From: Cynthia Keegan
To: Armstrong, Van
Date: 8/22/2008 1:42 PM
Subject: ZCPA 2008-0001, BRMC/HCA

Van,
Staff has reviewed the applicant's response to the Community Planning referral dated July 28, 2008 and finds that all issues raised have been sufficiently addressed. Staff recommends approval of the application with conditions.

If you have any questions, please do not hesitate to contact me.
Cindy

Cynthia L. Keegan, AICP
Program Manager, Community Planning
Loudoun County
1 Harrison St. S.E.
3rd Floor
Leesburg, Virginia 20177
(703) 777-0246
ckeegan@loudoun.gov

County of Loudoun

Department of Planning

MEMORANDUM

DATE: July 28, 2008

TO: Van Armstrong, AICP, Project Manager
Land Use Review

FROM: Cynthia L. Keegan, AICP, Program Manager
Community Planning

SUBJECT: ZCPA 2008-0001, ZCPA 2008-0002, SPEX 2002-0028
Broadlands Regional Medical Center

BACKGROUND

Women's Hospital Indianapolis, L.P and Northern Virginia Community Hospital, L.L.C. of Nashville, Tennessee have submitted applications to amend the concept plans and proffers approved with Broadlands Sections 100 and 102 (ZMAP 1995-0003, ZCPA 1994-0005 and ZCPA 1997-0004), and Fallen Willow Farm (ZMAP 1999-0009), and an application for a Special Exception, to develop a 475,000 (maximum) square foot, 164 bed, acute care Hospital on approximately 57.7 acres.

The site for the proposed Broadlands Regional Medical Center is located to the south and east of the intersection of the Dulles Greenway (Route 267) and Belmont Ridge Road (Route 659) (See Vicinity Map below). The subject property is a part of the Broadlands Community and is approved for Office/Business uses.

Up to 400,000 square feet of medical care facilities are also proposed within the project. The medical office buildings are permitted uses in the PD-OP district and as such are not subject to this application other than to acknowledge their location and phasing within the project. The subject of this special exception is the hospital, which is a special exception use in the PD-OP district under the Revised 1993 Zoning Ordinance.

At the time this application was submitted a portion of the property subject to the Special Exception application was zoned PD-H3 (Planned Development – Housing), administered as PD-OP (Planned Development – Office Park) under the 1972 Zoning Ordinance (Broadlands portion), and the remaining portion was zoned PD-OP under the Revised 1993 Zoning Ordinance (Fallen Willow Farm portion). The Broadlands portion of this site is no longer governed by the 1972 Zoning Ordinance as of June 16, 2008. The property is now governed by the 1993 Revised Zoning Ordinance.

A2

ANALYSIS

Land Use

The Revised General Plan envisions institutional uses as part of Business Community development. The Board of Supervisors adopted a comprehensive plan amendment on March 8, 2005 establishing Countywide health care facilities policies *(CPAM 2004-0017, Countywide Healthcare Facilities Plan)*. The policies provide guidance for the appropriate location and type of health care facilities throughout the County *(Revised General Plan, Chapter 2, pg. 2-25)*. The policies promote high quality facilities, appropriate access to and improved distribution of health care services throughout the County, and encourages the location of health care facilities in those areas that have been identified as underserved such as the Route 50 corridor and rural towns and communities.

More specifically, Plan policies state that in addition to the State regulations concerning the location of health care facilities, the County will also consider the following (*Chapter 2, Countywide Health Care Facilities Policies, Policy 3*):

- the area, population, topography, highway facilities and availability of the services to be provided by the project in the particular part of the health service area in which the project is proposed, the distinct and unique geographic, socioeconomic, cultural, and transportation characteristics of the area to be served, and barriers to access to care;

- compatibility of any proposed large-scale hospital facility with other uses in the vicinity, particularly the impact on existing, stable residential neighborhoods; and,

- availability of sufficient acreage to permit the development and future expansion of the proposed health care facility and healthcare-related businesses on the site as well as the potential adverse impact such expansion would have upon existing or planned neighborhoods adjacent to the areas of potential expansion.

The first bullet of Policy 3 referenced above includes and acknowledges the criteria of the State for Certificate of Public Need (COPN) approvals. Characteristics of the area and population, etc. have been addressed in the applicant's proposal, which as a Medical Center, provides an aggregation of services physically central to the population density within the County. Medical Centers of this scale typically encompass a market area that extends beyond jurisdictional boundaries of the county in which located. On May 13, 2005 the Virginia State Health Commissioner re-issued an approval of the COPN for the proposed Broadlands Regional Medical Center.

The Broadlands Regional Medical Center is intended to serve a large region offering specialized services. The facility will consolidate and replace two older hospitals in the region – Northern Virginia Community Hospital in Arlington County and Dominion Hospital in Falls Church. The applicant believes that the proposed location of the

Policy 14 encourages the dispersal of health care facilities and sites that support regional disaster planning efforts. Although overall dispersal of hospitals is considered on a regional basis through the State COPN process, the proximity of the proposed Broadlands hospital to the existing Loudoun Hospital Center should be considered in relation to this policy. Staff notes that these two hospitals are separated by a four-mile distance and rely on separate east-west major arterials for access thereby establishing a form of location dispersal. They also front on different north –south roads (though access to both in the immediate future will be more from Claiborne Parkway).

The proposed Regional Medical Center in Broadlands is in conformance with the service and location criteria of the Countywide Health Care Facilities Plan Policies given the regional nature of medical centers as specified in the County's adopted land use policies for health care facilities. The location is central to the population of the regional service area and provides additional medical care service choices. The proposed location also provides rapid access to western Loudoun. While County policy states that consideration should be given for locating a full-service hospital near the Route 50 corridor, State and County approvals are not in place to consider such an option at this time. Until improved access into the Dulles South community is available, the regional function of a full service hospital may not be realized. Such improvements are underway and could increase the potential for a hospital in the Route 50 corridor in the future. Approval of this facility would not preclude consideration of other proposals for medical facilities in the Route 50 corridor, Leesburg or other underserved areas.

Green Infrastructure

The Revised General Plan defines the identification, preservation and enhancement of the various elements of the County's Green Infrastructure as the underlying principle of conservation design. The County recognizes its Green Infrastructure as a collection of natural, cultural, heritage, environmental, protected, passive and active resources that will be integrated in a related system. "It includes major rivers, stream corridors, floodplains and wetlands; lakes; reservoirs and impoundments; limestone conglomerate, mineral resources and prime agricultural soils; steep slopes; ridges and mountainsides; protected forests and vegetative landscapes; wildlife and endangered species habitats; heritage resources; scenic corridors, parks, greenways, trails and recreational facilities" *(Revised General Plan, Policy 1, pg. 5-2).*

The Green Infrastructure elements found on the subject site include forests, trees and natural vegetation, stream channels and historic and archaeological resources.

1. Trees

The property contains a substantial amount of wooded vegetation. Commitment to providing tree save areas particularly in the mature mixed hardwoods section of the site to protect the forested areas and enhance buffering from the existing residents of Broadlands to the south should be included. The applicant has indicated that grading

Plan Policies of the Revised General Plan given the regional nature of such medical centers. Its location is central to the population of the regional service area with good access to other parts of the County and provides an additional choice in medical care services.

Staff recommends the applicant address issues raised above regarding tree preservation and low-impact development techniques.

cc: Julie Pastor, AICP, Director, Planning

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: September 24, 2008

TO: Van Armstrong, Project Manager, Department of Planning

FROM: Todd Taylor, Environmental Engineer

THROUGH: Gary Clare, Chief Engineer
William Marsh, Environmental Review Team Leader

CC: Cynthia Keegan, Community Planner
Michelle Lohr, Zoning Planner
Najib Salehi, Office of Capital Construction

SUBJECT: ZCPA-2008-0001, ZCPA-2008-0002, & SPEX-2008-0028
Broadlands Regional Medical Center / HCA
(3rd Submission)

The Environmental Review Team (ERT) has reviewed the revised application and offers the following comments.

Regarding green building practices

1. To improve energy efficiency, staff recommends a condition of approval requiring a revolving door at the main entrance of the hospital.

2. Staff recommends updating Condition 11 to state that window treatments shall also minimize penetration of ultraviolet rays for energy efficiency purposes.

3. Staff recommends updating Condition 13 to reference flat lens lighting, which is consistent with the remainder of the condition. Flat lens lighting can be a variety of lightening technologies, including light emitting diodes (LED) lighting.

4. Staff recommends removing the phrase "or similar professional" from Condition 19.

5. Staff recommends that the applicant consider the following general recommendations: 1) utilizing motion sensors to activate lighting; and 2) contacting Dominion Virginia for determining eligibility for a pilot program that may half the cost of a back up generator. The pilot programs are described at http://www.dom.com/customer/efficiency/programs.jsp. Additional information can

also be provided by contacting Najib Salehi in the Office of Capital Construction at najib.salehi@loudoun.gov or (703) 737-8442.

General comments

6. As previously requested, please provide a copy of the following wetland permits for staff to review, which are referenced in Note 26 on Sheet 1: U.S. Army Corps of Engineers Permit 97-B0546, dated April 8, 2003 and Virginia Department of Environmental Quality Individual Permit 94-1178, dated May 23, 2003. Verifying proper permit compliance is key to evaluating Policy 23 on Page 5-11 of the Revised General Plan which states that "the County will support the federal goal of no net loss to wetlands in the County."

7. Staff recommends adding the phrase "or a safety hazard" to the end of the second sentence in the second paragraph of Condition 17.

8. Correct the spelling of the word "The" at the beginning of the second sentence in Condition 2.

Please contact me if you need any additional information.

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: July 17, 2008

TO: Van Armstrong, Project Manager, Department of Planning

FROM: Todd Taylor, Environmental Engineer

THROUGH: William Marsh, Environmental Review Team Leader

CC: Kelly Williams, Community Planner

SUBJECT: ZCPA-2008-0001, ZCPA-2008-0002, & SPEX-2002-0030
Broadlands Regional Medical Center / HCA

The Environmental Review Team (ERT) reviewed the subject application during the June 24, 2008, ERT Meeting, and visited the site on July 15, 2008. Our comments pertaining to the current application are as follows:

Regarding wetlands

1. Provide a note(s) on Sheet 1 describing the jurisdictional determination and wetland permit status for the subject property. The note(s) should be an updated version of notes K and J on the Environmental and Cultural Resource Existing Conditions Plat, dated October 2002, provided with the initial special exception application submittal materials.

2. Staff encourages preservation of jurisdictional waters and wetlands on site due to the water quality and ecological benefits they provide. The proposed layout will result in impacts to the majority of the jurisdictional waters and wetlands present on site. Staff recommends that the layout be revised to avoid and minimize impacts, consistent with River and Stream Corridor Resource Policies 1 and 11 in Chapter 5 of the Revised General Plan (RGP) (Pages 5-6 and 5-9).

3. Staff emphasizes the importance of mitigating wetland and stream impacts close to the impact area to help maintain water quality and flood protection functions, as well as habitat. As such, for any necessary mitigation, staff recommends a condition of approval prioritizing mitigation as follows: 1) onsite, 2) within the Broad Run Watershed within the same Planning Policy Area, 3) within the Broad Run Watershed outside the Planning Policy Area, and 4) Loudoun County, subject to approval by the U.S. Army Corps of Engineers (Corps) and the Virginia Department of

Environmental Quality (DEQ). This approach is consistent with Policy 23 on Page 5-11 of the RGP which states that "the County will support the federal goal of no net loss to wetlands in the County." Furthermore, the County's strategy is to protect its existing green infrastructure elements and to recapture elements where possible [RGP, Page 6-8, Green Infrastructure Text].

Regarding tree cover

4. To facilitate staff's review, please depict the extent of forest cover types and specimen tree locations on a plan sheet with the proposed development layout.

5. The best tree cover, which consists of mixed hardwoods, is located in the central portion of the property and will be eliminated as part of the development proposal. The application includes 2 tree save areas along Broadlands Boulevard that consist of less desirable species such as Virginia pine. During the site visit it was noted that numerous Virginia pine trees had already fallen or were leaning, which is due to the species' susceptibility to windthrow (see attached Photo 1). Staff is concerned that once trees around the proposed tree save areas are removed, trees will be further exposed and windthrow will be accelerated, resulting in unattractive tree save areas. As such, staff recommends that the applicant commit to the following:

   - Within the proposed tree save areas, remove trees with high susceptibility to windthrow, based on recommendations from a certified arborist.

   - To provide a screening component, supplement the remaining trees (wind firm trees) within the tree save areas with 6-foot evergreen trees at a minimum density of 250 trees per acre (approximately a 13-foot by 13-foot spacing).

   - Reforest the area between the internal loop road and the western tree save area using 3-gallon containerized native deciduous plant material, at a minimum density of 220 trees per acre (approximately a 14-foot by 14-foot spacing). It is staff's understanding that tree preservation was not considered in this area due to the grading required for construction of the loop road. Once grading is completed, staff believes that the area provides in excellent opportunity to recapture deciduous vegetation that will be eliminated with this application.

   - Provide a tree conservation/reforestation plan to the County for review and approval prior to first site pan approval.

6. Staff recommends adjusting the layout to accommodate specimen tree preservation. For example, preservation of specimen trees 6, 7, and 8, which are mature white oak trees with diameter at breast height (DBH) ranging from 27 to 34 inches, becomes possible if the proposed parking is shifted farther northeast. The parking alignment should also account for the preservation of specimen trees 3 and 4, which are Southern Red Oak with a 27.5-inch DBH and swamp white oak with a 28.3-inch DBH, respectively. Some of the specimen trees described above can be seen in

attached photos 2 and 3. Preservation of other specimen trees should also be considered. Staff believes that preserving specimen trees will be an asset to the medical campus.

Regarding water quality

7. Staff requests information regarding how the proposed development will meet stormwater management (SWM) quantity requirements in Chapter 5 of the Facilities Standards Manual (FSM). During the site visit the following were noted: 1) several stretches of stream channel downstream of the subject site have not been channelized to handle higher stormwater runoff peak flows; and 2) the existing wet pond located east of the Loudoun County Public Schools building does not have sediment forebays. These conditions suggest that the applicant needs to account for stormwater quality and quantity on site to meet current FSM and ordinance requirements.

8. Proposed Special Exception Condition 2 requires low impact development (LID) features to be incorporated into the project at locations specified on the special exception plat. Staff recommends that the condition be adjusted to specify that the selected LID measures must achieve at least a 50 percent phosphorus removal efficiency as described in Table 2-3 in the Virginia Stormwater Management Handbook and may not be a manufactured best management practice (BMP).

9. The last sentence in note 25 on Sheet 1 states that the applicant is not required to substitute or replace LID measures that are removed as part of construction of the Phase 2 parking structure. To ensure water quality protection, staff recommends that this sentence be removed or modified to state that equivalent water quality treatment will be provided.

Regarding Green Building Practices

10. Staff acknowledges the provided list of green initiatives that were incorporated into the Spotsylvania Regional Medical Center project. Staff encourages a commitment in the design of the proposed structures to meet Leadership in Energy and Environmental Design (LEED) standards, as supported by the United States Green Building Council. With the second submittal, please include a LEED for New Construction score sheet to indicate design commitments to site sustainability, water efficiency, energy and atmosphere, indoor air quality, efficient materials and resources use, and innovative design that will be incorporated into this project.

    LEED recognizes site sustainability, conservation of energy and water, and indoor air quality, among other goals. The Revised General Plan also encourages these goals in the General Water Policies supporting long-term water conservation (Policy 1, Page 2-20); the Solid Waste Management Policies supporting waste reduction, reuse, and recycling (Policy 2, Page 2-23); and the Air Quality Policies supporting the creation of pedestrian and bicycle facilities (Policy 1, Page 5-41). Furthermore, the County encourages project designs that ensure long-term environmental and economic

sustainability, as discussed in the Suburban Policy Area, Land Use and Pattern Design text (Page 6-2). As of April 15, 2008, the Board of Supervisors also endorsed LEED as the preferred green building rating system for commercial construction and recommended the "COG Regional Green Standard" for private development, as described on pages 11-12 of "Greening the Washington Metropolitan Region's Built Environment", available at http://www.mwcog.org/environment/greenbuilding/.

Due to the scope of the comments provided, staff requests an opportunity to review the subsequent submission of this application. Please contact me if you need any additional information.

Photo 1: Fallen/leaning Virginia pine in proposed tree save area.

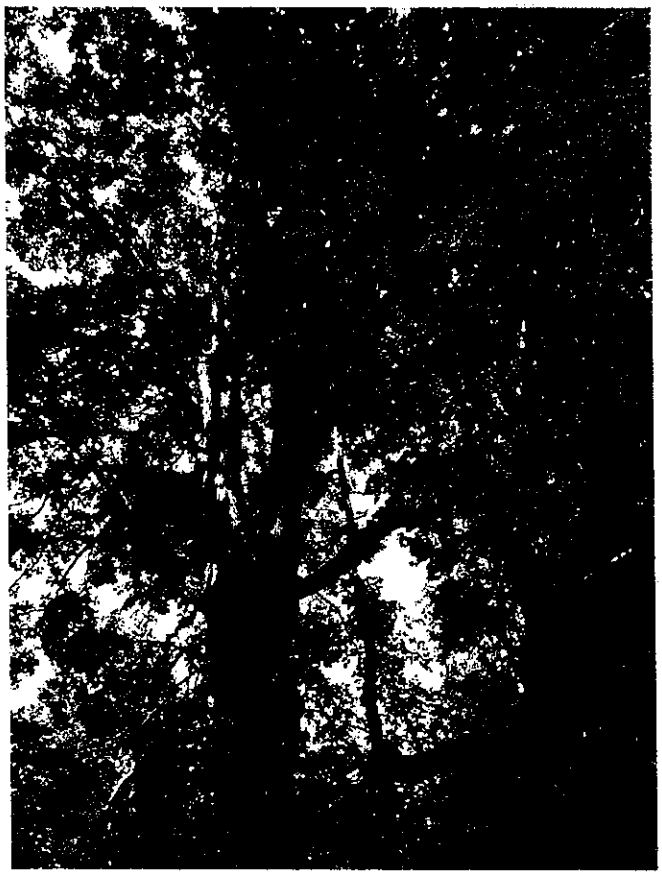

Photo 2: Specimen Tree #4: Swamp White Oak
(38-inch DBH)

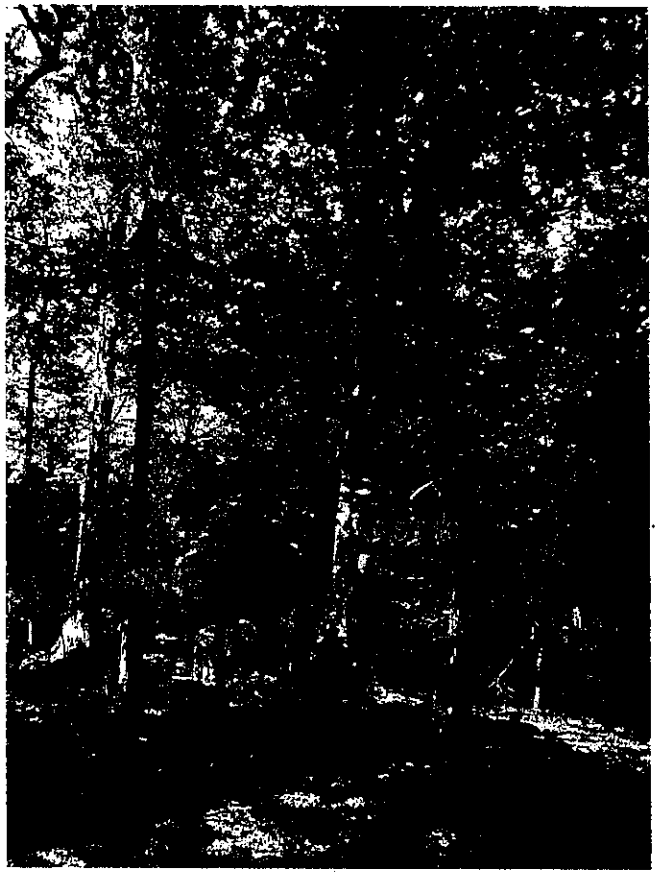

Photo 3: Specimen Trees #7 - White Oak (27-inch DBH) and #8 - White Oak (34-inch DBH)

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: July 17, 2008

TO: Van Armstrong, Project Manager

FROM: Michael Clem, Environmental Review Team Archaeologist

SUBJECT: ZCPA 2008-0001, ZCPA 2008-0002, SPEX 2008-0028 Broadlands Regional Medical Center / HCA

Staff has reviewed the Phase I and Phase II archaeological reports for the subject property prepared by Engineering Science in 1994 and the Phase I report prepared by Thunderbird Archeological Associates in 2002.

The Engineering Science study area encompassed some 1500 acres of land in the vicinity of the proposed medical center project area. Multiple new archaeological sites were identified as a result of the Phase I survey, however none were identified in the current project area. The Thunderbird study was limited to the northern portion of parcel 154-19-9491. No new sites were identified as a result of that survey. Several extant structures were identified within the property by both studies but none were considered eligible for listing on the National Register of Historic Places. No further work was recommended by either firm.

Recommendation

Staff concurs with the finding of the reports and agrees that no further archaeological work is warranted for the subject property. The areas that have not been tested were examined by staff. Those areas offer a low probability for cultural resources to be identified due to poor soil conditions, lack of water, and terrain.

A12

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

ZONING ADMINISTRATION 3rd REFERRAL

DATE: October 7, 2008

TO: Van Armstrong, Project Manager, Department of Planning

FROM: Michelle M. Lohr, Planner, Zoning Administration

CASE NUMBER: ZCPA 2008-0001
Portion of Broadlands Section 100 and 102
Women's Hospital Indianapolis, L.P. and Northern Virginia Community Hospital, L.L.C.

TAX MAP / PARCEL NUMBER: /78////////49/ (154-19-9491)

Zoning Administration has reviewed the third submittal of the above-referenced **Zoning Concept Plan Amendment (ZCPA)** application consisting of (1) Zoning Concept Development Plan Amendment dated March 2008, revised through 9/3/08 and (2) Proffer Statement dated April 2, 2008, revised September 4, 2008 for conformance with the applicable requirements of the Revised 1993 Loudoun County Zoning Ordinance and has the following comments.

I. PLAT COMMENTS:

A. Cover Sheet. Note #1. Verify reference to FOD and delete if not accurate. County records do not indicate that the subject parcel is within the FOD.

II. PROFFER STATEMENT:

In general it is recommended that conditions related to companion SPEX 2008-0028 be removed from the proffers and included only in the Special Exception Conditions.

A. *Proffer I.1. 2nd line.* It is recommended that the title of the Plans referenced be clarified. The plan set is entitled "Zoning Concept Plan Amendment" within which there is a "Concept Plan" on Sheets 4 and 5.

B. *Proffer I.1. 3rd line.* It is recommended to revise the date of the plans to March 2008.

C. *Proffer I.1. 4th line.* To correctly identify the plans, it is recommended to insert, after "2008", "entitled "Zoning Concept Plan Amendment ZCPA 2008-0001 for a Portion of Broadlands Sections 100 and 102, consisting of Sheets 1 through 5", or is it just Sheets 4 and 5 that are being proffered?

D. *Proffer I.1.B.8th line.* It is recommended to delete "ZMOD" and replace with "Zoning Ordinance Modifications" as ZMOD is a specific application type.

E. *Proffer I.1.B.i. 5th line.* As by-right uses are permitted, is language beginning with "provided" and continuing to the end of the sentence necessary?

F. *Proffer I.1.B.i. lines.10-12.* It is recommended to delete "total Gross Floor Area of development for the lot on which the Medical Campus is located shall not exceed .40 FAR" and replace with "floor area ratio (FAR) shall not exceed 0.40 FAR."

G. *Proffers I.1.B.i. 2nd line. I.1.B.D. 2nd line. I.1.E. 2nd line. V.D.49.a. 2nd line.* Why is "0028" crossed out and replaced by "0028"?

H. P*roffer I.1.D. 2nd line.* It is recommend to state "...(ii) the Developer elects to pursue development of the Medical Campus approved under SPEX 2008-0028, then the Developer shall provide parking for the Medical Campus <u>in accordance with the conditions of SPEX 2008-0028."</u> It is recommended that the particulars regarding the parking in *i.* and *ii.* be moved to the Special Exception conditions.

I. *Proffer I.1.E. 8th line.* The 3.8676 portion of the Property is not identified as Part 2 of Parcel 49 on the special exception plat. It is recommended that either the Special Exception Plat or the reference in the proffer be amended.

J. *Proffer I.1.E. 16th line.* It is recommended that "parcel" be deleted and replaced with "portion of the Property".

K. *Proffer I.*1.F. It is recommended that discussion of the Emergency Access Road be limited to the Special Exception Conditions and deleted from the proffers as it is not necessary if included in the Special Exception Conditions.

L. P*roffer I.1.F. 4th line.* Check spelling of Virginia and capitalization of Department.

M. *Proffer I.I.G.* It is recommended that this proffer be deleted and included as a condition of SPEX 2008-0028 as it is only related to the Special Exception application.

N. *Proffer V.D.49.* It is recommended that this proffer be deleted and included as a condition of SPEX 2008-0028 as it is only related to the Special Exception application.

III. SECTION 6-1504 MODIFICATIONS

A. **SECTION 4-306(A) Lot Coverage.** permits a maximum lot coverage of .40. The Developer requests a modification of Section 4-306(A) to permit the lot coverage for the Property to be measured based on the overall coverage of the larger, subdivided parcel of which the Property is a part, rather than the zoning district boundaries separating the PDH (PD-OP) and PD-OP zoning districts, provided the overall lot coverage for the larger, 57.734-acre parcel does not exceed a ratio of 0.40.
   1. Staff does not object to this modification request as the maximum lot coverage for the lot itself will not exceed .40, thus measuring the lot coverage based on the lot boundaries is reasonable.

B. **SECTIONS 4-109(E) Height limitations at edges of PD-H districts states that the maximum height is based on an imaginary plane leading inward from the district boundary. Section 4-306(B) Building Height states that the maximum height in PD-OP is 45 feet with additional height permitted with additional setback.** These modifications request to permit measurement of building height from the property line rather than from the district line.
   1. Staff does not object to this modification request as it is reasonable to measure the height maximum from the lot line rather than the district line that bifurcates the

subject property.

C. **SECTION 4-110(B) Access to Public Streets.** The request is to permit secondary access to the property from Education Court, a private street serving multiple parcels in the commercial land bays 100, 102 and 104 of Broadlands and Fallen Willow Farm (ZCPA 2008-0002).
   1. As the parcel proposes access from Broadlands Boulevard (public street) and access for emergency vehicles from Belmont Ridge Road (public street) in addition to the access from Education Court (private street), staff does not object to this modification request.

D. **SECTIONS 4-109(D), 4-305(B)(2) AND 5-1406(E)(2) REGARDING BUFFER ALONG ROUTE 659.** The request is to substitute the buffer proffered as part of ZCPA 1997-0004 in lieu of the Type 3 buffer required along Route 659/Belmont Ridge Road.
   1. It is noted that Section 4-109(D) requires the minimum Type 3 buffer to be in permanent open space. If the modification does not address the permanent open space issue, the applicant will be required to provide the buffer in permanent open space in conjunction with subsequent site plan(s) associated with the property.
   2. Staff does not object to this modification request, as the proffered buffer provides a more effective screening than the Type 3 buffer required by the ordinance.

IV.RECOMMENDATION

It is requested that the proffers be revised to address the comments outlined in this referral. Zoning staff is willing to meet with the applicant to review these issues, clarify any questions raised by the applicant, and welcomes the opportunity to review subsequent submissions.

Copy: Marilee L. Seigfried, Deputy Zoning Administrator

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

ZONING ADMINISTRATION 3rd REFERRAL

DATE: October 7, 2008

TO: Van Armstrong, Project Manager, Department of Planning

FROM: Michelle M. Lohr, Planner, Zoning Administration

CASE NUMBER: ZCPA 2008-0002
Fallen Willow Farms/Broadlands Regional Medical Center
Women's Hospital Indianapolis, L.P. and Northern Virginia Community Hospital, L.L.C.

TAX MAP / PARCEL NUMBER: /78////////49/ (154-19-9491)

Zoning Administration has reviewed the third submittal of the above-referenced **Zoning Concept Plan Amendment (ZCPA)** application consisting of (1) Zoning Concept Development Plan Amendment dated March 2008, revised through 9/3/08 and (2) Proffer Statement dated April 2, 2008, revised September 4, 2008 for conformance with the applicable requirements of the Revised 1993 Loudoun County Zoning Ordinance and has the following comments.

I. CONCEPT DEVELOPMENT PLAN:

A. *Cover Sheet. List of Modifications.* Delete modification to Section 4-109(D) as Fallen Willow is not subject to PD-H requirements.

II. PROFFERS:

In general it is recommended that conditions related only to companion SPEX 2008-0028 be removed from the proffers and included only in the Special Exception Conditions.

A. *Proffer I.1. 3rd line.* It is recommended that the title of the Plans referenced be clarified. The plan set is entitled "Zoning Concept Plan Amendment" within which there is a "Concept Development Plan" on Sheets 4 and 5.

B. *Proffer I.1. 4th line.* It is recommended that the date of the plans be revised to March 2008.

C. *Proffer I.1. 3rd line.* To correctly identify the plans, it is recommended to insert, after "2008", "entitled "Zoning Concept Plan Amendment ACPA 2008-0002 for Fallen Willow Farm, consisting of Sheets 1 through 5", or is it just Sheets 4 and 5 that are being proffered?

D. *Proffer I.2.A 5th line.* As by-right uses are permitted, is language beginning with "provided" and continuing to the end of the sentence necessary?

E. *Proffer I.2.A. 11th line.* It is recommended to delete "the total Gross Floor Area of development" and replace with "the total floor area ratio (FAR)".

F. *Proffer I.2.B. 5th line.* It is recommended to delete "ZMOD" and replace with "Zoning Ordinance Modifications" as ZMOD is a specific application type.

A12.4

G. *Proffer I.2.A. 2nd line; Proffer I.2.C. 2nd line; and Proffer IV.16.(b)*i.*a. 2nd line.* Why is "0028" crossed out and replaced by "0028"?

H. P*roffer I.2.C.* state "...(ii) the Developer elects to pursue development of the Medical Campus approved under SPEX 2008-0028, then the Developer shall provide parking for the Medical Campus in accordance with the conditions of SPEX 2008-0028." It is recommended that the particulars regarding the parking in *i.* and *ii.* be moved to the Special Exception conditions.

I. *Proffer I.2.D.* It is recommended that this proffer be deleted and included as a condition of SPEX 2008-0028 as it is only related to the Special Exception application.

J. *Proffer I.3.A.* It is recommended that discussion of the Emergency Access Road be limited to the Special Exception Conditions and deleted from the proffers as it is not necessary if included in the Special Exception Conditions.

K. P*roffer I.3.A. 4th line.* Check spelling of Virginia and capitalization of Department.

L. *Proffer IV.16.(b)i.* It is recommended that this proffer be deleted and included as a condition of SPEX 2008-0028 as it is only related to the Special Exception application.

III. SECTION 6-1504 MODIFICATIONS:

A. **SECTION 4-306(A) Lot Coverage.** The request is to calculate lot coverage based on the size of the lot and not the district.
   1. Staff does not object to this modification request as the maximum lot coverage for the lot itself will not exceed .40, thus measuring the lot coverage based on the lot boundaries is reasonable.

B. **SECTION 4-306(B) Building Height.** The request is to permit measurement of building height from the property line rather than from the district line.
   1. Staff does not object to this modification request as it is reasonable to measure required setback related to height of buildings from the property line rather than from the zoning district line that bifurcates the property.

C. **SECTIONS 4-109(D), 4-305(B)(2) and 5-1406(E)(2).** The request is to substitute the buffer proffered as part of ZMAP 1999-0009 in lieu of the Type 3 buffer required along Route 659/Belmont Ridge Road.
   1. A modification is not needed to Section 4-109(D) as part of ACPA 2008-0002 as Fallen Willow is not subject to PD-H requirements.
   2. Staff does not object to this modification as the proffered buffer provides a more effective screen than the Type 3 buffer now required by the zoning ordinance and insures that the screening provided on the property matches that approved for and used elsewhere in Broadlands, ensuring a consistent "look" throughout the community.

IV. RECOMMENDATION

It is requested that the proffers be revised to address the comments outlined in this referral. Zoning staff is willing to meet with the applicant to review these issues, clarify any questions raised by the applicant, and welcomes the opportunity to review subsequent submissions.

Copy: Marilee L. Seigfried, Deputy Zoning Administrator

A12.5

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

ZONING ADMINISTRATION 3RD REFERRAL

DATE: October 7, 2008

TO: Van Armstrong, Project Manager
Department of Planning

FROM: Michelle M. Lohr, Planner, Zoning Administration

CASE NUMBER AND NAME: SPEX 2008-0028 Broadlands Medical Center

TAX MAP / PARCEL NUMBERS: 78 parcel 49; **MCPI:** 154-19-9491

Zoning Administration has reviewed the third submittal of the above-referenced **Special Exception (SPEX)** application consisting of (1) Special Exception Conditions revised through September 4, 2008 and (2) Special Exception Plat dated March 2008, revised through 9/3/08 for conformance with the applicable requirements of the Revised 1993 Loudoun County Zoning Ordinance and has the following comments.

I. SPECIAL EXCEPTION PLAT:

Cover Sheet:

A. *Zoning Tabulation Table. Building Height.* Check wording under requirement column. Section 4-109(E) requires a height limit of an imaginary plane leaning inward from the district boundaries at an angle representing an increase in height of one foot for every one foot of horizontal distance.

B. It is recommended that a separate landscaping sheet be provided as it is difficult to determine the proposed landscaping.

II. SPECIAL EXCEPTION CONDITIONS:

A. Condition #1. 3rd line. Insert after "Special Exception Plat" the title of the plat and Sheets 1 through 7.

B. Condition #2. Beginning of the second sentence. Correct "The".

C. Condition #2. It is recommended that some flexibility regarding the number of detention ponds be included in the condition.

D. Condition #3. Include a trigger for the installation of the multi-use trail.

E. Condition #3. Who determines if the trail cannot be accommodated on the property?

F. Condition #5. Include department in Loudoun County that would confirm the operation of public bus transit service to the property. Office of Transportation Services?

G. Condition #7. It is recommended that a separate landscaping sheet be provided as it is difficult to determine the proposed landscaping.

H. Condition #8. Lines 4-6. Include in the condition that these areas are identified on the plat (separate landscaping plan sheet) as Parcels A, B and C. These areas on not very legible on the plan sheet.

I. Condition #12. Is this condition necessary as such systems are required per building code?

A12.6

J. Condition #14. This condition is difficult to read.

K. Condition #15. Line 3. The "internal circumferential roadway" and "open space" should be identified better, perhaps through consistent references in the conditions and on the Special Exception Plat.

L. Condition #15. Should this condition be tied just to the Medical Center use, or included as a proffer within the ZCPAs to be applicable to by-right uses as well.

M. Condition #16. Line 2. Provide a description of the "continuous row of shrubs".

N. Condition #16. Line 7. The landscaping should be installed prior to the first zoning permit, rather than occupancy permit.

O. Condition #17. This condition is too long and difficult to administer.

P. Please group together all conditions related to landscaping.

Q. Add conditions regarding the parking that have been included in the draft proffers for ZCPA 2008-0001 and ZCPA 2008-0002.

R. Include more detail regarding the Emergency Access Road. The language from draft proffers for ZCPA 2008-0001 and ZCPA 2008-0002 may be moved to the Special Exception conditions.

III. RECOMMENDATION

It is requested that the conditions be redrafted to incorporate the suggestions of this referral and some of the language of the draft proffers for ZCPA 2008-0001 and ZCPA 2008-0002 that are only relevant to the Special Exception application. Zoning is willing to meet with the applicant to review the issues identified in this referral and to clarify any questions raised by the applicant.

Copy: Marilee L. Seigfried, Deputy Zoning Administrator

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

ZONING ADMINISTRATION 2nd REFERRAL

AUG 26 2008 PLAN

DATE: August 26, 2008

TO: Van Armstrong, Project Manager, Department of Planning

FROM: Michelle M. Lohr, Planner, Zoning Administration

CASE NUMBER: ZCPA 2008-0001
Portion of Broadlands Section 100 and 102
Women's Hospital Indianapolis, L.P. and Northern Virginia Community Hospital, L.L.C.

TAX MAP / PARCEL NUMBER: /78////////49/ (154-19-9491)

Zoning Administration has reviewed the second submittal of the above-referenced **Zoning Concept Plan Amendment (ZCPA)** application consisting of (1) Applicant Responses to Referral Comments dated August 8, 2008; Concept Development Plan revised through 8/6/08, (3) Proffer Statement dated April 2, 2008, revised August 6, 2008 for conformance with the applicable requirements of the Revised 1993 Loudoun County Zoning Ordinance and has the following comments.

I. CONCEPT DEVELOPMENT PLAN:

A. *Cover Sheet.* Note 17. Lines 6 and 7. Reference should be to "lot" coverage, not "land" coverage.

B. *Cover Sheet.* Note 20. Add modifications to Section 4-109(D) and Section 5-1406(E)(2) as included in modifications attachment to proffers. See discussion in Modifications section regarding the inclusion of a modification to Section 4-109(E) regarding height at edges of PD-H districts.

C. *Sheets 2, 3, and 4.* Check reference to adjacent zoning. The zoning is PD-H3, administered as PD-OP.

II. ZONING ORDINANCE REQUIREMENTS:

A. *Section 4-109(D)* requires the minimum Type 3 buffer to be in permanent open space. Please provide such open space, or include in modification request to eliminate the requirement for a permanent open space buffer.

B. *Section 4-110(J)* requires the minimum Type 3 buffer to be in a 50' permanent open space area. Please provide such open space, or request modification to eliminate the requirement for a permanent open space buffer.

III. PROFFER STATEMENT:

A. *Proffer I.1.C. 6th line.* Is reference to ZCPA 2008-0001 supposed to be to ZCPA 2008-0002?

IV. SECTION 6-1504 MODIFICATIONS

A. **SECTION 4-306(A) Lot Coverage** permits a maximum lot coverage of .40.
   1. SUMMARY OF APPLICANT'S JUSTIFICATION:
      (a) The request is to permit lot coverage to be calculated across the entire property rather than based on zoning district boundaries.
      (b) The zoning district boundaries separating the Broadlands and Fallen Willow Farm properties have become much less relevant.
      (c) The Development proposes to develop the property either under a unified plan of development for a medical campus or as part of an integrated development with the adjacent Fallen Willow Farm.
      (d) The Developer contends that this modification will permit a more integrated and compatible design of the property for all concerned and represents an improvement on the existing regulations. Otherwise the lot coverage calculations, by design and implementation, would result in a more sprawling campus environment.
   2. STAFF ANALYSIS:
      (a) This section states the maximum lot coverage for the district. As is it proposed to calculate the lot coverage based on the size of the lot and not the district, the modification is necessary.
      (b) A result of granting this modification is to allow the applicant to place a greater amount of lot coverage on the PD-OP zoned portion of the property, while placing the parking lots and structure(s) on the PD-H3, administered as PD-OP portion of the property.
      (c) Staff does not object to this modification request as the maximum lot coverage for the lot itself will not exceed .40, thus measuring the lot coverage based on the lot boundaries is reasonable.

B. **SECTION 4-306(B) Building Height** permits a maximum building height of 45 feet. The ordinance permits a maximum height of 100 feet from property lines that do not constitute a boundary of a district with a lower maximum height. The modification is requested to permit measurement of building height from the property line rather than from the district line.
   1. SUMMARY OF APPLICANT'S JUSTIFICATION
      (a) The maximum building height is normally measured from the zoning district boundaries of a property, which are usually the same as the exterior lot lines.
      (b) Because the property is now part of a single parcel, the zoning district boundaries separating the Broadlands the Fallen Willow Farm properties have become much less relevant for purposes of mitigating impacts on adjacent uses and ensuring high quality development.
      (c) The developer proposes to develop the property either under a unified plan of development for a medical campus or as part of an integrated development with the adjacent Fallen Willow Farm tract. The proposed concentration of development reduces potential impacts on neighboring property owners while achieving efficiency of design desirable on a medical campus.
      (d) The fact that the property is part of a larger, subdivided parcel militates that the maximum building height be measured based on the larger parcel's lot lines, rather than the now-obsolete zoning district boundaries. Otherwise it will be

extremely difficult to achieve the integrated and concentrated design envisioned by the existing Fallen Willow Farm proffers.

(e) Measuring the building height from the peripheral lot lines, rather than the zoning district lines internal to the site, satisfies the public purpose and the intent of the Ordinance to limit building heights in the PDH District adjacent to incompatible uses.

2. STAFF ANALYSIS.
   (a) It is noted that the tall buildings have been concentrated away from the Broadlands community.
   (b) The development meets or exceeds the additional yard requirements for buildings in excess of 100 feet in height as measured from the property line.
   (c) The Board of Supervisors may propose additional buffering if deemed necessary.
   (d) Staff does not object to this modification request as it is reasonable to measure the height maximum from the lot line rather than the district line that bifurcates the subject property.
   (e) To achieve the ability to measure height requirements from the property boundary rather than the district boundary, an additional modification is needed to Section 4-109(E) Height limitations at edges of PD-H districts.

C. **SECTION 4-110(B) Access to Public Streets** states that "all arterial and collector streets serving a PD-H District, and all streets of any size serving residential (except townhouse and multifamily), commercial, office, institutional and industrial uses within a PD-H district, shall be designed and constructed to VDOT standards for inclusion in the state highway system." The developer proposes to modify Section 4-110(B) to permit secondary access to the property from Education Court, a private street serving multiple parcels in the commercial land bays 100, 102 and 104 of Broadlands and Fallen Willow Farm (ZCPA 2008-0002).

1. SUMMARY OF APPLICANT'S JUSTIFICATION
   (a) Principal access to the property will be from Broadlands Boulevard, a four-lane divided public roadway connecting Route 659 with the Ashburn Farm community east of Broadlands. Thus, access to the subject property complies with the Zoning Ordinances' requirement that the street serving the zoning district be designed and constructed to VDOT standards for acceptance into the state system for maintenance.
   (b) As part of its unified development with the Fallen Willow Farm area, the development also proposes to construct a secondary access point to the property via Education Court, an existing four-lane undivided roadway that serves as an internal connector among three separate developments within the Broadlands commercial land bay, including the Loudoun County Public Schools' Administration Building. By providing this secondary access point, the Developer will ensure that the vehicle trips generated by the proposed development are better distributed across the property and surrounding roads, which has the benefit of reducing potential congestion.
2. STAFF ANALYSIS
   (a) The purpose of the regulation is to insure that properties within a PD-H district have adequate access by a public road.
   (b) The proposed uses are served by a public road, Broadlands Boulevard and the proposed emergency vehicle entrance is also off of a public road, Route 659.
   (c) The access off of private road Education Court, provides an internal connection

with the Broadlands office/commercial land bay and better distributes the trips generated by the parcel.

(d) Staff does not object to this modification request.

D. **SECTIONS 4-109(D), 4-305(B)(2) AND 5-1406(E)(2) REGARDING BUFFER ALONG ROUTE 659** require the use of a Type 3 buffer along Route 659 to screen nonresidential development adjacent to the residential land bays and arterial roads. The developer proposes to modify Sections 4-305(B)(2) AND 5-1406(E)(2) to substitute the buffer proffered as part of ZCPA 1997-0004 in lieu of the Type 3 buffer required along Route 659/Belmont Ridge Road. The proffered buffer may be achieved using existing vegetation supplemented with new plantings.

1. SUMMARY OF APPLICANT'S JUSTIFICATION:
   (a) As part of the property's rezoning to PD-H, the Board of Supervisors approved a zoning modification to substitute a specific landscape buffer in lieu of the 150-foot wide open space requirement along the perimeter of a PD-H district. A similar proffered buffer was approved by the Board as part of the approval of ZMAP 1999-0009 for the adjacent Fallen Willow Farm development. The modified buffer approved with ZCPA 1997-0004 applicable to the property is attached the proffers.
   (b) The proffered buffer provides a more effective screen than the Type 3 buffer required by the zoning ordinance and ensures that the screening provided on the property matches that approved for and used elsewhere in Broadlands, ensuring a consistent "look" throughout the community.
   (c) The developer contends that the use of the proffered buffer exceeds the benefits offered by the Type 3 buffer and improves the screening of the property's development. By incorporating existing vegetation to create the buffer, the developer also will reduce the need for clearing along the property's edges and promote healthy reforestation.
2. STAFF ANALYSIS:
   (a) Staff agrees that the proffered buffer provides a more effective screening than the Type 3 buffer required by the ordinance.
   (b) Staff does not object to this modification request.

V. RECOMMENDATION

Zoning requests that the application be revised to address the issues outlined in this referral. An additional modification has been identified as necessary to Section 4-109(E) Height limitations at edges of PD-H districts to accommodate the parking structures on the property. Zoning staff is willing to meet with the applicant to review these issues and clarify any questions raised by the applicant and welcomes the opportunity to review subsequent submissions.

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

ZONING ADMINISTRATION 2nd REFERRAL

RECEIVED
AUG 26 2008
PLANNING DEPARTMENT

DATE: August 26, 2008

TO: Van Armstrong, Project Manager, Department of Planning

FROM: Michelle M. Lohr, Planner, Zoning Administration

CASE NUMBER: ZCPA 2008-0002
Fallen Willow Farms/Broadlands Regional Medical Center
Women's Hospital Indianapolis, L.P. and Northern Virginia Community Hospital, L.L.C.

TAX MAP / PARCEL NUMBER: /78////////49/ (154-19-9491)

Zoning Administration has reviewed the second submittal of the above-referenced **Zoning Concept Plan Amendment (ZCPA)** application consisting of (1) Applicant Responses to Referral Comments dated August 8, 2008; Concept Development Plan revised through 8/6/08, (3) Proffer Statement dated April 2, 2008, revised August 6, 2008 for conformance with the applicable requirements of the Revised 1993 Loudoun County Zoning Ordinance and has the following comments.

I. CONCEPT DEVELOPMENT PLAN:

A. *Cover Sheet.* Note 4. Check reference to adjacent property zoning. It is PD-H3 administered as PD-OP. It may be helpful to also include reference to ZCPA 2008-0001.
B. *Cover Sheet.* Note 21. Last line. Include reference to ZCPA 2008-0001 after "Broadlands Section 100".
C. *Cover Sheet.* Note 25. Lines 6 and 7. Reference should be to "lot" coverage, not "land" coverage.
D. *Cover Sheet.* Note 20. Add modification to Section 5-1406(E)(2) as included in modifications attached to proffers. Delete modification to Section 4-110(B) as Fallen Willow is not subject to PD-H requirements.
E. *Sheets 2, 3, 4, and 5.* Check reference to adjacent zoning. The zoning is PD-H3, administered as PD-OP.

II. SECTION 6-1504, MODIFICATIONS:

A. **SECTION 4-306(A) Lot Coverage** permits a maximum lot coverage of .40.
   1. SUMMARY OF APPLICANT'S JUSTIFICATION:
      (a) The request is to permit lot coverage to be calculated across the entire property rather than based on zoning district boundaries.
      (b) The zoning district boundaries separating the Broadlands and Fallen Willow Farm properties have become much less relevant.
      (c) The Development proposes to develop the property either under a unified plan of development for a medical campus or as part of an integrated development with the adjacent Sections 100/102 of Broadlands.

(d) The Developer contends that this modification will permit a more integrated and compatible design of the property for all concerned and represents an improvement on the existing regulations. Otherwise the lot coverage calculations, by design and implementation, would result in a more sprawling campus environment.

2. STAFF ANALYSIS:
   (a) This section states the maximum lot coverage for the district. As is it proposed to calculate the lot coverage based on the size of the lot and not the district, the modification is necessary.
   (b) A result of granting this modification is to allow the applicant to place a greater amount of lot coverage on the PD-OP zoned portion of the property, while placing the parking lots and structure(s) on the PD-H3, administered as PD-OP portion of the property.
   (c) Staff does not object to this modification request as the maximum lot coverage for the lot itself will not exceed .40, thus measuring the lot coverage based on the lot boundaries is reasonable.

B. **SECTION 4-306(B) Building Height** permits a maximum building height of 45 feet. The ordinance permits a maximum height of 100 feet from property lines that do not constitute a boundary of a district with a lower maximum height. The modification is requested to permit measurement of building height from the property line rather than from the district line.

1. SUMMARY OF APPLICANT'S JUSTIFICATION
   (a) The maximum building height is normally measured from the zoning district boundaries of a property, which are usually the same as the exterior lot lines.
   (b) The developer proposes to develop the property either under a unified plan of development for a medical campus or as part of an integrated development with the adjacent Sections 100/102 of Broadlands. The proposed concentration of development reduces potential impacts on neighboring property owners while achieving efficiency of design desirable on a medical campus.
   (c) The fact that the property is part of a larger, subdivided parcel militates that the maximum building height be measured based on the larger parcel's lot lines, rather than the now-obsolete zoning district boundaries. Otherwise it will be extremely difficult to achieve the integrated and concentrated design envisioned by the existing Fallen Willow proffers.
   (d) Measuring the building height from the peripheral lot lines, rather than the zoning district lines internal to the site, satisfies the public purpose and the intent of the Ordinance to limit building heights in the PDH District adjacent to incompatible uses.
   (e) Combined with the substantial amount of landscaping and berming, the increased minimum yard requirements sufficiently mitigate the 100-foot height of the proposed hospital building.
2. STAFF ANALYSIS.
   (a) It is noted that the tall buildings have been concentrated away from the Broadlands community.
   (b) The development meets or exceeds the additional yard requirements for buildings in excess of 100 feet in height as measured from the property line.
   (c) The Board of Supervisors may propose additional buffering if deemed necessary.
   (d) Staff does not object to this modification request as it is reasonable to measure the height maximum from the lot line rather than the district line that bifurcates the

subject property.

C. **SECTION 4-110(B) Access to Public Streets** states that "all arterial and collector streets serving a PD-H District, and all streets of any size serving residential (except townhouse and multifamily), commercial, office, institutional and industrial uses within a PD-H district, shall be designed and constructed to VDOT standards for inclusion in the state highway system." The developer proposes to modify Section 4-110(B) to permit secondary access to the property from Education Court, a private street serving multiple parcels in the commercial land bays 100, 102 and 104 of Broadlands and Fallen Willow Farm (ZCPA 2008-0002).

1. SUMMARY OF APPLICANT'S JUSTIFICATION
   (a) Principal access to the property will be from Broadlands Boulevard, a four-lane divided public roadway connecting Route 659 with the Ashburn Farm community east of Broadlands. Thus, access to the subject property complies with the Zoning Ordinances' requirement that the street serving the zoning district be designed and constructed to VDOT standards for acceptance into the state system for maintenance.
   (b) As part of its unified development with the Fallen Willow Farm area, the development also proposes to construct a secondary access point to the property via Education Court, an existing four-lane undivided roadway that serves as an internal connector among three separate developments within the Broadlands commercial land bay, including the Loudoun County Public Schools' Administration Building. By providing this secondary access point, the Developer will ensure that the vehicle trips generated by the proposed development are better distributed across the property and surrounding roads, which has the benefit of reducing potential congestion.
2. STAFF ANALYSIS
   (a) This modification is not needed as the Fallen Willow development is not subject to the PD-H regulations.
   (b) Staff does not object to this modification as the primary point of access is off of Broadlands Boulevard, a public road.

D. **SECTIONS 4-109(D), 4-305(B)(2) AND 5-1406(E)(2) REGARDING BUFFER ALONG ROUTE 659** require the use of a Type 3 buffer along Route 659 to screen nonresidential development adjacent to the residential land bays and arterial roads. The developer proposes to modify Sections 4-305(B)(2) AND 5-1406(E)(2) to substitute the buffer proffered as part of ZCPA 1997-0004 in lieu of the Type 3 buffer required along Route 659/Belmont Ridge Road. The proffered buffer may be achieved using existing vegetation supplemented with new plantings.

1. SUMMARY OF APPLICANT'S JUSTIFICATION:
   (a) As part of the property's rezoning to PD-OP, the Board of Supervisors approved a zoning modification to substitute a specific landscape buffer in lieu of the Type 2 buffer then required along the property's frontage on Route 659. The proffered buffer matched a similar modified buffer approved by the Board as part of its' approval of ZCPA 1997-0004 for the adjacent Broadlands PD-H3 development. The modified buffer approved with ZCPA 1997-0004 applicable to the property is attached the proffers.
   (b) The proffered buffer provides a more effective screen than the Type 3 buffer now required by the zoning ordinance and ensures that the screening provided on the

property matches that approved for and used elsewhere in Broadlands, ensuring a consistent "look" throughout the community.

(c) The developer contends that the use of the proffered buffer exceeds the benefits offered by the Type 3 buffer and improves the screening of the property's development. By incorporating existing vegetation to create the buffer, the developer also will reduce the need for clearing along the property's edges and promote healthy reforestation.

2. STAFF ANALYSIS:
   (a) Staff agrees that the proffered buffer provides a more effective screening than the Type 3 buffer required by the ordinance.
   (b) A modification to Section 4-109(D) is not necessary to the Fallen Willow Farms development as it is not governed by this PD-H requirement.
   (c) Staff does not object to this modification request.

III.RECOMMENDATION

Zoning requests that the application be revised to address the issues outlined in this referral. Two modifications are not necessary for the Fallen Willow development, as it is not subject to the PD-H requirements, Section 4-109(D) and 4-110(B). Zoning staff is willing to meet with the application to review these issues and clarify and questions raised by the applicant and welcomes the opportunity to review subsequent submissions.

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

ZONING ADMINISTRATION 2nd REFERRAL

RECEIVED
AUG 26 2008
PLANNING DEPARTMENT

DATE: August 26, 2008

TO: Van Armstrong, Project Manager
Department of Planning

FROM: Michelle M. Lohr, Planner, Zoning Administration

CASE NUMBER AND NAME: SPEX 2008-0028 Broadlands Medical Center

TAX MAP / PARCEL NUMBERS: 78 parcel 49; **MCPI:** 154-19-9491

Zoning Administration has reviewed the second submittal of the above-referenced **Special Exception (SPEX)** application consisting of (1) Applicant Responses to Referral Comments dated August 8, 2008, (2) Special Exception Conditions revised through August 6, 2008, and (3) Special Exception Plat revised through 8/6/08 for conformance with the applicable requirements of the Revised 1993 Loudoun County Zoning Ordinance and has the following comments.

I. SPECIAL EXCEPTION PLAT:

Cover Sheet:

A. *Note 1.* Revise reference to zoning district. The property is split-zoned PD-OP and PD-H3, administered as PD-OP.

B. *Note 23, 2nd line.* "Hearon" should be "Hereon".

C. *Zoning Tabulation Table.* Correct zoning reference below title.

D. *Zoning Tabulation Table.* Include FAR requirement for PD-H3 portion of the property. In accordance with Section 4-104(D)(1) the maximum FAR is .40.

E. *Zoning Tabulation Table.* "Maximum Land Coverage" revise to "Maximum Lot Coverage."

F. *Zoning Tabulation Table. Building Height.* Section 4-109(E) includes height requirements at edges of PD-H districts.

G. *Zoning Tabulation Table. Yards and Setbacks.* Include Zoning Ordinance section references.

Sheet 3:

H. As accessory parking garages are shown on the special exception plat on the PD-H3 portion of the parcel, an additional modification is necessary to modify Section 4-109(E) to permit the parking structure to project through the plane described in that regulation.

II. ZONING ORDINANCE REQUIREMENTS:

A. *Section 4-109(D)* requires the minimum Type 3 buffer to be in permanent open space. Please provide such open space, or include in modification to eliminate the requirement for the buffer to be in permanent open space.

B. *Section 4-110(J)* requires the minimum Type 3 buffer to be in 50 feet of permanent open space. Please provide such open space or request modification to eliminate requirement for the buffer to be in permanent open space.

C. For clarification purposes, parking garages are not included in the calculation of lot coverage. Staff apologizes for this comment and notes that the definition of lot coverage was amended in December 2007 to remove parking garages from lot coverage calculations.

A21

III. CONFORMANCE WITH RELEVANT PROFFERS:

A. *ZMAP 1999*-0009. To clarify, Proffer I.1. requires the development to be in substantial conformance with the Concept Development Plan. As the zoning ordinance was amended in December 2007 to permit a maximum FAR of .60 and Note #24 on the CDP for Fallen Willow states, "All zoning requirements shown on the plan that reflect current zoning ordinance provisions may be revised to conform with zoning ordinance amendments adopted subsequent to the approval of the concept development plan", the portion of the parcel subject to the Fallen Willow CDP may achieve up to a .60 FAR without further legislative action. The CDP submitted with ZCPA 2008-0002 states in Note #25 that development of the subject parcel which is proposed to be subject to ZCPA 2008-0001 and ZCPA 2008-0002 shall not exceed .40 FAR.

IV. RECOMMENDATION

Staff acknowledges that in order to achieve the proposed hospital and outpatient care medical care facilities with associated parking lots and structures, modifications are needed. The modifications proposed appear practical and staff does not object to them. The applicant has filed for approval of Concept Plan Amendments for both the Fallen Willow Farm and Broadlands, Section 100 and 102 in order to accommodate a unified development on a parcel that is split-zoned. Zoning is willing to meet with the applicant to review these issues and clarify any questions raised by the applicant and welcomes the opportunity to review subsequent submissions.

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

ZONING ADMINISTRATION REFERRAL

RECEIVED
JUL 25 2008
PLANNING DEPART

DATE: July 25, 2008

TO: Van Armstrong, Project Manager, Department of Planning

THROUGH: Marilee Seigfried, Deputy Zoning Administrator

FROM: Michelle M. Lohr, Planner, Zoning Administration

CASE NUMBER: ZCPA 2008-0001
Portion of Broadlands Section 100 and 102
Women's Hospital Indianapolis, L.P. and Northern Virginia Community Hospital, L.L.C.

TAX MAP / PARCEL NUMBER: /78////////49/ (154-19-9491)

Zoning Administration has reviewed the above referenced **Zoning Concept Plan Amendment (ZCPA)** for conformance with the applicable requirements of the Revised 1993 Loudoun County Zoning Ordinance and has the following comments.

I. ZCPA 2004-0006 APPLICATION SUMMARY

Northern Virginia Community Hospital ("the Applicant") seeks approval to amend the approved Concept Development Plan for ZMAP 1997-0004 to allow a general hospital, outpatient medical care facilities, and structured parking with modifications. The area included in this application is identified on the Concept Development Plan as approximately 21.5371 acres. The property is zoned PD-H3 (Planned Development-Housing 3) and administered PD-OP (Planned Development – Office Park) under the Revised 1993 Loudoun County Zoning Ordinance ("the Ordinance").

Companion applications, SPEX 2008-0028 Broadlands Regional Medical Center and ZCPA 2008-0002 Fallen Willow Farms, have been filed to allow uses including a general hospital, outpatient medical care facilities, and structured parking, as well as modifications, in order to develop the property under a unified development plan on a 57.7 acre parcel.

The materials submitted for review of the application consist of: (1) Transmittal Memorandum from Project Manager Van Armstrong, (2) Information Sheet; (3) Statement of Justification dated April 2, 2008; (4) Draft Proffers dated April 2, 2008, (5) Zoning Concept Plan Amendment ("the Plan") consisting of 5 sheets dated March 2008, stamped 5/19/08 and prepared by Urban Engineering & Assoc., Inc.

The following issues have been identified and must be addressed in order for the application to be in conformance with requirements of the Zoning Ordinance:

II. CONFORMANCE WITH SECTION 6-1211 ZONING MAP AMENDMENTS

A. This section of the Zoning Ordinance requires the Planning Commission and Board to give consideration to a number of factors. Unless the factor is specifically addressed below, Zoning defers to the appropriate County or State agency for review:

Section 6-1211 (E) – Zoning Map Amendments:

(7) *The impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas.* Zoning defers to the Office of Transportation Services and VDOT.

(8) *Whether a reasonably viable economic use of the subject property exists under the current zoning.* Currently the approved Concept Development Plan identifies all PD-OP permitted uses as being permitted on this property as well as a hotel by special exception. The proposal is to allow a hospital and outpatient medical care facilities by special exception as well as all other PD-OP uses permitted by right and by special exception on the property.

(12) *Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes as determined by population and economic studies.* Zoning defers to the Department of Economic Development and Community Planning regarding this matter.

III. CONFORMANCE WITH PLANNED DEVELOPMENT – HOUSING (PD-H3) REGULATIONS

1. **Proposed Use.** The proposed use of the portion of the property zoned PD-H administered as PD-OP for parking facilities and associated supporting facilities for a hospital and outpatient medical care facility is permitted by special exception. A special exception application for such uses is being processed in conjunction with this Zoning Concept Plan Amendment application.
2. **Section 4-104(D)(1) Floor Area Ratio.** The maximum floor area in PD-H districts is .40 FAR. The applicant is proposing a maximum FAR of .40.
3. **Section 4-109(D)** As a Type 3 buffer is required along the perimeter of the PD-H District adjacent to single family residential districts or land bays allowing residential uses indicate that the buffer along Belmont Ridge Road is a minimum of a Type 3 buffer in permanent open space.
4. **Section 4-110(B).** All streets of any size serving commercial, office and institutional uses shall be designed and constructed to VDOT standards for inclusion in the state highway system. Thus, Education Court must be a public road. As Education Court is indicated on the plans as a private roadway, a modification is needed to this requirement.
5. **Section 4-110 (J)** Other nonresidential uses in perimeter areas adjacent to single family residential districts or land bays allowing residential uses (across Broadlands Blvd.) require yards as required by Section 4-305(B)(2) and at least 50 feet of the required yards shall be a permanent open space buffer with a Type 3 Buffer Yard. Please indicate that the buffer along Broadlands Boulevard is at least a Type 3 Buffer Yard in permanent open space.

IV. CONFORMANCE WITH PLANNED DEVELOPMENT – OFFICE PARK (PD-OP) REGULATIONS (SECTION 4-300)

1. **Section 4-304 Special Exception Uses.** Section 4-304(B) states that a special exception is required for a "Hospital" per the additional regulations of Section 5-610 and Section 4-304(E) permits a "Medical care facility, outpatient only" by special exception. The proposed parking lots and parking structure(s) are located within an area on the subject parcel that is subject to the Concept Development Plan for the Broadlands development. Hospital and outpatient facilities are uses permitted by special exception on the subject property as such uses are permitted in both the PD-OP District and PD-H District, administered as PD-OP under the Revised 1993 Zoning Ordinance. As the proposed uses are both permitted by special exception under the current zoning of the lot, the parking for the hospital and outpatient facilities may be located on the portion of the lot located within the PD-H zoning district.

   In conjunction with ZCPA 2008-0001, the applicant has filed a Zoning Concept Plan Amendment for the Fallen Willow Farm property (ZCPA 2008-0002) and a Special Exception (SPEX 2008-0028) for a hospital, outpatient medical care facility and associated facilities.

2. **4-305 Lot Requirements.**
   (B)(1) Adjacent to roads. Indicate required building setback of 35 feet parking setback of 25 feet from Education Court.
   (B)(2) Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses. Indicate location of required parking setbacks along Belmont Ridge Road and Broadland Blvd.

3. **Section 4-306(A) Lot Coverage.** This section permits a .40 maximum lot coverage for the district. As defined in the Revised 1993 Zoning Ordinance, lot coverage includes buildings and structures, including structured parking. Insure the calculation includes both buildings and structures. The applicant has requested a modification to permit the lot coverage requirement to be calculated based on the area of the parcel rather than by the district.

4. **Section 4-306(B) Building Height.** The ordinance permits a maximum height of 45 feet, except that a building may be erected to a maximum height of 100; if it is set back from streets or lot lines that do not constitute boundaries of districts with lower maximum height restrictions, in addition to each of the required minimum yard dimensions, a distance of not less than 1 foot for each 1 foot of height that it exceeds 45 feet. The applicant has requested a modification to permit measurement of the maximum height from the exterior lot lines of which the property is a part, rather than the zoning district boundaries separating the PD-H3, administered as PD-OP and PD-OP zoning districts.

5. **Section 4-307(C) Landscaped Open Space.** This section requires a minimum of .20 times the buildable area of the lot in landscaped open space, as indicated in the zoning tabulation on the cover sheet. Please include a calculation of the landscaped open space based on the 1993 requirements for the parcel as a whole. The modification requested to this section in ZCPA 2008-0002 is not necessary as landscaped open space is defined as being measured by the parcel and not the district.

6. **Section 5-900.** Setback from specific roads. Please indicate on the CDP the required building and parking setbacks required by this section.

V. CONFORMANCE WITH SECTION 6-1508 CONTENTS OF AN APPROVED CONCEPT DEVELOPMENT PLAN

1. **Section 6-1508(F) Modification.** Include a listing of any proposed modifications to the Revised 1993 Zoning Ordinance on the Concept Development Plan.

VI. PLAN SHEET COMMENTS

Cover Sheet:

1. Note #4. Check size of area subject to the ZCPA. The parcel size is 57.7 acres, yet the size of the individual ZCPAs for the subject development are stated as 20.9892 acres (ZCPA 2008-0002) and 21.5371 acres (ZCPA 2008-0001).
2. Note #4A. Revise maximum lot coverage to .40 as provided in Section 4-306(A).
3. Note #17. Check wording. Note that maximum lot coverage is .40, not .20.
4. Note #6 states that there are no steep slopes on the site. LOGIS indicates that there are steep slopes on the site. Please note that the definition of Very Steep Slope Area and Moderately Steep Slope Area do not apply to slopes created by permitted land disturbing activities.
5. Note #18. All uses proposed on the Concept Development Plan for the ZCPA are uses listed within the PD-OP district regulations as being permitted either by right or by special exception. It is not necessary to list out each of the uses unless the applicant wants to preserve a particular use.
6. Modifications listed are to the 1972 Zoning Ordinance. Please review and revise as necessary.

Sheets 2-5

7. Show required setbacks along Belmont Ridge Road and Broadlands Blvd. In accordance with Section 4-109(D) and Section 4-110(J) at least 50 feet of the yards required by Section 4-305(B)(2) is to be a permanent open space buffer with a Type 3 Buffer Yard.

VII. MISCELLANEOUS

It is recommended that the entire parcel be remapped to PD-OP for ease of administration.

VIII. REVIEW OF PROFFER LANGUAGE

Zoning Staff has reviewed the Proffers dated April 2, 2008 and has the following comments:

1. *Proffer I.1.A.* All uses proposed on the Concept Development Plan for the ZCPA are uses listed within the PD-OP district regulations as being permitted either by right or by special exception. It is not necessary to list out each of the uses in Note 18 on the Cover Sheet unless the applicant wants to preserve a particular use
2. *Proffer I.1.C. 6th line.* Is reference to ZCPA 2008-0001 supposed to be to ZCPA 2008-0002?
3. *Proffer I.D.i. and ii.* Although stated in this proffer, staff has not identified a structure parking facility labeled "Future Parking Structure Phase 2" on the east of the site. Please label the Phase 2 parking facility and label it as "proposed" and not "future" as a label of future will require an amendment of the CDP though a ZCPA.
4. *Proffer I.E.13th line.* It is noted that the 3.8676 acre portion of the property identified as Part 2 of Parcel 49 be used for community-oriented uses. Please insure that such uses are permitted by the zoning ordinance. A "Park" is a permitted PD-OP use.
5. As the 50' buffer along the edge of the development adjacent to the Fallen Willow Farm property, is indicated on the Concept Development Plan for ZCPA 1997-0004 and

referenced in the proffers with the ZCPA 1997-0004 modifications, it is recommended that the proffers be amended to address the elimination of the requirement for the buffer.

IX. STAFF RECOMMENDATION:

Zoning recommends that the portion of the subject property that is zoned PD-H3 be remapped to PD-OP, without the Planned Development – Housing designation. This will ease administration of the zoning ordinance regulations and will allow for a neater zoning package.

The companion ZCPA 2008-0002 has identified zoning modifications necessary to accomplish the proposed hospital and medical care facility use on the subject property. Two of these modifications are not necessary. An additional modification to Section 4-110(B) has been identified as being necessary for the Broadlands Sections 100 and 102 portion of the site as it is zoned PD-H3 and has an additional layer of zoning regulations.

Zoning staff requests that the applicant revise the application and address the issues outlined in this referral. Specific issues concern deleting references to the 1972 Zoning Ordinance and amending proposed modifications to delete modifications to the 1972 Zoning Ordinance and to request modifications to the Revised 1993 Zoning Ordinance as necessary to achieve the proposed project. Zoning staff is willing to meet with the applicant to review these issues and clarify any questions raised by the applicant and welcomes the opportunity to review subsequent submissions.

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

ZONING ADMINISTRATION REFERRAL

RECEIVED
JUL 25 2008
PLANNING DEPARTMENT

DATE: July 25, 2008

TO: Garvan Armstrong, Project Manager, Department of Planning

THROUGH: Marilee Seigfried, Deputy Zoning Administrator

FROM: Michelle M. Lohr, Planner, Zoning Administration

CASE NUMBER ZCPA 2008-0002
Fallen Willow Farms/Broadlands Regional Medical Center
Women's Hospital Indianapolis, L.P. and Northern Virginia Community Hospital, L.L.C.

TAX MAP / PARCEL NUMBER: Portion of Tax Map 78, Parcel 49 (MCPI #154-19-9491)

Zoning Administration has reviewed the above referenced **Zoning Concept Plan Amendment (ZCPA)** for conformance with the applicable requirements of the Revised 1993 Loudoun County Zoning Ordinance and has the following comments.

I. ZCPA 2008-0002 APPLICATION SUMMARY

Northern Virginia Community Hospital ("the Applicant") seeks approval to amend the approved Concept Development Plan for ZMAP 1999-0009 to allow a general hospital, outpatient facilities, and structured parking with modifications. The area included in this application is approximately 20.9892 acres. The property is zoned PD-OP (Planned Development-Office Park), administered under the Revised 1993 Loudoun County Zoning Ordinance ("the Ordinance").

Companion applications, SPEX 2008-0028 Broadlands Regional Medical Center and ZCPA 2008-0001 Broadlands, have been filed to allow uses including a general hospital and outpatient medical care facilities by special exception, as well as modifications, in order to develop the property under a unified development plan on a 57.7 +/- acre parcel.

The materials submitted for review of the application consist of: (1) Transmittal Memorandum from Project Manager Van Armstrong dated May 20, 2008, (2) Information Sheet; (3) Statement of Justification dated April 2, 2008; (4) Draft Proffers dated April 2, 2008, (5) Zoning Concept Plan Amendment plans dated March 2008, revised through May 1, 2008 consisting of 5 sheets, prepared by Urban Engineering & Assoc., Inc.

The following issues have been identified and must be addressed in order for the application to be in conformance with requirements of the Zoning Ordinance:

II. CONFORMANCE WITH SECTION 6-1211 ZONING MAP AMENDMENTS

This section of the Zoning Ordinance requires the Planning Commission and Board to give consideration to a number of factors. Unless the factor is specifically addressed below, Zoning defers to the appropriate County or State agency for review:

Section 6-1211 (E) – Zoning Map Amendments:

(7) *The impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas.* Zoning defers to the Office of Transportation Services and VDOT.

(8) *Whether a reasonably viable economic use of the subject property exists under the current zoning.* Currently the approved Concept Development Plan identifies all PD-OP permitted uses as being permitted on this property as well as a hotel by special exception. The proposal to allow a hospital and outpatient medical care facilities by special exception as well as other PD-OP uses permitted by right and by special exception on the property.

(12) *Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes as determined by population and economic studies.* Zoning defers to the Department of Economic Development and Community Planning regarding this matter.

III. CONFORMANCE WITH PLANNED DEVELOPMENT – OFFICE PARK REGULATIONS (SECTION 4-300)

1. **Section 4-304 Special Exception Uses.** Section 4-304(B) states that a special exception is required for a "Hospital" per the additional regulations of Section 5-610 and Section 4-304(E) permits a "Medical care facility, outpatient only" by special exception. As the Concept Development Plan for the Fallen Willow Farm Development (ZMAP 1999-0009) designates the site for any use permitted by right within the PD-OP district requirements and a Hotel use by special exception, the Zoning Concept Plan Amendment is requested by the applicant to allow uses not specified on the original Concept Development Plan including "Hospital," and "Medical care facility, outpatient only."

   All uses proposed on the Concept Development Plan for the ZCPA are uses listed within the PD-OP district regulations as being permitted either by right or by special exception. It is not necessary to list out each of the uses unless the applicant wants to preserve a particular use.

   The applicant has also applied for a Zoning Concept Plan Amendment for the portion of the site within the Broadlands development, zoned PDH-3, administered as PD-OP under the Revised 1993 Loudoun County Zoning Ordinance (ZCPA 2008-0001) to accommodate uses associated with the hospital and outpatient medical care facilities, including parking. A special exception application, SPEX 2008-0028, has also been filed for the Broadlands Regional Medical Center in conjunction with Zoning Concept Plan Amendments for the Broadlands development and the Fallen Willow Farm development.

2. **Section 4-306(A) Lot Coverage.** This section permits a .40 maximum lot coverage for the district. As defined in the Revised 1993 Zoning Ordinance, lot coverage includes buildings and structures, including structured parking. Insure the calculation includes both buildings and

structures. The applicant has requested a modification to permit the lot coverage requirement to be calculated based on the area of the parcel rather than by the district.

3. **Section 4-306(B) Building Height.** The ordinance permits a maximum height of 45 feet, except that a building may be erected to a maximum height of 100; if it is set back from streets or lot lines that do not constitute boundaries of districts with lower maximum height restrictions, in addition to each of the required minimum yard dimensions, a distance of not less than 1 foot for each 1 foot of height that it exceeds 45 feet. The applicant has requested a modification to permit measurement of the maximum height from the exterior lot lines of which the property is a part, rather than the zoning district boundaries separating the PD-H3, administered as PD-OP and PD-OP zoning districts.

4. **Section 4-306(C) Floor Area Ratio.** The ordinance permits a maximum FAR of .60 on an individual lot. The FAR for the subject parcel is not proposed to exceed .40.

5. **Section 4-307(C) Landscaped Open Space.** This section requires a minimum of .20 times the buildable area of the lot in landscaped open space, as indicated in the zoning tabulation on the cover sheet. Please include a calculation of the landscaped open space based on the 1993 requirements for the parcel as a whole. The modification requested to this section is not necessary as landscaped open space is defined as being measured by the parcel and not the district.

6. **Section 5-900 Setback from Specific Roads.** Setback from specific roads. Please indicate on the CDP the required building and parking setbacks required by this section.

7. **Section 5-1405(B)** . A modification has been requested to allow the screening to be placed along the exterior lot lines of the property under a unified plan of development rather than on the zoning district line. This modification is not necessary as Section 5-1405(B) was amended on December 3, 2007 to remove the requirement for buffers to be placed within the district.

IV. PLAN SHEET COMMENTS

Cover Sheet:

10. Note #5. Check size of area subject to the ZCPA. The parcel size is 57.7 acres, yet the size of the individual ZCPAs for the subject development are stated as 20.9892 acres and 21.5371 acres.

11. Note 8. Note that county records indicate that steep slopes are located on the subject parcel. See also Note 26. Please note that the definition of Very Steep Slope Area and Moderately Steep Slope Area do not apply to slopes created by permitted land disturbing activities.

12. Note 19. Revise to state that the structures may be adjusted due to engineering considerations.
    Note 28.

13. All uses proposed on the Concept Development Plan for the ZCPA are uses listed within the PD-OP district regulations as being permitted either by right or by special exception. It is not necessary to list out each of the uses unless the applicant wants to preserve a particular use.

14. Include required parking setbacks on plans.

V. CONFORMANCE WITH SECTION 6-1500 REZONINGS TO PLANNED DEVELOPMENT (PD) DISTRICTS:

A. SECTION 6-1504, MODIFICATIONS – *"The regulations of the PD district sought shall apply after rezoning is approved unless the Board of Supervisors approves a modification to the zoning, subdivision or other requirements that would otherwise apply. No modifications shall be permitted which affect uses, density, or floor area ratio of the district. Modifications to an approved Concept Development Plan may be approved as set forth in Section 6-1511. No modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation. No modification will be granted for the primary purpose of achieving the maximum density on a site. An application for modification shall include materials demonstrating how the modification will be used in the design of the project."*

1. **SECTION 4-306(A) Lot Coverage** permits a maximum lot coverage of .40.
   A. SUMMARY OF APPLICANT'S JUSTIFICATION:
      (1) The request is to permit lot coverage to be calculated across the entire property rather than based on zoning district boundaries.
      (2) The property is proposed to be developed either under a unified plan of development for a medical campus or as a part of an integrated development with the adjacent Section 100 and 102 of Broadlands. The concentration of development on the Fallen Willow Farm property reduces potential impacts on neighboring property owners.
      (3) The Applicant contends that this configuration of buildings and structures ensures a more compatible design for all concerned and represents an improvement on the existing regulations. Otherwise, the lot coverage calculations, by design and implementation, would result in a more sprawling campus environment.
   B. STAFF ANALYSIS:
      (1) This section states the maximum lot coverage for the district. As is it proposed to calculate the lot coverage based on the size of the lot and not the district, the modification is necessary.
      (2) The table on the special exception plat indicates that the maximum lot coverage of .40 can be met on the PD-OP zoned portion of the property, thus the modification may not be necessary.
      (3) A result of granting this modification is to allow the applicant to place a greater amount of lot coverage on the PD-OP zoned portion of the property, while placing the parking lots and structure(s) on the PD-H3, administered as PD-OP portion of the property.
      (4) Staff does not object to this modification request as the maximum lot coverage for each portion of the parcel is .40; thus measuring the lot coverage based on the lot boundaries is reasonable.

2. **SECTION 4-306(B) Building Height** permits a maximum building height of 45 feet. The ordinance permits a maximum height of 100 feet from property lines that do not constitute a boundary of a district with a lower maximum height. The modification is requested to permit measurement of building height from the property line rather than from the district line.
   A. SUMMARY OF APPLICANT'S JUSTIFICATION
      (1) The maximum building height is normally measured from the zoning district

boundaries of a property, which are usually the same as the exterior lot lines. The intent of this section is to ensure buildings are set back an appropriate distance so as not to adversely affect the adjacent and neighboring uses. Height limitations, therefore, are most appropriately measured from the exterior lot lines, rather than interior zoning district lines.

(2) The fact that the property is part of a larger, subdivided parcel, proferred to develop in an integrated fashion, militates that the maximum building height be measured based on the larger parcel's lot lines, rather than the now-obsolete zoning district boundaries for the former outparcel. Otherwise it will be extremely difficult to achieve the integrated and concentrated design envisioned by the existing Fallen Willow Farm proffers.

(3) Measuring the building height from the peripheral lot lines, rather than the zoning district lines internal to the site, satisfies the public purpose and the intent of the Ordinance to limit building heights in the PDH District adjacent to incompatible uses.

B. STAFF ANALYSIS.

(1) It is noted that the tall buildings have been concentrated away from the Broadlands community.

(2) The development meets or exceeds the additional yard requirements for buildings in excess of 100 feet in height as measured from the property line.

(3) The Board of Supervisors may propose additional buffering if deemed necessary.

(4) Staff does not object to this modification request as it is reasonable to measure the height maximum from the lot line rather than the district line that bifurcates the subject property.

3. **SECTION 4-307(C) Landscaped Open Space** requires the provision of landscaped open space on any individual lot in an amount at least 0.20 times the buildable area of the lot. The applicant requests approval of a modification to permit the landscaped open space to be measured across the entire medical campus, regardless of the zoning district boundaries. It has been interpreted to require that compliance be demonstrated with the landscaped open space requirement based on the zoning district boundaries in addition to the lot boundaries.

A. SUMMARY OF APPLICANT'S JUSTIFICATION

(1) The Applicant's unified plan of development includes a substantially greater amount of landscaped open space than otherwise would be required based on the zoning district boundaries. In fact, the Applicant proposes to provide 32 percent landscaped open space over the 57.7 acre application Property. By measuring and providing landscaped open space based on the overall Fallen Willow Farm and Broadlands application Property, the Applicant will have the flexibility to provide high-quality landscaped open space in a useable design.

(2) The application of the 1972 Zoning Ordinance to the Property will expire concurrent with the hospital's planned opening. While the Applicant meets the landscaped open space requirements for the portion of the Property located within the zoning district, the Applicant requests that the landscaped open space standards be modified to permit calculation of landscaped open space based on the unified site plan to be consistent with the standards of the Revised 1993 Zoning Ordinance that will govern development of the site into the future. In this respect, the proposed modification results in an innovative design, improves the existing regulation and exceeds the public purpose of the requirement.

B. STAFF ANALYSIS

(1) Staff does not believe this modification is needed as the landscaped open space requirement is the same for the portion of the property zoned PD-OP and that portion of the property zoned PD-H3, administered as PD-OP. Further landscaped open space is defined as being based on the lot, with no mention in either the definition or district regulations regarding the district boundaries.

4. **SECTION 5-1405(B) BUFFER YARDS AND SCREENING, GENERAL PROVISIONS** requires buffer yards to be provided within the zoning district and on the lot of the use indicated in the left column of the matrix...The request is to permit the required buffering to be located at the parcel boundary.

A. SUMMARY OF APPLICANT'S JUSTIFICATION:

1. Given the purpose of the buffering and screening provisions, to mitigate the impacts of uses on one another, providing buffering along the internal zoning district lines would not meet the intent of the Ordinance and would not satisfy the public purpose.
2. The property is part of a larger, subdivided parcel, proffered to develop in an integrated fashion with the land around it, militates that the required buffers be placed along the larger parcel's lot lines, rather than along the now-obsolete zoning district boundaries of the former outparcel which are internal to the larger parcel.

B. STAFF ANALYSIS:

1. Staff does not believe this modification is necessary as the ordinance was amended in December 2007 to delete the requirement for screening to be placed within the district.

VI. REVIEW OF PROFFER LANGUAGE:

Zoning has reviewed the draft proffers dated April 2, 2008 and has the following comments:

1. Proffer I.A. All uses proposed on the Concept Development Plan for the ZCPA are uses listed within the PD-OP district regulations as being permitted either by right or by special exception. It is not necessary to list out each of the uses (in Note 28 of the CDP) unless the applicant wants to preserve a particular use.
2. Proffer 2.C.ii. Although stated in this proffer, staff has not identified a structure parking facility labeled "Future Parking Structure Phase 2" on the east of the site. Please label the Phase 2 parking facility and label it as "proposed" and not "future" as a label of future will require an amendment of the CDP though a ZCPA.

VII. STAFF RECOMMENDATION:

Zoning requests that the applicant revises the application, addressing the issues outlined in this referral. Specific issues concern amending labels and notes on the CDP, providing a table summarizing the FAR, lot coverage, and to include more information regarding specific modifications requested to determine if a modification is necessary. Zoning staff is willing to meet with the applicant to review these issues and clarify any questions raised by the applicant and welcomes the opportunity to review subsequent submissions.

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

ZONING ADMINISTRATION REFERRAL

RECEIVED
JUL 25 2008
PLANNING DEPARTMENT

DATE: July 25, 2008

TO: Van Armstrong, Project Manager
Department of Planning

THROUGH: Marilee Seigfried, Deputy Zoning Administrator

FROM: Michelle M. Lohr, Planner, Zoning Administration

CASE NUMBER AND NAME: SPEX 2082-0028 Broadlands Medical Center

TAX MAP / PARCEL NUMBERS: 78 parcel 49

MCPI: 154-19-9491

Zoning Administration has reviewed the above referenced **Special Exception (SPEX)** application and has the following comments.

I. APPLICATION SUMMARY

HCA Realty, Inc. ("HCA"), requests approval of a 164-bed general hospital (approximately 475,000 sq. ft.) and two outpatient medical care facilities (up to a total of 400,000 sq. ft.), the "Broadlands Regional Medical Center", to be located on 57.7 acres. The referenced property is split zoned PD-OP and PD-H3 administered as PD-OP administered under the *Revised 1993 Loudoun County Zoning Ordinance*. In addition, portions of the property are subject to the proffered conditions and concept development plans ZMAP 1999-0009 Fallen Willow Farm and ZCPA 1997-0004, ZMAP 1995-0003 and ZCPA 1994-0005. This special exception application has been submitted with two Zoning Concept Plan Amendment applications – ZCPA 2008-0001 Portion of Broadlands Sections 100 and 102 and ZCPA 2008-0002 Fallen Willow Farm.

Materials received for zoning evaluation consist of: (1) Transmittal Memorandum from Project Manager Van Armstrong dated May 20, 2008, (2) Information Sheet; (3) Statement of Justification dated May 12, 2008, (5) Special Exception Plat dated March 2008, prepared by Urban Engineering & Assoc., Inc. and revised through 5/1/08.

II. DISTRICT REGULATIONS, SECTION 4-300 PLANNED DEVELOPMENT – OFFICE PARK

1. **Proposed Use.** The proposed use of the portion of the property zoned PD-H3, administered as PD-OP for parking facilities and associated supporting facilities for a hospital and outpatient medical care facility is permitted by special exception. Two Zoning Concept Plan Amendments (ZCPA 2008-0001 and ZCPA 2008-0002) have been submitted in conjunction with this Special Exception application.
2. **Section 4-104(D)(1). Floor Area Ratio.** The maximum Floor Area Ratio for the PD-H3 portion of the property is .40. As FAR is defined as being measured by the lot, and the maximum FAR for the lot is proposed as less than .40, this requirement of the ordinance

has been met.

3. **Section 4-109(D)** A 50' Type 3 buffer is required adjacent to landbays allowing residential districts, thus indicate that the buffer along Belmont Ridge Road is a minimum of a Type 3 buffer in permanent open space easement.
4. **Section 4-109(E) and 4-110(A)** A modification has been requested to measure the maximum structure height from the property line, rather than from the district boundary. When measured from the property line, the height requirement is met.
5. **Section 4-110(B).** As streets of any size serving commercial, office and institutional uses shall be designed and constructed to VDOT standards for inclusion in the state highway system. Thus, Education must be a public road or a modification requested to this requirement.
6. **Section 4-110(J)** Other nonresidential uses in perimeter area adjacent to single family residential district or land bays allowing residential uses (across Broadlands Blvd.) requires yards as required by Section 4-305(B)(2) and at least 50 feet of the required yards shall be a permanent open space buffer with a Type 3 Buffer Yard. Indicate that the buffering along Broadlands Boulevard is a minimum of a Type 3 Buffer Yard in permanent open space easement.

III. DISTRICT REGULATIONS, SECTION 4-300 PLANNED DEVELOPMENT – OFFICE PARK

1. **Section 4-304 Special Exception Uses** Section 4-304(B) states that a special exception is required for a "Hospital" per the additional regulations of Section 5-61 and Section 4-304(E) permits a "Medical care facility, outpatient only" by special exception. Up to 400,000 square feet of Outpatient Medical Care Facilities are proposed with the application, with the possibility for medical offices as by-right uses that are not included in the special exception application.

   Zoning Concept Plan Amendments have been submitted in conjunction with the special exception application to revise the Fallen Willow Farm Concept Development Plan (ZCPA 2008-0002) to allow a hospital use and outpatient medical care facilities by special exception. Further an amendment is proposed to the Broadlands Concept Development Plan (ZCPA 2008-0001) to revise Section 100 and 102 of the Broadlands development to permit uses associated with the hospital use on the portion of the subject property located within the Broadlands development. Both of the ZCPAs include modification requests to allow the hospital and medical care facilities to be developed in a unified manner.

2. **Section 4-305(B)(2) Yards Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses.** A 100' separation is required between buildings, outdoor storage, areas for collection of refuse or loading areas and residential districts (across Belmont Ridge Road) and residential landbays (across Broadlands Blvd.). This section also requires that parking, outdoor storage, areas for collection of refuse, or loading space not be visible from the residential areas. Insure the landscaping plan provides adequate plant materials to accomplish the screening.

3. **Section 4-306(A) Lot Coverage.** This section permits a .40 maximum lot coverage for the

district. As defined in the Revised 1993 Zoning Ordinance, lot coverage includes buildings and structures, including structured parking. Insure the calculation includes both buildings and structures. The applicant has requested a modification to permit the lot coverage requirement to be calculated based on the area of the parcel rather than by the district.

4. **Section 4-306(B) Building Height.** The ordinance permits a maximum height of 45 feet, except that a building may be erected to a maximum height of 100; if it is set back from streets or lot lines that do not constitute boundaries of districts with lower maximum height restrictions, in addition to each of the required minimum yard dimensions, a distance of not less than 1 foot for each 1 foot of height that it exceeds 45 feet. The applicant has requested a modification to permit measurement of the maximum height from the exterior lot lines of which the property is a part, rather than the zoning district boundaries separating the PD-H3, administered as PD-OP and PD-OP zoning districts.

5. **Section 4-306(C) Floor Area Ratio.** This section permits a maximum FAR of .60 of the gross land area of the portion of the lot that is zoned PD-OP. The applicant is proposing an FAR of up to .40 to be measured, as defined in the Zoning Ordinance, based on the area of the lot and not the district. The maximum FAR of the PD-OP district is .60 and the maximum FAR for the PD-H3 district (administered as PD-H3) is .40. Thus the FAR of the lot as proposed does not exceed the maximums permitted by the Zoning Ordinance. Indicate the maximum square footage as is shown on the plans.

6. **Section 4-307(C) Landscaped Open Space.** This section requires a minimum of .20 times the buildable area of the lot in landscaped open space, as indicated in the zoning tabulation on the cover sheet. Please include a calculation of the landscaped open space based on the 1993 requirements for the parcel as a whole. The modification requested to this section in ZCPA 2008-0002 is not necessary as landscaped open space is defined as being measured by the parcel and not the district.

IV. ADDITIONAL REGULATIONS

1. **Section 5-610 Hospital Regulations.** All regulations have been satisfactorily addressed.
2. **Section 5-900 Setback from specific roads.** Please indicate on the CDP the required building and parking setbacks required by this section.
3. **Section 5-1405(B) Buffer Yards and Screening General Provisions.** A modification has been requested to allow the screening to be placed along the exterior lot lines of the property under a unified plan of development rather than on the zoning district line. This modification is not necessary as Section 5-1405(B) was amended on December 3, 2007 to remove the requirement for buffers to be placed within the district.
4. **Section 5-1406(E)(2) Special Situations.** A Type 3 buffer is required along arterial roads. Please indicate that the buffer provided along Belmont Ridge Road is a minimum of a Type 3 buffer.
5. **Section 5-1413 Parking Lot Landscaping and Screening Requirements.** Note that these requirements will apply to the project and will be reviewed for compliance during site plan review.
6. **Section 6-1310 Issues for Consideration.** In considering a special exception application, the following factors shall be given reasonable consideration. Each of the issues listed in

Section 6-1310 must be addressed in the Statement of Justification or Special Exception Plat. Zoning has initial comments on the following issues:

(A) *Whether the proposed special exception is consistent with the Comprehensive Plan.* Zoning Defers to Community Planning.

(B) *Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.* Zoning defers to Fire and Rescue.

(C) *Whether the level and impact of any noise emanating from the site, including that generated by the proposed use negatively impacts uses in the immediate area.* The use will be required to meet the noise standards of Section 5-1507.

(D) *Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.* The use will be required to meet the light and glare standards of Section 5-1504.

(E) *Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.* Zoning defers to Community Planning regarding this factor.

(F) *Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.* A Type III buffer with berm is proposed along the Dulles Greenway and Belmont Ridge Road. A Type III buffer without berm is proposed along Broadlands Boulevard. Such buffers should soften the impact of the proposed use from the adjacent property owners and from the street. Further, a Type 2 buffer is proposed along the eastern property l ine.

(H) *Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.* Zoning defers to the Environmental Review Team for comments regarding this factor.

(I) *Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.* Zoning defers to Community Planning regarding this factor.

(J) *Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.* Zoning defers to the Office of Transportation Services and VDOT.

(L) *Whether the proposed special exception will be served adequately by essential public facilities and services.* Zoning defers to the Office of Transportation Services, VDOT and LCSA.

(O) *Whether the proposed use will negatively impact orderly and safe road development and transportation.* Zoning defers to the Office of Transportation Services and VDOT.

(R) *Whether adequate on and off-site infrastructure is available.* Zoning defers to LCSA, VDOT and the Office of Transportation Services.

V. PLAN COMMENTS

Cover Sheet

1. General Notes. Revise all references to 1972 Zoning Ordinance as the parcel is now zoned

(1) PD-OP and (2) PD-H3 administered as PD-OP (effective June 16, 2008 under the Revised 1993 Loudoun County Zoning Ordinance.

2. General Notes. #11 and 26. Check these notes. The County's mapping system indicates steep slopes on the site. Please note that the definition of Very Steep Slope Area and Moderately Steep Slope Area do not apply to slopes created by permitted land disturbing activities.
3. General Notes #13. Check wording of this note for consistency with similar note on ZCPA 2008-0002
4. Zoning Tabulation. Revise tabulation to delete references to the 1972 Zoning Ordinance.

Sheets 3 and 4

5. Include height of proposed power house.
6. Check 185' distance label in vicinity of parking lot and lot line shared with the School Board. It appears as though the improvement being measured may have been moved during the design process.
7. Show footprint of both Medical Office/Outpatient Medical Care Facility buildings.
8. Label Parking area to the northeast of the property as proposed structured parking if that is proposed and include maximum proposed height.
9. Indicate 5-900 parking setbacks.
10. The landscaping plan on Sheet 6 shows a Type 2 buffer along School Board lot line. Show on Sheets 3 and 4.
11. Indicate that the enhanced proffer buffer along Belmont Ridge will be a minimum of a Type 3 buffer.
12. A Type 2 buffer is indicated along Broadlands Boulevard, however a minimum Type 3 buffer is required in accordance with Section 4-110(J). Indicate the Type 3 buffer yard.

Sheet 6

13. Please note that if "Future Medical Office Bldg. 2" is identified as "future" on the special exception plat, a new special exception will be required in order to construct it. It is recommended that such structure be identified as "proposed".
14. Check the layout of the parking areas in the northeastern quadrant of the facility as it appears different on the landscaping plan of Sheet 6 that on the Special Exception Plat Sheets 3 and 4.

VI. SPECIAL EXCEPTION CONDITIONS

1. Condition 8. 7th line. Specify who determines that the plantings are consistent with the quantity and quality of supplemental landscaping.
2. The Special Exception Plat indicates that the supplemental landscaping will achieve a Type IV buffer. Revise if necessary
3. Condition 15. Identify the "open space" area on the Special Exception Plat. An area has been designated on the plat as Tree Save Area, however the open space area should also be identified.
4. Condition 17. "Tree Save Areas" have been identified on the Special Exception Plat, but not "Tree Conservation Areas". Please use consistent labels.
5. Condition 18. It is noted that a noise study is to be reviewed by the Department of Building and Development. The agency to review such study will be determined internally which may result in a modification to this condition.

VII. MISCELLANEOUS

It is recommended that the entire parcel be remapped to PD-OP for ease of administration.

VIII. CONFORMANCE WITH RELEVANT PROFFERS

ZMAP 1999-0009

1. Proffer I.1. requires the development to be in substantial conformance with the Concept Development Plan. In addition, Proffer I.2. states that the property is to be designed as an integral component of the Broadlands commercial office land bay. The proposed plan for the hospital is not in substantial conformance with the CDP approved for Fallen Willow Farm as (1) it is not proposed to be developed as an office park as anticipated with the CDP (2) although the CDP states that the maximum FAR is .40, it also places a cap on square footage for all uses at 375,260 square feet. Therefore, in order to develop this property as a hospital, a ZCPA (Zoning Concept Plan Amendment) is necessary. ZCPA 2008-0002 has been submitted to correct this issue.
2. Proffer I.7. Requires a landscaping plan to be submitted with each site plan providing landscaping, buffer and screening of outdoor storage, areas for collection of refuse, loading areas and parking from public streets. Minimum plant specifications are included in the proffers.

ZMAP 1995-0003

1. The CDP indicates that this landbay is to be developed as a regional office use. The uses proposed for the PD-H3 zoned portion of the site are parking lots and parking structures – not regional office. Therefore, in order to develop the PD-H3 portion of the property with parking lots and structures for a hospital, a ZCPA is necessary. ZCPA 2008-0001 has been submitted to allow for the proposed hospital and outpatient medical care facility use.

IX. RECOMMENDATION

As challenges arise when administering a property with two different zoning districts (PD-OP and PD-H3 administered as PD-OP), staff has recommended to the applicant in the past to request that the entire parcel be remapped to PD-OP. However, the applicant has chosen not to do so.

Staff acknowledges that in order to achieve the proposed hospital and outpatient care medical care facilities with associated parking lots and structures, modifications are needed. The modifications proposed appear practical and staff does not object to them. The applicant has filed for approval of Concept Plan Amendments for both the Fallen Willow Farm and Broadlands, Section 100 and 102 in order to accommodate the proposed hospital and associated uses. Zoning is willing to meet with the applicant to review these issues and clarify any questions raised by the applicant and welcomes the opportunity to review subsequent submissions.