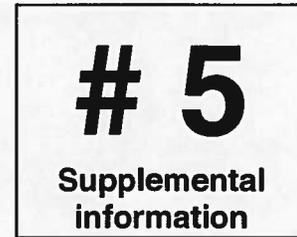


DEPARTMENT OF PLANNING
STAFF REPORT



BOARD OF SUPERVISORS PUBLIC HEARING

DATE OF HEARING: May 10, 2010

ZRTD 2009-0003, Steeplechase Sportsplex

DECISION DEADLINE: December 16, 2010

ELECTION DISTRICT: Potomac PROJECT PLANNER: Ginny Rowen

EXECUTIVE SUMMARY

Steeplechase Sportsplex, LLC of Silver Spring, Maryland has submitted an application to rezone approximately 13.9 acres from the PD-IP (Planned Development – Industrial Park) zoning district under the 1972 Zoning Ordinance to the PD-IP (Planned Development – Industrial Park) zoning district under the Revised 1993 Zoning Ordinance. Although there are no specific site changes anticipated at this time, approval of the application would allow the development of all principal and accessory uses permitted under the Revised 1993 Zoning Ordinance. The property is located within the Route 28 Taxing District. The property is located on the south side of Atlantic Boulevard, east of Route 28 at 21610 Atlantic Boulevard in Sterling, Virginia. The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Sterling Community)), which designate this area for Keynote Employment development and which recommend a Floor Area Ratio (FAR) up to 1.0.

This report provides updated information related to the Planning Commission review and recommendation for this application.

RECOMMENDATIONS

The Planning Commission voted 9-0 to forward the application to the Board of Supervisors with a recommendation of approval. Staff recommends approval of the application.

SUGGESTED MOTIONS

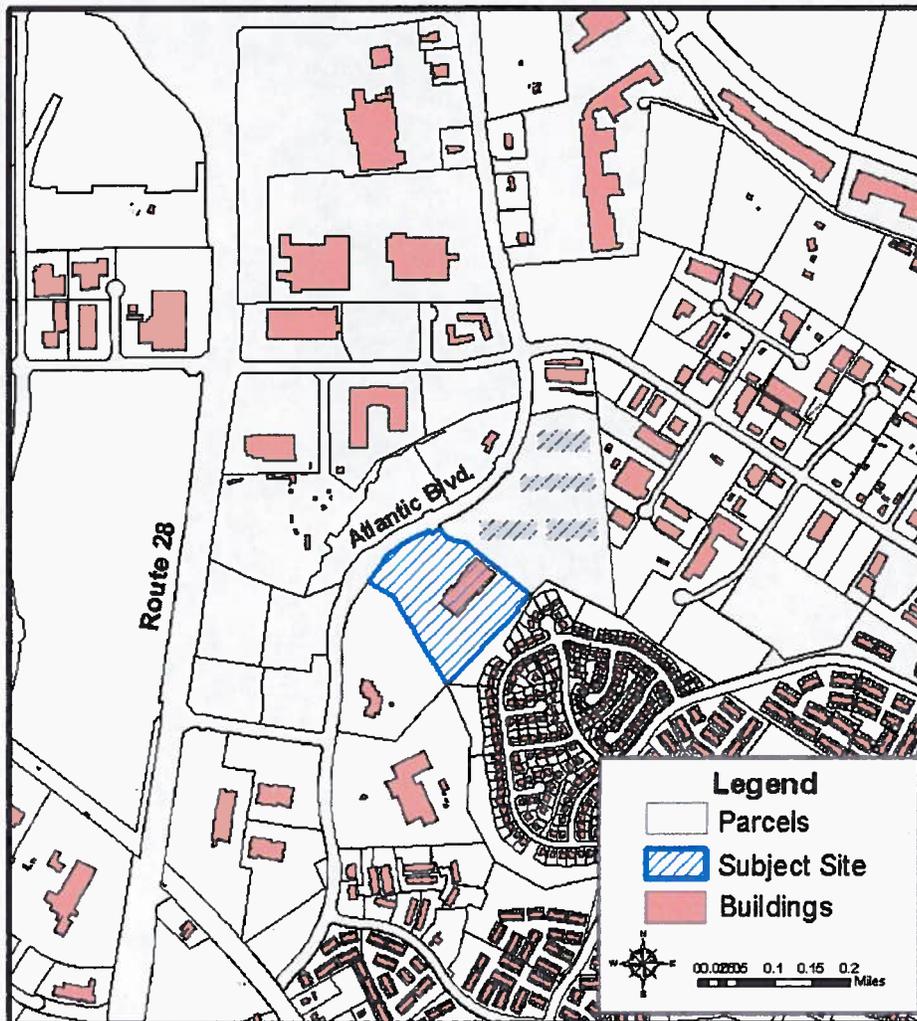
1. I move that the Board of Supervisors forward ZRTD 2009-0003, Steeplechase Sportsplex, to a June 1, 2010 Board business meeting for action. OR
2. I move that the Board of Supervisors suspend the rules; AND

I further move that the Board of Supervisors approve ZRTD 2009-0003, Steeplechase Sportsplex, subject to the Proffers dated April 6, 2010, and with the Findings contained in the May 10, 2010 Staff Report.

3. I move an alternate motion.

VICINITY MAP

Directions from Leesburg: Proceed east on Route 7 to the Dulles Town Center exit (Atlantic Boulevard) and proceed south (past the Mall) to the subject site on the left side of the road, south of Severn Way.



SUMMARY OF DISCUSSION

Topic Area	Issues Examined and Status
Comprehensive Plan	<ul style="list-style-type: none"> • Conformance with Keynote Employment policies. Approved special exception for indoor recreational establishment. Proposal complies with the <u>Revised General Plan</u> land use policies, which support the conversion to the current zoning regulations. Status: no outstanding issues
Zoning	<ul style="list-style-type: none"> • Approval to permit the development of all permitted and accessory uses listed in the <u>Revised 1993 Zoning Ordinance</u> for PD-IP zoning districts. Status: no outstanding issues • Minor revisions to the CDP and Proffers in accordance with staff recommendations. Status: no outstanding issues
Transportation	<ul style="list-style-type: none"> • Streamlined review process for zoning conversions adopted by Board of Supervisors in the Route 28 Taxing District. Surrounding road network operating at acceptable levels of service. Status: no outstanding issues

Proffers – The applicant has submitted a Proffer Statement that has been reviewed and approved by the County. The applicant will be able to develop any permitted uses in the PD-IP zoning district on the subject site.

Applicable Policy or Ordinance Section
<u>Revised General Plan</u>
Chapter 4, Economic Development Policy 14
<u>Revised Countywide Transportation Plan (CTP)</u>
<u>Revised 1993 Zoning Ordinance</u> – PD-IP (Industrial Park) Section 4-500

PLANNING COMMISSION REVIEW AND RECOMMENDATION

The Planning Commission reviewed the application at the April 28, 2010 public hearing. No one from the public spoke and there were no questions from the Planning Commission. The Commission voted unanimously (9-0) to forward the application to the Board of Supervisors with a recommendation of approval. Staff has attached a copy of the signed Proffers which have been approved to legal form. There are no issues identified with this application.

FINDINGS

1. The conversion of this property to the Revised 1993 Zoning Ordinance would be more consistent with the land use policies contained in the Revised General Plan.
2. Revised General Plan policies recommend the development of regional office, research and development uses and accessory commercial uses.
3. Office use is permitted by-right in PD-IP zoning districts under the provisions of the Revised 1993 Zoning Ordinance.
4. The application conforms to the policies contained in the Revised General Plan.
5. The proposed rezoning complies with the requirements of the Revised 1993 Zoning Ordinance.

Summary of Outstanding Issues

There are no outstanding issues with this application. A full analysis of the application was included in the Planning Commission Public Hearing Staff Report that was previously distributed to Board. No changes have been made to the application since publication of that report.

Attachment

Signed Proffer Statement dated April 6, 2010

PROFFER STATEMENT

**ZRTD 2009-0003
Steeplechase Sportsplex, LLC**

**March 10, 2010
March 24, 2010
April 6, 2010**



Steeplechase Sportsplex, LLC, the Owner of the property described as Steeplechase Section 2, Lot 12A, and designated as Loudoun County Tax Map Number 80 ((20)) Parcel 12 (MCPI #031-46-0125), (the "Applicant"), on behalf of itself and its successors in interest, hereby voluntarily proffers that in the event that the above referenced parcel (the "Property") is rezoned by the Loudoun County Board of Supervisors (herein after referred to as "the County") to the Planned Development Industrial Park ("PD-IP") zoning district administered under the Revised 1993 Zoning Ordinance, as substantially set forth in the Concept Plan described below dated October 27, 2009, revised through March 31, 2010, and further described in its application ZRTD 2009-0003, 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. These proffer conditions are the only conditions offered on this rezoning application, provided that the proffers of this application, ZRTD 2009-0003, shall become effective only upon final approval of the Zoning Map Amendment application ZRTD 2009-0003 submitted by the Applicant. Notwithstanding the foregoing and regardless of whether this application is approved, Applicant acknowledges and agrees that the prior development conditions applicable to the Property, approved with SPEX 2002-0029 (Steeplechase Sportsplex) dated March 14, 2003 are hereby reaffirmed and shall remain in force and effect in any event.

1. **CONCEPT PLAN**

The development of the Property shall be in substantial conformance with Sheet 2 of 2 of the plan set entitled "Steeplechase Sportsplex ZRTD 2009-0003 Zoning Conversion from 1972 Zoning Ordinance to Revised 1993 Zoning Ordinance" dated October 27, 2009, revised through March 31, 2010, prepared by Bowman Consulting Group, Ltd., and incorporated herein by reference as Exhibit

A. The said Sheet 2 is more specifically identified as Sheet 2 of 2 – “Concept Plan.” Sheet 2 of 2 shall control the general development, layout and configuration of the Property, provided that all requirements and use limitations of the PD-IP zoning district of the Revised 1993 Zoning Ordinance must be complied with and will take precedence over the Concept Plan.

The undersigned hereby warrants that all the owners of any legal interest of the Property have signed the foregoing proffer statement, that no signature from any third party is necessary for these Proffers to be binding and enforceable in accordance with their terms, that he/she has full authority to bind the Property to these conditions, either individually or jointly with the other owners attaching their signatures hereto, and that the foregoing proffers are entered into voluntarily.

STEEPLECHASE SPORTSPLEX, LLC by

Signature: Barry Gudelsky [SEAL]
Name: BARRY GUDELSKY
Title: MANAGING MEMBER
Date: 4/8/10

County of Loudoun, Commonwealth of Virginia

I, the undersigned notary public, in and for the state and city/county aforesaid, do hereby certify that Barry Gudelsky, whose name is signed to the foregoing instrument, has acknowledged the same before me.

Subscribed and sworn to before me this 8th day of April, 2010.

My Commission Expires:

8-14-11

Alexi Barry
Notary Public

Notary Registration #: _____