



ZONING ADMINISTRATION 3rd REFERRAL

DATE: November 24, 2009
TO: Sophia Fisher, Project Manager
THROUGH: Marilee Seigfried, Deputy Zoning Administrator
FROM: Cindy Lintz, Zoning Administration
SUBJECT: ZMAP 2008-0023 - Cedar Green Church

LCTM: /80/A/1///24/ **MCPI:** 044-20-7098
 /80/A/1///25/ 044-20-7585

The Zoning Administration has reviewed the third submission of the above referenced application and has the following comments:

STATEMENT OF JUSTIFICATION/ REQUEST FOR MODIFICATION

1. The first sentence needs to be changed to state the request a modification to the side building and parking. Also the required Section is 4-505(B)(2).
2. Please state how the modification will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose (6-1504) given that this use could have been requested by Special Exception under the current zoning district and that the 75' building 60' parking side yards wouldn't be required.

PLAT

1. Are you proffering to the concept plan, but not the cover sheet. The cover sheet needs to be labeled to what is stated in proffer #1.
2. The Vicinity Map does not match County Records. There appears to be additional parcels in some areas and not enough in other areas. Update the Vicinity Map.
3. Under Vicinity Map, correct the spelling of "Cedar Green" on #4.
4. Under Vicinity Map, the Aylestock property use is industrial (vacant).
5. Under Vicinity Map, remove Al-Bassam since that parcel does not touch the parcels on the application.
6. Under Site Data, Proposed Parking: change the note to read "Greater than 105 Spaces".
7. Sheet 2, show the square footage (350') on proposed addition for storage on the existing house.
8. Sheet 2, show the side building and 25' parking setbacks and show the requested modification setbacks.
9. Sheet 2, show the front parking setback.
10. Sheet 2, on the north side remove the Type 1 buffer, since no buffers are required (church – church).

PROFFER STATEMENT

1. The first sentence, correct the Loudoun County Tax Map numbers for the two parcels and the spelling of the owner's name. Staff suggest the first line read, "Jose A. Martinez ("Owner"), as owner of the property described as Loudoun County Tax Map /80/A/1////24/ (044-20-7098), and Lidia M. Serrano de Araujo ("Owner"), as owner of the property described as Loudoun County tax Map /80/A/1////25/ (044-20-7585), the two parcels being collectively referred to as the "Property", on behalf....
2. First paragraph, last sentence after Revised 1993 Zoning Ordinance, staff suggests inserting the Code of Virginia. "... in the event the Property is rezoned by the Loudoun County board of Supervisors to the PD-IP Planned Development -Industrial Park District administered under the Revised 1993 Zoning Ordinance, as substantially set forth in the Concept Development Plan dated November 13, 2009, with revisions through XXX and further described in its application as 'Cedar Green Church Rezoning (ZMAP 2008-0023)' sheets 1 through 3, the development of the Property shall be in substantial conformance with the following conditions, pursuant to Section 15.2-2303 of the CODE OF VIRGINIA (1950) as amended." Note: the wording of Concept Development Plan/ Concept Plan needs to be consistent throughout the plat and the proffer statement.
3. Under Development, staff suggest the first sentence be revised to read "The development of the Property shall be in substantial conformance with Sheets X through 3 of the plan set entitled "Cedar Green Church Rezoning (ZMAP 2008-0023), dated November 13, 2009, with revisions through XXX, prepared by Apex Solutions, LLC..."
4. Staff questions how the County can enforce proffer #4 – Energy.
5. Proffer #5, Landscaping. Staff suggests proffering this landscaping plan since it is used as the justification for the modifications. This would mean removing the words Illustrative from the plan.
6. Proffer #6, second sentence, staff suggests revising the sentence to "... for public street purposed, twenty feet wide" as indicated on the Concept Plan sheet 2 of 3.
7. Staff does not see the proposed right-of-way dedication on the plat.
8. Proffer #6, third sentence, staff suggests revising the sentence to "... This dedication shall be made prior to the first zoning permit submission."
9. Proffer #6, second to the last sentence, staff suggests inserting 'Sheet 2 of 3' after Concept Plan.
10. Proffer #6, last sentence, staff suggests removing the words "a certificate of occupancy for the new church building" and replacing it with "the first occupancy permit."