an adjoining Town or County? If yes, list: no