

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

**DATE:** February 25, 2014

**TO:** Jacqueline Harlow, Project Manager  
Land Use Review

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

**SUBJECT: ZMAP 2013-0011, Fleetwood Road North Assemblage**

**EXECUTIVE SUMMARY**

Stanley Martin Companies, Inc. is requesting a zoning map amendment for 136.04 acres from Transitional Residential-TR-3UBF (1 dwelling unit per acre), to Transitional Residential-TR-2 (1 dwelling unit per 20,000 square feet), to increase allowable densities and develop 216 single-family detached residential units.

The subject site is located in the Transition Policy Area on the southeastern quadrant of Evergreen Mills Road (Route 621) and existing Fleetwood Road. The site consists of 11 individual parcels totaling 136.04 acres.

More specifically, the subject site is in the Upper Board Run subarea of the Transition Policy Area. The densities in the Transition Policy Area were established to provide a visual and spatial transition between the suburban and rural policy areas and to conserve the extensive Green Infrastructure resources present on the subject site and throughout the Transition Policy Area. This portion of the Transition Policy Area is planned for residential densities of 1 dwelling unit per 3 acres of land. Given the 136.04 acre subject site, a residential cluster containing no more than 45 dwelling units would be considered appropriate for the subject site. The Applicant is proposing 216 residential units which represents almost 5 times more density than envisioned by the Revised General Plan (Plan). Plan policies do not support this increase in density. Further, the concentration of development does not meet the Revised General Plan definition for clustered residential development envisioned by Plan policies in this area.

Green Infrastructure resources on the subject property include river and stream corridors, wetlands, floodplain areas, forest resources, habitat, and heritage resources. Additional details and commitments to preserve these resources are recommended to ensure conformance to the Revised General Plan policies.

While the proposed rezoning is not supported by the Revised General Plan, if the Applicant chooses to move this application forward, staff is requesting that the Applicant address unmet housing needs, and mitigate capital facilities impacts. The project has a total projected capital facilities impact of \$10,742,544. The anticipated unmet housing needs contribution is \$354,375.

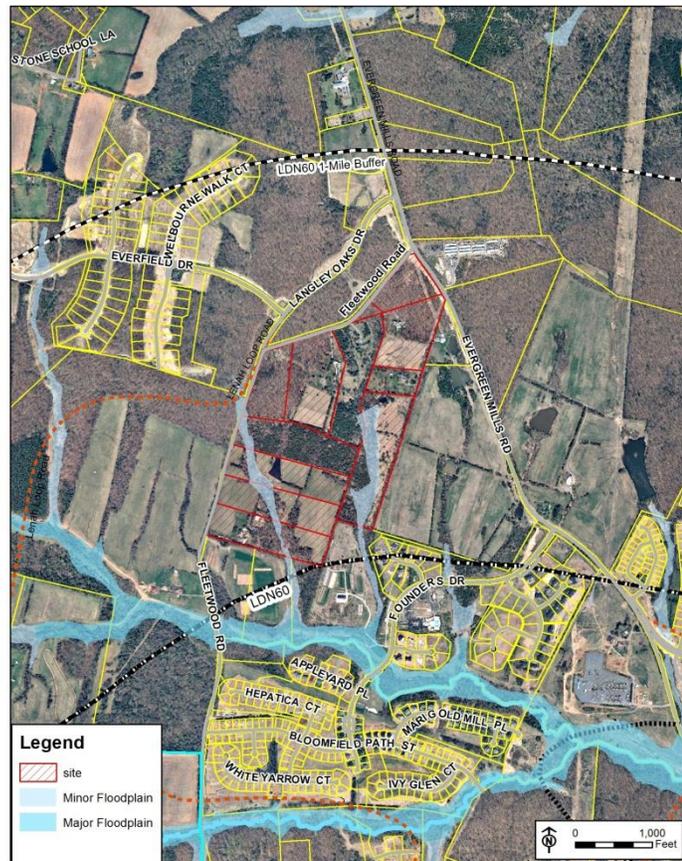
Overall, staff cannot support the rezoning application as the proposed densities exceed what is envisioned by the Revised General Plan and the proposed development pattern does not conform to the cluster policies of the Plan. The overarching concern is with regard to the residential densities being proposed. The proposed rezoning will also stress green infrastructure resources and contribute to a fiscal imbalance as the County will be required to provide additional services in a portion of the County where concentrations of residential development had not previously been anticipated.

The recent influx of residential rezoning proposals for increased densities in the Transition Policy Area threatens to forego the purpose of the Transition Policy Area to provide a density transition between the Rural and Suburban Policy Areas. Approval of this rezoning would set a precedent for similar proposals at a significant fiscal and environmental cost to the County.

It is noted that the countywide remapping effort approved in 2003 to implement the Transition Policy Area policies of the Revised General Plan and that current zoning regulations achieve that vision.

## BACKGROUND

The subject site is generally located on the southwest corner of Evergreen Mills Road and Fleetwood Road (see Vicinity Map). Evergreen Mills Road is a planned 4-lane major collector. As per the Countywide Transportation Plan (CTP), Fleetwood Road is planned to be incorporated into the Lena Loop Road, which will be designed as a 2 lane minor collector along the development's frontage. The subject property is comprised of 10 individual parcels totaling 136.04 acres.



Under the current zoning Transitional Residential - TR-3UBF, one dwelling unit is permitted for every three acres of land. The proposed zoning district Transitional Residential-TR-2 would permit 1 dwelling unit per 20,000 square feet of land. In terms of residential units, the existing TR-3 district would permit approximately 45 units and the proposed zoning map amendment would allow for approximately 354 units (with the Affordable Dwelling Unit bonus density). The proposal of 216 dwelling units would allow for almost 5 times more development than permitted under current zoning and Plan policy. The proposed residential development would be comprised of single-family detached units with pocket and perimeter open spaces.

The subject property is currently developed with single-family residential uses. Land uses surrounding the subject site also include generally vacant or very low density residential development across Evergreen Mills Road and Fleetwood Road. The property is surrounded on all sides by properties that are located in the Transition Policy Area.

#### **COMPLIANCE WITH THE COMPREHENSIVE PLAN**

The subject property is governed by the policies of the Revised General Plan. The Loudoun County Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan) and the Countywide Transportation Plan (CTP) also apply. The subject site is located within the Upper Broad Run Subarea of the Transition Policy Area.

The Transition Policy Area is envisioned as a distinct planning area to serve as a visual and spatial transition between the Suburban Policy Area to the east and the Rural Policy Area to the west (*Revised General Plan, Transition Policy Area, text*). The Upper Broad Run Subarea is envisioned to be developed in a clustered pattern at the existing zoning of one dwelling unit per three acres or one unit per acre (*Revised General Plan, Chapter 8, Community Design, Upper Broad Run and upper Foley Subareas, text*).

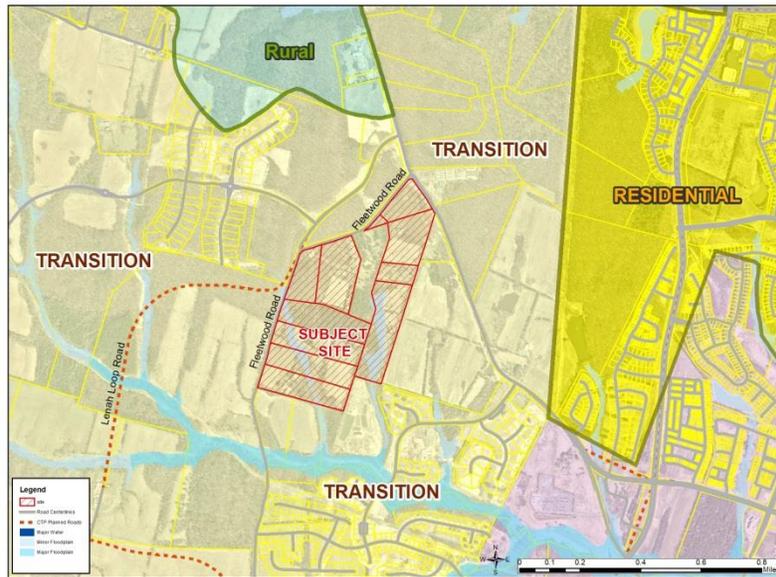
#### **LAND USE**

The County's vision for the Transition Policy Area is for land uses that provide a visual and spatial transition between suburban development and rural development. The Transition Policy Area is envisioned as a unique and innovative blend of rural and suburban development features that fully integrate the elements of the Green Infrastructure, and establish natural open spaces as a predominant visual element and enhancement to the area's river and stream corridors (*Revised General Plan, Chapter 8, General Policy 2*).

The Upper Broad Run Subarea is envisioned to be developed in a clustered pattern at the existing zoning of one dwelling unit per three acres or one unit per acre (*Revised General Plan, Chapter 8, Community Design, Upper Broad Run and upper Foley Subareas, text*). Residential cluster development in all Transition Policy Area subareas are to be developed as clusters of 5 to 25 predominantly single-family residential units (*Revised General Plan, Chapter 8, Community Design Policies, policy 8*). To support this vision, the County undertook a comprehensive remapping of the County that included establishment of the Transitional Residential (TR) zoning districts and sub-

districts to implement the policies of the 2001 Revised General Plan. This rezoning was approved on January 5, 2003 as part of Zoning Amendment (ZOAM) 2002-0003 and Zoning Map Amendment (ZMAP) 2002-0014. Within the Upper Broad Run Subarea, this rezoning remapped the former Agricultural/Residential (A-3) to TR-3 and TR-1 thereby reaffirming the residential densities desired in this portion of the County while providing for a cluster development option. As such, the existing zoning designations are consistent with the densities prescribed by the former zoning designations and are consistent with the land use policies of the Revised General Plan accordingly.

Planned Land Use Map



### **Analysis**

***The proposed rezoning would increase permitted densities of residential dwelling units beyond what is envisioned by the Revised General Plan for the Upper Broad Run Subarea of the Transition Policy Area. Densities of one dwelling unit per 3 acres as prescribed by the Revised General Plan and the existing zoning would result in 45 units on 136.04 acres whereas the proposed rezoning would result in densities of 1.59 dwelling units per acre or 216 units. Plan policies do not support this increase in density as it represents a significant increase in capital costs and residential development where it is not anticipated.***

### **Open Space**

The Plan design policies state that Residential Clusters will be developed with specific design criteria that help to form open space (which may include active and passive recreation) surrounding the residential development (Revised General Plan, Chapter 8, Community Design Policy 9). All development within the Transition Policy Area should be clustered so as to accommodate 50 to 70 percent open space and full implementation of the Green Infrastructure policies contained in Chapter 5 of the Revised General Plan. Furthermore, policies direct the County to consider the

contiguity of the open space area to other designated open space and unique site features and Green Infrastructure implementation (*Revised General Plan, Chapter 8, Community Design Policy 12*) as well as the presence of a contiguous network of natural features and planned open spaces surrounding the development (*Revised General Plan, Chapter 11, Transition Policy Area Design Guidelines, text*).

### **Analysis**

***Sheet 4 of the CDP indicates that the proposed development includes 50% open space including minor floodplain, open space green, buffers and miscellaneous open space.***

### **Pedestrian and Bicycle Circulation**

The Countywide Transportation Plan (CTP) states that development proposals will include provisions for bicycle and pedestrian accessibility within the development as well as connections with adjacent developments (*CTP, Chapter 4, Pedestrian and Bicycle Facilities Policies for Roadways, Policy 15*).

### **Analysis**

***The proposed development includes a pedestrian trail network that is generally supported by Plan policy. There is no proposed trail or sidewalk system along the Fleetwood Road which will ultimately be the Lenah Loop Road. At a minimum, a 6'foot sidewalk should be provided along that road frontage. It is noted that the proposed densities exceed Plan policy guidance and staff does not support the application.***

## **ENVIRONMENTAL**

The Green Infrastructure is a collection of natural, cultural, heritage, environmental, protected, passive, and active resources. It includes such features as forest and water resources (*Revised General Plan, Chapter 5, Green Infrastructure Policy 1*). A central objective of the Transition Policy Area is to recognize, preserve, and enhance green infrastructure elements. Green infrastructure is discussed throughout General and Design Policies in Chapter 8 (Transition Policy Area) of the *Revised General Plan*. A review of County records indicates river and stream corridors, wetlands, floodplain areas, forest resources, habitat, and heritage resources within the project area.

### **River and Stream Corridor Resources**

County polices support the protection of water resources in an effort to preserve their water quality, flood protection, habitat, and scenic values (*Revised General Plan, Chapter 5, River and Stream Corridor Resources, text*). The County will protect rivers and streams and their corridors, to include wetlands that fall within water resource areas (*Revised General Plan, Chapter 5, River and Stream Corridor Resources Policy 2*). Additionally, the County supports the federal goal of no net loss to wetlands (*Revised General Plan, Chapter 5, River and Stream Corridor Resources Policy 23*).

River and stream corridor resources are significant elements of the Green Infrastructure. River and stream corridors include rivers and streams draining 100 acres

or more, 100-year floodplains, adjacent steep slopes, and a 50-foot management buffer surrounding floodplains (*Revised General Plan, Chapter 5, River and Stream Corridor Resources Policy 2*). The stream buffer provides a minimum filtration area that will ensure the maintenance of water quality and the integrity of the stream corridor (*Revised General Plan, Chapter 5, River and Stream Corridor Resources Policy 3*). The 50-foot management buffer will protect the river and stream corridor elements from upland disturbances and adjacent development. Only uses consistent with the objectives and functions of river and stream corridors will be permitted in the management buffer (*Revised General Plan, Chapter 5, River and Stream Corridor Resources Policy 4*). The 50-foot management buffer can be reduced if it can be shown that a reduction does not adversely impact the other river and stream corridor elements and that performance standards and criteria are met and maintained (*Revised General Plan, Chapter 5, River and Stream Corridor Resources Policy 5*). The Plan permits a limited number of uses in the stream corridor, including pervious paths and trails, utilities and utility rights-of-way, and planting native vegetation (*Revised General Plan, Chapter 5, River and Stream Corridor Resources Policy 18*).

### **Analysis**

***Staff requests that the applicant clearly depict and provide a 50-foot management buffer adjacent to the floodplain, streams and wetlands within the rezoning area. Staff recommends that improvements be relocated outside the management buffer and that a commitment limiting uses within that buffer to passive recreational uses. If encroachments cannot be avoided, staff recommends reforestation within the Minor Floodplain to offset proposed encroachments.***

The property is located in the Broad Run Watershed and drains via two tributaries to Broad Run. It should be noted that, a data point located on the tributary to the east is classified as “suboptimal” for habitat by the 2009 Countywide Stream Assessment Project. There is also a suboptimal habitat data point on Broad Run downstream of the two tributaries. Broad Run is impaired for aquatic life downstream of the property at the confluence of Broad Run and Lenah Run. Staff recommends that future submittals include environmental commitments such as enhanced storm water management, erosion and sedimentation controls, and/or enhanced wet and dry ponds to recognize these sensitive creek and stream conditions.

### **Analysis**

***Staff recommends that the applicant provide upgraded stormwater facilities to address existing stream conditions along the tributaries that drain into the Broad Run. Information regarding the proposed stormwater management, enhanced or wet ponds, bio-retention, and the incorporation of additional pollutant treatment should be discussed to the extent they will be provided. The approximate location, type, and size of all proposed stormwater management facilities should be depicted on the CDP. In addition, future submittals for the subject site should identify river and stream corridor buffers on the CDP. Stormwater management facilities should be located outside of the buffer.***

## **Stormwater**

The County promotes the use of low-impact development to replicate natural hydrologic patterns and alleviate the strain on centralized systems. Low-impact development (LID) practices can include stormwater planters, rain gardens, and wetlands to convey, retain, and treat rainwater (Revised General Plan, Chapter 6, Route 28 Corridor Plan, Sustainable Development, Stormwater Policy 3).

### **Analysis**

***The application is proposing several SWM/BMP facilities as on Sheet 4. One of the proposed stormwater management facilities is shown within a forested area the other would convert an existing wet pond. It is noted that the existing volume of the pond cannot be credited toward pollutant removal requirements. The SWM/BMP facilities should be relocated to un-forested areas outside the River and Stream Corridor Resource buffer and commitments be provided to enhance extended detention or wet ponds.***

***In an effort to implement low-impact development, the applicant should consider shortening the cul-de-sacs to minimize the length of the associated roadways. It is recommended that Proffer VIII.A. be amended to provide a quantifiable commitment to LID that 1) identifies the number of practices that will be implemented or 2) the additional percentage of pollutant treatment to be provided through the use of LID measures. An alternative approach would be to specify the percent of impervious area to be treated by LID measures.***

## **Wetlands**

County policies support the protection of water resources in an effort to preserve their water quality, flood protection, habitat, and scenic values (Revised General Plan, Chapter 5, River and Stream Corridor Resources, text). The County supports the federal goal of no net loss to wetlands (Revised General Plan, Chapter 5, River and Stream Corridor Resources Policy 23). Additionally, habitat and recreational paths shall be encouraged along natural features such as streams and wetlands (Revised General Plan, Chapter 6, Route 28 Corridor Plan, Sustainable Development, Landscaping Policy 3).

A jurisdictional wetland determination is pending based on an August 15, 2013 Wetland Studies and Solutions delineation. Once the determination has been approved, Note 25 should be revised to include the jurisdiction number and date, along with a statement that the jurisdictional waters and wetlands depicted on the plan are consistent with the approved determination. The proposed Open Space centrally located on parcel 244-49-5748 would be better located across the road to the northwest to facilitate preservation of existing wetlands. In the event of an impact, compensatory mitigation (restoration, creation, enhancement, and preservation) would replace the loss of wetland functions in the watershed to meet the County's goal of no net loss to the existing acreage and functions of wetlands.

## **Analysis**

***The subject site includes wetlands that may be affected by the proposed project. Staff recommends preserving wetlands consistent with Plan policy and providing mitigation measures to meet the County's goal of no net loss of wetlands.***

### **Steep Slopes**

Note 6 indicates that there are no Steep Slopes on the site, however the County GIS indicates several areas of moderately steep slopes (15%-25%) along both sides of the western tributary to Broad Run and through the middle of existing parcel 244-40-6257. While the majority of the slopes lie within the limits of the minor floodplain areas, moderately steep slopes on the referenced parcel will be impacted by infrastructure and lot development. The areas of steep slopes should be depicted on the concept development plan.

### **Forest Resources**

The County will conserve and protect wildlife habitat through the preservation of a broad range of natural resources such as indigenous vegetation, forest cover, woodlands, floodplains, streams and stream corridors, wetlands, and undeveloped areas associated with steep slopes (*Revised General Plan, Chapter 5, Plant and Wildlife Habitats Policy 4*). The County's forests and trees improve air and water quality, offer important habitat for birds, small mammals, and other wildlife, and are buffers between communities. Forests and trees conserve energy by providing shade and evaporative cooling through transpiration. They reduce wind speed, redirect airflow, reduce stormwater runoff, and reduce soil erosion. Forests also provide the greatest single protection of water quality by filtering pollutants from stormwater runoff, decreasing stream bank erosion, and maintaining the physical, chemical, and biological condition of the stream environment (*Revised General Plan, Chapter 5, Forests, Trees, and Vegetation, text*). The County encourages the protection and management of forest resources for their economic and environmental benefits (*Revised General Plan, Chapter 5, Forests, Trees, and Vegetation Policy 1*).

The proposed Open Space areas are represented on Sheet 4 of 8; however, proposed limits of clearing and Tree Conservation Areas (TCA) have not been identified. These areas should be identified in order to review all potential impacts associated with the application. It is recommended that the two riparian corridors; approximately 2 acres of Cover Types A & B in the Northwest Corner of the property, which contains a dense concentration of large White Oaks; and the Cedar Hedgrows, be located within a TCA: A total of 41 specimen trees have been identified on the property; 10 of which have been identified to be in "good" condition. It appears four of the "good" specimen trees (#205, 320, 321, and 323) will be impacted by the proposed development. The specimen trees should be added to the Combined Land Use Plan (Sheet 6) so that preservation opportunities may be evaluated.

A passive recreation trail is proposed within the open space areas along the existing stream channel. It is recommended that the applicant commit to locating the trail in a manner that will preserve all specimen trees and to minimize impacts to any

jurisdictional waters and wetlands through the use of a raised boardwalk-style crossings or pedestrian bridges. Further, it is recommended that the trail located in the vicinity of the hedgerow located proximate to the southwest corner of the outparcel be relocated to avoid impacts to existing tree cover.

### **Analysis**

***Staff recommends revising the Concept Development Plan to include Tree Conservation Areas in accordance with the above referenced recommendations.***

### **Plant and Wildlife Habitats**

Plan policies state that development applications with the likelihood of impacting one or more natural heritage resources will conduct a species assessment and develop a plan for impact avoidance if the presence of a natural heritage resource is identified (Revised General Plan, Chapter 5, Plant and Wildlife Habitats Policies, Policy 8). The Virginia Department of Conservation and Recreation (DCR), Division of Natural Heritage (DNH) defines natural heritage resources to include rare, threatened, and endangered plant and animal species; exemplary natural communities, habitats, and ecosystems; and significant geologic formations (Revised General Plan, Chapter 5, Plant and Wildlife Habitats Policies, Policy 8).

An Endangered and Threatened Species Habitat Evaluation and Rare Plant Species Community Assessment was prepared by Wetland Studies and Solutions on August 16, 2013. No endangered and threatened species or rare species were observed by WSSI; however, it is noted that there is potential habitat for the State Threatened Loggerhead Shrike in pasture areas and fencerows.

### **Airport Noise**

The subject site is located within the Ldn 60 1 mile buffer noise contour for the Washington Dulles International Airport. Plan policies state that the County will require a full disclosure statement for all new residential dwelling units to be constructed within the Ldn 60 1 mile buffer. The disclosure statement will make known in writing to all prospective purchasers that they are located within an area that will be impacted by aircraft overflights and aircraft noise. Such notification should be included in all sales contracts, brochures, and promotional documents, including the Illustrative Site Plan on display within any sales related office, as well as in homeowners' association documents, and all subdivision and site plans, and within all Deeds of conveyance (Revised General Plan, Chapter 7, Airport Noise Policies, Policy 6 & 7).

### **Analysis**

***The applicant has committed to the disclosure of noise contours per Plan policy through notations on the plats and through proffer language as well. The plat should be revised to state that the entire site falls within the noise contour.***

## **Highway Noise**

The Countywide Transportation Plan identifies Evergreen Mills Road as a major collector road. The Revised General Plan and 2010 CTP contain roadway noise policies, which are intended to protect noise-sensitive uses from roadway noise. The primary means to protect these uses is through proper design. Mitigation measures considered as part of the policies include adequate setbacks, earthen berms, wooden fences, and dense vegetation (Revised General Plan, Chapter 5, Highway Noise Policies, Policies 1 & 2, and 2010 CTP, Chapter 7, Noise Policies, Policies 1 & 4).

County policies state that all land development applications that propose land uses adjacent to any of the existing and/or proposed arterial and major collector roads will be designed to ensure that no residential or other type(s) of noise-sensitive use(s) will have Traffic Noise Impacts, which occur when the predicted traffic noise levels approach or exceed the noise abatement criteria, or when the predicted traffic noise levels substantially exceed the existing noise levels. A noise level is considered to approach the noise abatement criteria when it is 1 decibel, A-weighted (dBA) less than the noise abatement criteria for a defined use. A noise level is considered to substantially exceed existing noise levels when noise levels increase by 10 dBA or more (Countywide Transportation Plan (CTP), Chapter 7, Noise Policy 1).

### **Analysis**

***Staff recommends the applicant commit to a noise impact study prepared according to the 2010 CTP policies for noise sensitive land uses adjacent to Evergreen Mills Road. Staff further recommends a commitment to passive noise abatement measures if noise impacts are identified.***

## **Heritage Resources**

Loudoun County seeks the preservation of the County's cultural and scenic character by the conservation of archaeological sites and historic structures and their settings and the establishment of land uses compatible with historic, open space, and scenic view areas (Revised General Plan, Chapter 5, Historic and Archaeological Resources Policy 2). Additionally, all land development applications will be required to submit an archaeological and historic resources survey (Revised General Plan, Chapter 5, Historic and Archaeological Resources Policy 11).

### **Analysis**

***Analysis of the submitted Phase 1 is included in Attachment 2 of this referral. In general, staff concurs with the consultant that Sites 44LD16473-44LD1650 warrants no conservation or further archaeological investigation. Notes on the plat should be updated per the recommendations in Attachment 2. Staff would recommend additional testing of the small terraces present in the floodplain if they are proposed to be impacted by the development. Should this development project be subject to Section 106 review, the resources identified will be evaluated by the Virginia Department of Historic Resources' (VDHR) State Preservation Officer (SHPO). Accordingly, staff recommends that the applicant***

***consult with the VDHR prior to the demolition of any structures or grading of the subject properties where archaeological resources are located.***

### **UNMET HOUSING NEEDS**

The Revised General Plan housing policies recognize that unmet housing needs occur across a broad segment of the County's income spectrum *and promote* housing options for all people who live and/or work in Loudoun County (Revised General Plan Countywide Housing Policies, Chapter 2, Housing text). Unmet housing needs are defined as the lack of housing options for households earning up to 100% of the Washington Metropolitan Area Median Income (AMI) (Revised General Plan, Chapter 2, Housing, Unmet Housing Needs, Guiding Principles Policy 2). The current AMI for 2014 is \$107,000.

The County requires that land development applications proposing more than 50 dwelling units with a density greater than one dwelling unit per acre must provide a certain percentage of affordable units (ADUs) (Revised General Plan, Chapter 2, Housing Policies, Policy 8). The Loudoun County Zoning Ordinance requires 12.5% of the total number of housing units (market and ADU) to be provided as ADUs. The County's ADU program enables eligible first time homebuyers, with moderate incomes ranging from 30 to 70 percent of the AMI the opportunity to purchase newly constructed or resale ADU units. As currently proposed, thirty-nine (27) ADUs would be required. It is the Plan's intent that affordable housing be dispersed throughout the development to maximize choice and avoid the segregation of affordable units (Revised General Plan, Chapter 2, Housing Policies, Policies 2 & 3). Policies encourage a variety of housing types, sizes, and innovative designs in addition to housing options that are appropriately located to support a balanced development program (Revised General Plan, Chapter 2, Guiding Principles Policies 6 & 7).

It is noted that ADUs as required by the Zoning Ordinance only address housing needs for households with incomes between 30 and 70 percent of the AMI. The Revised General Plan states that County policies and programs will focus on housing options for households earning up to 100 percent of the Washington Metropolitan AMI. Given that the Zoning Ordinance does not require ADUs for incomes below 30 percent AMI, the largest segment of unmet housing needs in the County is for incomes below 30 percent AMI.

It is recommended that the applicant consider proffering cash contributions for affordable housing or providing additional dwelling units that addresses the full spectrum of unmet housing needs to serve 0-100% AMI households, recognizing that the largest segment of unmet housing needs is housing for incomes below 30% of the AMI. Proffered funds would be used at the discretion of the Loudoun County Board of Supervisors to further affordable housing in Loudoun County. Providing actual units rather than a cash contribution would be preferred given the County's need for affordable housing. Further, staff encourages the Applicant to consider providing a portion of the dwelling units as rental, particularly housing for incomes below 30% AMI,

and incorporating housing for special needs populations as well as universal design principles into the project.

For cash contributions specifically, staff has been in consultation with the Department of Family Services (DFS) which generally administers the County's housing programs. DFS has evaluated the County's unmet housing needs and costs to construct units to address those needs and has developed a formula to calculate appropriate cash contributions for unmet housing needs on a per unit basis accordingly. In summary, the approach takes 6.25% of proposed market rate units and multiplies that number by a reasonable public subsidy which is considered to be approximately \$30,000 ( \$90,000 is the average estimated cost to construct a multi-family affordable rental unit). This yields a total contribution amount. That amount is then divided by the total number of market rate units in the project to identify a per unit cash contribution. As currently proposed with 189 market rate units, the applicant would be anticipated to provide a cash contribution of \$354,375 or \$1875.00 per unit:

$$\begin{aligned} 189 \text{ market rate units} \times 6.25\% &= 11.81 \\ 11.81 \times \$30,000 &= \$354,375 \\ \$354,375 \div 270 &= \$1,875.00 \text{ per unit} \end{aligned}$$

**Analysis:**

***Staff notes that County policies generally do not support this rezoning as proposed. However, should the application move forward, staff requests the applicant provide information describing how it complies with the Revised General Plan Housing Policies and how unmet housing needs will be addressed. The applicant is encouraged to provide proffers that address the full spectrum of housing needs for incomes up to 100% of the Washington Metropolitan Area Median Income. Staff recommends proffering units to address unmet housing needs or proffering cash contributions to an affordable housing fund. Staff notes that a cash contribution of \$354,375 or \$1875.00 per unit would represent an appropriate cash contribution for this project if units are not provided. The applicant has submitted proffers for \$500.00 per unit which falls short of the anticipated contribution.***

**CAPITAL FACILITIES**

A central objective of the Revised General Plan is one of balancing business and residential uses to promote an effective fiscal policy (Revised General Plan, Chapter 3, Fiscal Planning and Budgeting Policies 1 and 2). The proposed project would introduce residential development above and beyond what was previously envisioned by the Plan and places demands on the County to provide additional services for future residents.

Under the Revised General Plan, all residential rezoning requests will be evaluated in accordance with the Capital Facility guidelines and policies of the Plan (Revised General Plan, Chapter 3, Proffer 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, Chapter 11, Capital

*Facilities Guideline 1*). The base density is defined as 1.0 dwelling unit per acre or a base density equivalent to the density requirements contained in the existing zoning district regulations applicable to the property and in effect at the time of application, whichever is lower (Revised General Plan, Chapter 11, Implementation, Proffer Guidelines).

The project will result in a financial impact on the County associated with schools and other services that would not be fully mitigated by the adopted Capital Intensity Factors (CIF). The applicant is expected to provide a capital contribution consistent with the CIF to reduce the impacts to the county. The Board of Supervisors' adopted CIF for single-family detached units in the central portion of the County is \$49,734 per unit and \$33,303 per single-family attached unit.

The Applicant has not addressed the total projected capital facilities impact of \$10,742,544 anticipated to result from the proposed project. Assuming development of 216 units with 27 ADUs (171 units above base zoning) results in a total anticipated Capital Facilities contribution of \$7,167,664 (see Attachment 1). Further, the capital facilities contribution does not account for the operational costs such as the Loudoun County Public Schools \$11,595 per student annual costs (Fiscal Year 2013).

### **Analysis**

***The total projected capital facilities impact for the proposed development of 216 single-family detached dwellings is estimated to be \$10,742,544 (see Attachment 1). The applicant has submitted draft proffers to address capital facilities impacts. Staff recommends commitments to those proffers if the application moves forward.***

### **SUMMARY RECOMMENDATION**

Staff is unable to support the application, as it is not consistent with the land use policies of the Revised General Plan. The proposed 216 dwelling units and increased density exceed recommendations set forth in County policies. Staff also notes that the proposed development does not conform to cluster development policies of the Revised General Plan. Outstanding issues associated with the project include excessive densities, design, environmental protection, unmet housing needs, and capital facilities impacts. Given the overarching density issue associated with the project, staff cannot support rezoning of the subject site.

Staff is available to meet with the applicant to discuss these issues.

cc: Julie Pastor, AICP, Planning Director  
Cindy Keegan, AICP, Community Planning, Program Manager

#### Attachments:

1. Capital Facilities Impact Analysis
2. Heritage Resources Review