

County of Loudoun
Department of Planning
MEMORANDUM

DATE: January 6, 2010

TO: Judi Birkitt, Project Manager
Land Use Review

FROM: Marie Genovese, AICP
Planner III, Community Planning

SUBJECT: Addendum to ZMAP 2008-0021, Kincora Village Center, Third Referral
Community Planning Staff have provided three referrals dated May 5, 2009, September 1, 2009, and November 24, 2009 on the Kincora Village Center (ZMAP 2008-0021) application. Staff met with the applicant on May 27, 2009, August 31, 2009, September 16, 2009, and December 16, 2009 to discuss outstanding issues. One of the outstanding issues is conformance with the land use mix as specified in the Revised General Plan. Land bay acreages including parking and roadways were requested in the three referrals and at the above referenced meetings, with the exception of the September 16, 2009 meeting which pertained to site design only, to accurately determine if the land use mix as defined by the Plan was being met with the proposed application. Since the completion of the third referral, the applicant has provided staff with acreages for each land bay. Staff has provided a detailed analysis of the land use mix below.

OUTSTANDING ISSUES

LAND USE MIX

In the first three submissions of the application, the applicant provided land use mix percentages based on the development's maximum floor area, rather than as a percentage of land area. Staff was unable to use the information provided to calculate the land use mix as it was difficult to ascertain the limits of each individual land bay. For instance, the area south of Land Bay D and north of Land Bay G is labeled as surface parking and the areas to the east and west of Land Bay D are labeled for employment, retail, and parking uses but are not associated with any land bay. In addition, roadways have not been included in the land bay designations. On January 4, 2010, via e-mail, the applicant provided acreages for each land bay including roadways and stated that these acreages would be reflected in the next iteration of the Concept Plan currently being finalized. Staff has used this information to calculate the land use mix as a

percentage of the land area assuming that the square footages provided for each use by land bay on Sheet 13 (Concept Plan Tabulation Sheet) dated October 2, 2009 have

remained the same¹. For vertically-integrated mixed-use developments like Kincora, staff uses the same methodology the County has historically used for other developments, whereby the land use is calculated based on the percentage of the acreage equivalent to the use.

As stated in previous referrals, if the Kincora rezoning application is considered further, it may be appropriate to use the recommended land use mix for Regional Office developments for the northern portion of the property since this portion of the Kincora project resembles a mixed-use regional office development and the Keynote Employment land use mix for the southern portion of the property where the application is not proposing a residential component. The separation of the two developments is demonstrated further in the June 2009 Kincora Design Standards in which the applicant states "The northern parcels of Kincora are a true mixed-use community integrating office, residential, retail, entertainment, and a Minor League baseball park, all with ample parking facilities. The southern parcels include office, retail, a hotel, and space for a fire safety center".

The land use mix, as defined by the Plan is measured as a percentage of the gross land area (*Revised General Plan, Chapter 6*). Staff understands approximately half of the subject site is located within the river and stream corridor resource making it difficult to meet the minimum use percentages as called for in the Plan. Therefore, it may be appropriate to apply the percentage of residential and non-residential development on the developable acreage of the site rather than the gross acreage of the site for the Kincora rezoning application. The Plan allows for 50% of the required public parks and open space to be located within the river and stream corridor resource; therefore, the minimum percentages for public parks and open space and public and civic uses should still be based on the gross acreage of the site. Staff has calculated the land use mix for residential, office, and commercial retail and service uses based on the developable acreage for the northern portion of the subject property (see Table 1 below and Attachment 1) and office and commercial retail and service uses based on the developable acreage for the southern portion of the subject property (see Table 2 below and Attachment 1).

¹ Please note staff does not agree with the developable acreage for Land Bays N and Q. The river and stream corridor resource per County data impacts both Land Bays N and Q; however, the applicant proposes a different floodplain boundary per an active floodplain alteration (FPST 2009-0004). Staff notes per the Department of Building and Development July 30, 2009 comments on the active floodplain alteration, the amount of proposed fill shown for Pacific Boulevard, near its intersection with Gloucester Parkway, is not necessary for roadway construction.

Table 1: Regional Office Land Use Mix – Developable Acreage – Northern Portion of the Subject Property

Regional Office Land Use Categories¹	Minimum Required	Maximum Permitted	Acres	Percentage of Developable Land Area²
High Density Residential	15%	25%	26.91	27.36%
Regional Office	50%	70%	42.59	43.29%
Commercial Retail & Services ²	0%	10%	23.22	23.60%
Light Industrial/Flex	0%	20%	0	0%
Overall Commercial & Light Industrial	0%	20%	23.22	23.60%
Total Developable Acreage			98.39	

¹Land Bays A-K are based on the acreage of each land bay provided by the applicant via e-mail dated January 4, 2010 and the use square footages per land bay provided on the Concept Plan Tabulation Sheet (Sheet 13) dated October 2, 2009.

²The square footage for civic uses as provided on the Concept Plan Tabulation Sheet have been deducted from the developable acreage (5.66 acres) and the use percentages; however, civic uses have not been included in the above table because the minimum required amount of civic uses should be based on the gross acreage of the site (336 acres) rather than the total developable acres.

Table 2: Keynote Employment Land Use Mix – Developable Acreage – Southern Portion of the Subject Property

Keynote Employment Land Use Categories¹	Minimum Required	Maximum Permitted	Acres	Percentage of Developable Land Area²
Regional Office	70%	85%	41.91	69.89%
Commercial Retail & Services ²	0%	10%	13.23	22.06%
Total Developable Acreage			59.97	

¹Land Bays N and Q are based on the acreage of each land bay provided by the applicant via e-mail dated January 4, 2010 and the use square footages for both land bays provided on the Concept Plan Tabulation Sheet (Sheet 13) dated October 2, 2009.

²The square footage for civic uses as provided on the Concept Plan Tabulation Sheet have been deducted from the developable acreage (4.83 acres) and the use percentages; however, civic uses have not been included in the above table because the minimum required amount of civic uses should be based on the gross acreage of the site (336 acres) rather than the total developable acres.

As shown in Tables 1 and 2 above, based on the developable acreage of the southern and northern portions of the subject property, commercial retail and service uses

occupy over twice as much land area as permitted by the Plan while office uses do not meet the Plan's minimum.

Residential

Residential development as called for in the Plan is permitted to occupy a maximum 25% of the land area at densities between 8 and 16 dwelling units per acre (*Revised General Plan, Chapter 6, Regional Office Policy 2 and High-Density Residential Use Policy 1*). While the proposed residential uses slightly exceed the permitted maximum percentage of the developable land area, the dwelling units far exceed what is permitted by the Plan. The applicant may use the floodplain area to determine the maximum permitted dwelling units for the subject site. The northern portion of the subject property inclusive of the floodplain is approximately 180 acres, 25% of which (45 acres) may contain residential uses at a maximum residential density of 16 dwelling units per acre yielding a maximum of 720 dwelling units, 680 less than what is being proposed. Furthermore, since approximately half of the subject site contains floodplain, the actual dwelling units per acre on the ground will be much higher than 16 dwelling units per acre since the units will be concentrated on less land area making the design of the residential buildings even more crucial to ensure the integration with the surrounding community. Based on the number of units proposed (1400), along with the acreage devoted to residential uses per land bay (1.8 to 9.3 acres), the densities for residential land bays will range from 44 dwelling units per acre up to 63 dwelling units per acre (See Attachment 1). Based on a similar distribution of the total number of units over the same acreage, if the applicant were to reduce the number of dwelling units to what is permitted by the Plan for Regional Office developments (720 units) the dwelling units per acre would range from approximately 23 dwelling units per acre to 32 dwelling units per acre.

Retail

While the Plan limits retail and commercial service uses to 10% of the gross land area, the Retail Plan further limits the retail component within office and employment developments to 5% of the gross floor area (measured in square feet) of the non-residential uses in the development (*Retail Plan, Employment Supportive Retail Center Policy 3*). Based on the floor area of office proposed, 2.7 million square feet, the applicant is limited to 136,110 square feet of employment supportive retail. The applicant is proposing 398,825 square feet of retail exclusive of commercial service uses (i.e., hotels), representing approximately 14.7% of the gross floor area of the proposed office land uses. As stated in the third referral dated November 24, 2009, staff has concerns regarding the amount and scale of retail uses proposed. As currently proposed there is no assurance that the site will develop with the small scale retail uses envisioned for a pedestrian-oriented mixed-use development.

Staff recommends the applicant remove residential land uses from the proposal consistent with the Keynote Employment policies of the Plan. However, if the

application is considered further, staff recommends updating the plats and proffers reducing the amount of residential and retail uses and increasing the amount of office uses consistent with the land use mix for Regional Office and Keynote Employment developments.

ATTACHMENTS

Attachment 1: Land Use Mix Analysis by Land Bay

cc: Julie Pastor, AICP, Planning Director
Cynthia Keegan, AICP, Program Manager

**ATTACHMENT 1:
LAND USE MIX ANALYSIS BY LAND BAY**

Table 1: Proposed Development per Land Bay (Northern Portion of the Subject Property)

Land Bay	Acreage	Office (sq. ft.)	Hotel (sq. ft.)	Retail (sq. ft.)	Residential (sq. ft.)	Residential (dus/acre)	Civic
A	5.07				281,000	255	
B	11.51	450,000					25,000
C	9.25				446,000	405	
D	12.00	375,000		63,000	176,000	160	25,000
E	8.44	10,000		53,000	521,000	472	
F	16.06	558,000	345,000	30,000	120,000	108	42,000
G	4.69	86,200		56,200			
H	5.63	93,000		65,000			15,000
J	20.65	300,000	130,000	62,625			100,000
K	5.09			40,000			
Total	98.39	1,872,200	475,000	369,825	1,544,000	1,400	207,000

Acreage provided by the applicant. Use per land bay provided on Sheet 13, Concept Plan Tabulation Sheet dated October 2, 2009.

Table 2: Land Use Acreage per Land Bay (Northern Portion of the Site)

Land Bay	Acreage	Office	Hotel	Retail	Commercial Retail & Service	Residential	Dwelling Units per Acre	Civic
A	5.07					5.07	50.3	
B	11.51	10.90						0.61
C	9.25					9.25	43.8	
D	12.00	7.04		1.18	1.18	3.31	48.4	0.47
E	8.44	0.14		0.77	0.77	7.53	62.7	
F	16.06	8.18	5.06	0.44	5.50	1.76	61.4	0.62
G	4.69	2.84		1.85	1.85			
H	5.63	3.03		2.12	2.12			0.49
J	20.65	10.45	4.53	2.18	6.71			3.48
K	5.09			5.09	5.09			
Total	98.39	42.59	9.59	13.63	23.22	26.91		5.66
Percentage		43.29%	9.75%	13.85%	23.60%	27.36%		N/A

Table 3: Proposed Development per Land Bay (Southern Portion of the Subject Property)

Land Bay	Acreage	Office (sq. ft.)	Hotel (sq. ft.)	Retail (sq. ft.)	Civic
N	14.16		100,000		20,000
Q	45.81	850,000		29,000	50,000
Total	59.97	850,000	100,000	29,000	70,000

Acreage provided by the applicant. Please note, staff does not agree with the acreages for Land Bays N and Q as areas identified as river and stream corridor resources per County data have been included in the acreage totals. Use per land bay provided on Sheet 13, Concept Plan Tabulation Sheet dated October 2, 2009.

Table 4: Land Use Acreage per Land Bay (Southern Portion of the Site)

Land Bay	Acreage	Office	Hotel	Retail	Commercial Retail & Service	Civic
N	14.16		11.80			2.36
Q	45.81	41.91		1.43		2.47
Total	59.97	41.91	11.80	1.43	13.23	4.83
Percentage		69.89%	19.68%	2.38%	22.06%	N/A