

**TOWN OF LEESBURG  
NOTICE OF PUBLIC HEARING  
TO CONSIDER REZONING APPLICATION TLZM-2013-0008  
CHESTERFIELD PLACE CONDOMINIUMS  
REZONING WITH CONCEPT PLAN AND NO PROFFERS**

Pursuant to Sections 15.2-1427, 15.2-2204, 15.2-2205 and 15.2-2285 of the Code of Virginia, 1950, as amended, the **Leesburg Town Council** will hold a public hearing on **Tuesday, July 22, 2014 at 7:30 p.m.**, in the Town Council Chambers, 25 West Market Street, Leesburg, Virginia, 20176 to consider a rezoning application with a rezoning and concept plan and no proffers for TLZM 2013-0008, Chesterfield Place Condominiums. The application is made by the owners of the real property described below (the "Property") who have applied for approval of an application to rezone 3.2 acres of the Property from the B-1 Community (Downtown) Business District to the Planned Residential Neighborhood District (PRN), including modifications of PRN District regulations to reduce the size of the PRN District from five acres to 3.2 acres, to reduce the number of required parking spaces to 70 spaces, including garages, and to modify proposed lot dimensions, all as stated on the Rezoning Plat.

The site is currently developed as 33 multifamily condominium dwelling units. Approval of rezoning application TLZM 2013-0008 will permit subdivision of the Property into 33 single family attached lots, common open space and parking lots.

The Property is identified by Loudoun County Property Identification Numbers (PIN) 231-37-2722, 231-37-2745, 231-37-1451, 231-37-3763, and 231-37-3433 which encompasses 3.2 acres within the Town of Leesburg. The Property is zoned B-1 Community (Downtown) Business District. The Property is identified as Downtown on the *Town Plan's* Land Use Policy Map and is located within the H-1, Overlay Old and Historic District. The Town Plan recommends medium to high residential densities. The proposed 10.3 dwelling units per acre density is consistent with the existing development density on the Property. Approval of TLZM 2013-0008 will not permit development of additional density on the Property.

Copies and additional information regarding this Rezoning Concept Plan Amendment application are available at the Department of Planning and Zoning located on the second floor of Town Hall, 25 West Market Street, Leesburg, Virginia, 20176 during normal business hours (Monday – Friday, 8:30 a.m. to 5:00 p.m.) or by contacting Michael Watkins, Senior Planner, at 703-737-7920.

At these hearings, all persons desiring to express their views concerning these matters will be heard. Persons requiring special accommodations at this Town Council meeting should contact the Clerk of Council at (703) 771-7233 three days in advance of the meeting. For TTY/TDD service, use the Virginia Relay Center by dialing 711.

**Ad to run:  
7/9/14  
7/16/14**



Date of Council Meeting: July 22, 2014

**TOWN OF LEESBURG  
TOWN COUNCIL PUBLIC HEARING MEETING**

**Subject:** TLZM-2013-0008, Chesterfield Place, a rezoning application to remap the existing Chesterfield Place development from the B-1 Community (Downtown) Business District to the Planned Residential Neighborhood District (PRN). Rezoning the property to the PRN district will allow the future subdivision of the common property into 32 individual “townhouse” lots, one (1) single-family detached lot and common open space.

**Staff Contact:** Michael Watkins, Senior Planner, Department of Planning & Zoning.

**Recommendation:** Staff recommends **approval** of the proposed rezoning.

**Issue:** Should Town Council approve a rezoning to rezone an existing development from B-1 Community (Downtown) Business District to the Planned Residential Neighborhood District (PRN) subject to the criteria of Zoning Ordinance Section 3.3.15 to allow the conversion of ownership style from common ownership to individual lots?

**Fiscal Analysis:** Approval of this application will be relatively revenue neutral as the dwellings are already developed. The Town can expect real estate tax revenue.

**Background:** Chesterfield Place was initially approved in 1985 as a by-right development with multifamily “residential condominiums”, where ownership was limited to the building and not the property upon which the building was constructed. However, the construction techniques with vertical party walls and architectural style, give the dwelling units the appearance of a townhouse.

In 1990 several areas of the Town of Leesburg were comprehensively rezoned. Chesterfield Place was comprehensively rezoned to the B-1 District. The B-1 District allows townhouses by-right; however, Chesterfield Place as already developed cannot meet the current dimensional requirements for townhouses in the B-1 district. The PRN District offers the ability to create dimensional standards for townhouses that fit the existing developed condition of the property.

The Applicant states that the rezoning is necessary to resolve the various owners’ difficulties with appraisals,



financing, and insurance due to the conflict of ownership style (condominium) versus dwelling unit classification/appearance (townhouse). The Applicant maintains that the dwelling units are *townhouses* by appearance; however, plan approvals classify the units as *multi-family condominiums*. The Applicant seeks to remedy the conflicts with this rezoning application. Note that all owners have signed the application but the Town did not notify the trustees and takes no position as to whether the “owners” who have signed the application actually have the ability to rezone the property without being in violation of the terms of their deeds of trust.

**Planning Commission Public Hearing and Recommendation:** The Planning Commission held a public hearing on June 5, 2014. In addition to the Applicant’s representative, The HOA Board President spoke in favor of the application. A majority of the owners of the units that are the subject of this rezoning request were present in the audience to support the request. An adjacent home owner to the west of the project requested assistance in dealing with an apparent safety issue regarding a debris pile on the property. The Deputy Town Attorney advised the Planning Commission that the Town did investigate a complaint and concluded that the neighbor’s concern is not a public safety risk and that the private parties resolve the complaint on their own accord. The public hearing was closed, and the Planning Commission deferred action until June 19, 2014 to allow the Applicant to make minor modifications to the concept plan. At the June 19<sup>th</sup> meeting, Staff and the Applicant summarized the revisions to the concept plan and answered clarifying questions raised by the Planning Commission. With a vote of 6-0-1, Commissioner Robinson abstaining, the Planning Commission recommended approval of the rezoning application.

**Staff Analysis:** Staff finds the rezoning application meets the approval criteria (TLZO Sec. 3.3.15) as discussed in the attached Planning Commission staff report. The only remaining item from the Planning Commission hearing was procedural in nature and deals with the required documents for processing a record plat. At issue was compliance with essential documentation for the record plat process. Normally, a set of construction documents is provided with the record plat, required per Section 2.10 of the Subdivision and Land Development Regulations (SLDR). Since no new construction is proposed, the record plat submission requirements have been modified with the language contained in Note #4 on Sheet #4. The record plats will contain certified ‘as-built’ condition of the buildings. One area of concern was overland drainage across units 25-32. The record plat application will be accompanied by a minor drainage analysis to establish a baseline of information due to the fact that no new public easements are proposed. The Applicant has agreed to the revised language which has been added to the concept plan since the Planning Commission’s June 19<sup>th</sup> meeting.

**Recommendation and Conditions:**

The Applicant has addressed all staff comments and the application meets the applicable approval criteria of TLZO Sec. 3.3.15. Therefore, Staff recommends **approval** of rezoning application TLZM-2013-0006, Chesterfield Place.

**Attachments**

1. Planning Commission Staff Report dated June 5, 2014
2. Planning Commission Memo dated June 19, 2014

**TLZM-2013-0006, Chesterfield Place**  
**Town Council Public Hearing**  
**July 22, 2014**  
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3. Concept Plan dated July 2014.
4. Statement of Justification dated December 18, 2013
5. TLZM-2013-0003 Ordinance



MEMORANDUM

**The Town of Leesburg**

Department of Planning, Zoning & Development  
25 West Market Street  
Leesburg, Virginia 20176  
703.777.2420 T  
703.771.2724 F

Kristen Umstatt: Mayor  
John Wells: Town Manager

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**To: Town of Leesburg Planning Commission**  
**From: Michael Watkins, Senior Planner**  
**Phone: 703-737-7920**  
**Email: Mwatkins@leesburgva.gov**  
**Date: 19 June 2014**  
**Re: TLZM 2013-0008, Chesterfield Place**

**June 5<sup>th</sup> Planning Commission Hearing:** The Planning Commission held a public hearing for the Chesterfield Place rezoning on June 5, 2014. The application was described as a request to rezone the existing development of 33 units to the Planned Residential Neighborhood (PRN). The development is unable to meet the dimensional lot standards in the B-1 district. Rezoning to the PRN district would permit the ability to subdivide the property into 32 townhouse lots and 1 single-family detached lot.

The Commission received presentations from both Applicant and Staff. Ms. Andrea McGimsey requested the Commission's assistance in requesting that the Applicant address an issue regarding a debris pile. The Town's Deputy Attorney advised that an inquiry was made and investigated. The conclusion was that a public health risk did not exist.

The application was described as meeting the *Town Plan's* goals and objectives and meets the requirements of the PRN district. Only minor corrections to notes on the concept plan were noted as deficiencies.

The Planning Commission agreed that after corrections to the concept plan notes, the application would be in an approvable state and could be heard at the June 19, 2014 meeting. The public hearing was closed and the Applicant was given direction to revise the application.

**Developments since the November 21<sup>st</sup> Meeting Date:** Applicant is in the process of revising the concept plan notes as described in the June 5, 2014 Staff report. Unfortunately the revised concept plans were not received prior to the writing of this memo. A revised set of the concept plan drawings will be made available at the June 19, 2014 Planning Commission Meeting.

**Staff Recommendation:** Staff recommends approval of the revised concept plan.



**Date of Planning Commission Meeting:** June 5, 2014

**TOWN OF LEESBURG  
PLANNING COMMISSION PUBLIC HEARING**

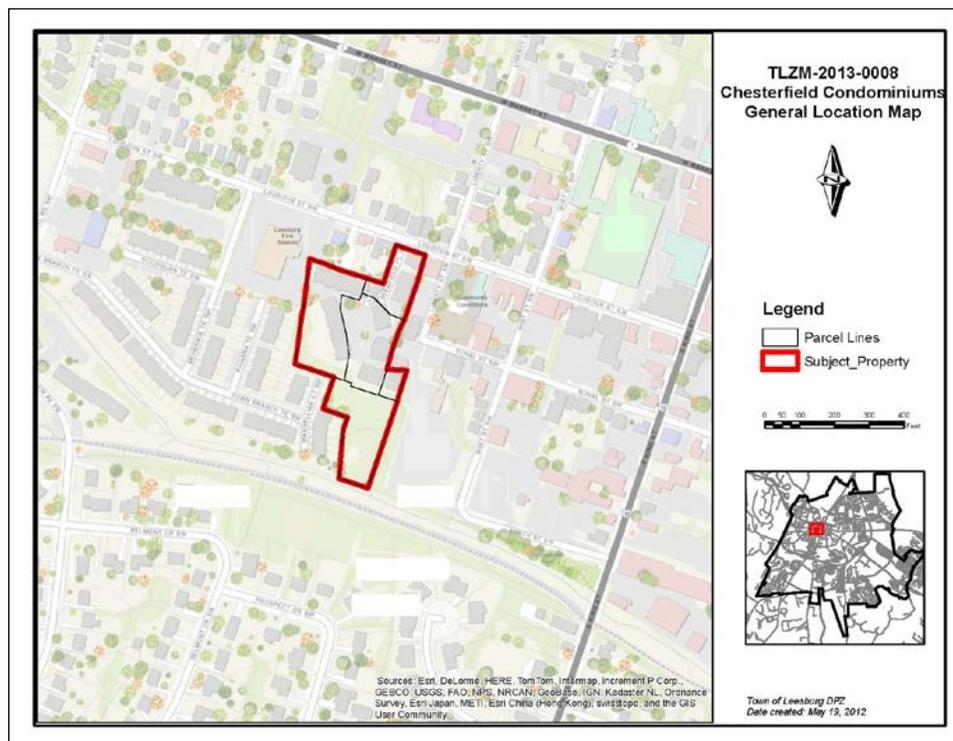
**SUBJECT:** TLZM-2013-0008, Chesterfield Place Condominiums, a zoning map amendment with a rezoning concept plan.

**STAFF CONTACT:** Michael Watkins, Senior Planner, DPZ

**APPLICANT:** The owners and members of the Chesterfield Place Condominium Unit Owner Association.

**PLANNING COMMISSION CRITICAL ACTION DATE:** September 12, 2014

**RECOMMENDATION:** Staff recommends **approval** of the rezoning application.



**Figure 1. Location Map**

**Application Property Information:**

**Address:** Chesterfield Place  
**Size:** 3.2 ac.  
**PIN#:** 231-37-222, 231-37-2745, 231-37-1451, 231-37-3763, 231-37-3433  
**Planned Use:** Downtown  
**Zoning:** B-1, Community (Downtown) Business; H-1, Overlay, Old and Historic District

**I. APPLICATION SUMMARY:** The Applicants request a rezoning from the B-1 Community (Downtown) Business District to the Planned Residential Neighborhood District (PRN). Rezoning the property to the PRN district will allow the future subdivision of the common property into 32 individual “townhouse” lots, one (1) single-family detached lot and common open space.

Chesterfield Place was initially approved in 1985 as a by-right development with multifamily “residential condominiums”, where ownership was limited to the building and not the property upon which the building was constructed. However, the construction techniques with vertical party walls and architectural style, give the dwelling units the appearance of a townhouse.

Table 1. Summary of Proffered Cash Contributions		
No cash contributions proffered based on Applicants’ statement that no new units are proposed and all units were permitted by-right without proffers when originally constructed.		
<b>Total Proffered Contributions</b>		<b>\$0</b>

In 1990 several areas of the Town of Leesburg were comprehensively rezoned. Chesterfield Place was comprehensively rezoned to the B-1 District. The B-1 District allows townhouses by-right; however, Chesterfield Place as already developed cannot meet the current dimensional requirements for townhouses in the B-1 district. The PRN District offers the ability to create dimensional standards for townhouses that fit the existing developed condition of the property.

The Applicant states that the rezoning is necessary to resolve the various owners’ difficulties with appraisals, financing, and insurance due to the conflict of ownership style (condominium) versus dwelling unit classification/appearance (townhouse). The Applicant maintains that the dwelling units are *townhouses* by appearance; however, plan approvals classify the units as *multi-family condominiums*. The Applicant seeks to remedy the conflicts with this rezoning application. Note that all owns have signed the application but the Town did not notify the trustees and takes no position as to whether the “owners” who have signed the application actually have the ability to rezone the property without being in violation if the terms of their deeds of trust.

**II. CURRENT SITE CONDITIONS:** Figure 2 illustrates the existing built condition of the



Figure 2. Existing Conditions

property. Access to the property is from Loudoun Street which is to the north of the property. Access though the site is provide via a privately maintained parking court. To the south of the property is common open space and floodplain from the Town Branch. The property is entirely built out with 33 condominium units in accordance with site plan TLPF-1985-0028.

**III. ZONING HISTORY:** The site was originally zoned B-2, General Business District and was developed beginning in 1985 as multi-family which was permitted by-right in the district at that time. The multi-family definition allowed multi-family units to have shared end walls and no common hallways, similar in appearance to “townhouse” units. In 1986, subsequent to the approval of the site plan the B-2 district was amended to eliminate this dwelling type within the B-2 district through a change in the definition of a multi-family dwelling, and by requiring a special exception approval for multi-family units. In 1990 the property was rezoned to B-1, Community (Downtown) Business District. The site is not subject to a proffered rezoning or any special exception approval. The site is also subject to the H-1, Overlay, Old and Historic District.

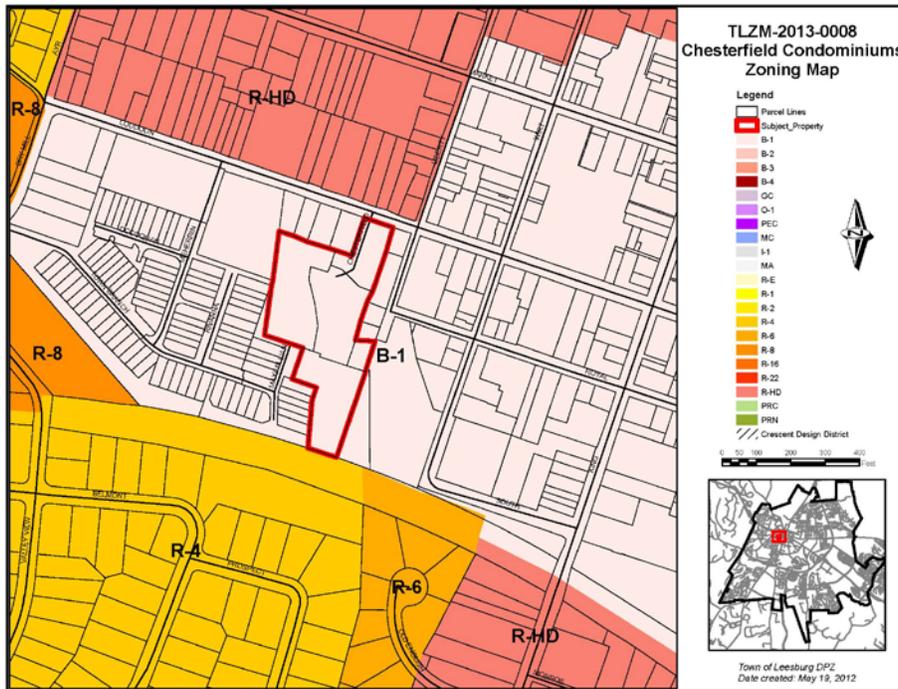


Figure 3. Zoning Map

**IV. USES ON ADJACENT PROPERTIES:** *Table 1, Surrounding Uses*

Direction	Existing Zoning	Current Use	Town Plan Land Use Designation
North	B-1, R-HD, H-1	Residential/Commercial	Downtown
South	R-4	Residential	Downtown
East	B-1, H-1	Residential/Commercial	Downtown
West	B-1,H-1	Residential	Downtown

## V. STAFF ANALYSIS:

### 1. Review Summary:

- a. **Resolved Review Items:** Two reviews of the application were made and items discussed and resolved during the review included an evaluation of:
  - i. Plan graphics
  - ii. Prior approvals
  - iii. Consistency with current regulatory requirements [TLZO, Subdivision and Land Development Regulations (SLDR) and the Design and Construction Standards Manual (DCSM)] where appropriate at the rezoning stage of review.
  - iv. Existing infrastructure and potential constraints

Minor revisions to the proposed dimensional requirements in the Site/Zoning Data are noted in Section IX Recommended Revisions.

### b. **Unresolved Review Items/Outstanding Issues:**

- i. **General Conformance with Applicable Regulations:** Approval of this rezoning would permit the Applicant to apply for a preliminary subdivision application to create 33 fee-simple residential lots. An issue that must be addressed now in order to avoid confusion and the potential for unintended results at the time of subdivision review is conformance with current regulations. That is, it would be pointless to approve a rezoning to the PRN as proposed if a subdivision cannot later be approved due to current DCSM and SLDR requirements. In that case, the use approved (townhouses and one single-family detached dwelling) would not be achieved. This is a concern because the site was fully built out in the 1980's under significantly different DCSM and SLDR requirements. Therefore, the question is this: Is the site grandfathered in the DCSM standards for stormwater management, easement location and other site development issues when it is subdivided in the future? To address this issue, the Applicant has included General Note #9 on Sheet 1 of the Concept Plan. This note states in part as follows:

*Consistent with zoning ordinance section 8.2.2.G, the Rezoning Plan constitutes the minimum standards for subdivision and development of the Property and shall supersede any inconsistent standards of the zoning ordinance of the Town of Leesburg, the Subdivision and Land Development regulations of the Town of Leesburg, Virginia, and the Town Design and Construction Manual (DCSM). All existing and any proposed structures, improvements and landscaping areas on the property shall substantially conform with the rezoning plan. New development on the property that does not substantially conform with the rezoning plan will be governed by the Town Zoning Ordinance, Subdivision and Land Development and DCSM standards.*

The Applicant sites TLZO Sec. 8.2.2.G Effect of PD Rezoning Plan Approval, in the first sentence of the note to memorialize the nonconforming nature and therefore “grandfathered” status of the existing development under current development regulations. TLZO Sec. 8.2.2.G states in pertinent part that “*An approved PD Rezoning Plan shall constitute the minimum standards for development within the PD District.*” That is, the intent is to clarify that what has been built is built, and new DCSM and SLDR development standards shall not apply at the time of subdivision review.

The Applicants complicate their intent to memorialize the existing built condition of the property as grandfathered by including the terms “proposed” and “new development” in the second and third sentences in the note. Staff points out that General Note #6 on Sheet 1 prohibits development on the property (“No new construction is proposed”). A recommendation is included in Section VIII below to clarify the term “development”.

The existing development of the Property is not capable of meeting several sections of the current DCSM regulations. Approval of DCSM modifications, which would require applications, justification statements and fees, would simply acknowledge the existing nonconformance. Otherwise, demolition of site improvements and existing residences would be required to conform to current development standards. However, Staff is concerned about the stormwater management system and believes it should remain private, even after the subdivision of the townhouse lots occurs. This issue is addressed in comment I.b.iii below.

No new development is proposed with this application. Due to the fact that *new lots* could be created, it is not appropriate to summarily waive *all* of the requirements of the subdivision regulations. Where applicable, the Applicant should be required to submit waivers of the subdivision regulations.

Staff believes it is appropriate to memorialize the existing nonconforming conditions of the property by noting TLZO Sec. 8.2.2.G on the Concept Plan. In this way, Town Council will be able to exercise their discretion to accept the nonconforming elements of the existing development and remove potential future conflicts with the DCSM at the time of subdivision review.

The issue can be resolved by revising the language used in General Note #9. The recommended revisions to General Note #9 are included in Section VIII.

- ii. **Setbacks:** The applicant has applied a 10' rear yard to Lots 3 through 32. Some of the units of this development have enclosed portions of the deck. By enclosing the deck, the enclosure becomes part of the principle structure. If approved as proposed, the development standards would conflict with the *existing* condition. Additionally, TLZO Section 10.4.5.C.5 limits the extent to which a deck may extend into a required yard. To address this ordinance requirement and to recognize the as-built condition of the development, the Applicants have added Note #11.6 on Sheet 1 which permits decks to encroach into the rear-yard to the rear lot line. The opportunity to enclose the deck would conflict with the rear-yard setback.

The development standards need to be revised to better acknowledge the as-built condition of the property and provide for future possible deck conversions. Staff does not object to eliminating the deck setbacks in TLZO 10.4.5.C.5 to reflect the existing conditions. Staff's primary concern is the ability to extend the principle structure to the rear-lot line. To address this issue, Staff recommends modifying the development standards in the Site/Zoning Data found on Sheet. Staff's recommendation can be found in Section VIII of this report.

- iii. **Storm Drainage:** Because this is a condominium property, the storm drainage facilities on-site are considered private and are therefore not presently included in public maintenance easements. However, if the property is subdivided into private lots, then per DCSM Sec. 5-254 public easements will be necessary to give the Town the right to access and maintain this now public storm drainage system per the DCSM. Staff is concerned because no drainage patterns are shown on the Concept Plan, contrary to statements in Applicant's Response Letter and in General Note #8 on Sheet 1. This means that easements may pass through areas that have existing obstructions in them, such as decks. Town public easement language requires such easements to be free and clear of such obstructions so this development cannot meet these current standards without the removal of said obstructions. Rather than require homeowners to do that, and because the development is fully constructed and has always been privately maintained, Staff recommends that the storm drainage on-site remain a private system. Staff's recommendations to accomplish this are found in Section VIII of this report.

2. **Town Plan Compliance:** The Town of Leesburg Zoning Ordinance (TLZO) Sections 3.3.15 and 3.4.12 require an assessment of how the proposed application complies with the *Town Plan*. The following elements of the *Town Plan* are applicable given the Applicant's proposal.

- a. ***Land Use:*** The subject property is located within the area identified as "Downtown" on the Town Plan Planned Land Use Policy Map. The core of Leesburg's Downtown and Old and Historic District is framed by residential

uses. This application does not propose to change land use and is consistent with Town Plan goals and objectives.

- b. Planning Density:** The Town Plan does not fix a density for established residential areas in the Downtown sector. Given the proximity to the urban core, higher densities are appropriate. The existing – and proposed – density in this case is 9.4 dwelling units per acre (i.e., 33 DUs divided by 3.5 acres = 9.4 DU/acre). This density is appropriate under Town Plan Downtown policies.
  - c. Community Design:** The subject area of this rezoning application is already improved with existing dwelling units. No new construction is proposed. Any improvements to the existing dwelling will be subject to the Old and Historic District Guidelines. Because no new construction is proposed, Staff finds that there are no proposed conflicts with Town Plan’s Community Design element.
  - d. Transportation:** No new vehicle trips will be created and no public improvements are required. This application is consistent with the Town Plan’s Transportation element.
  - e. Natural Resources:** No new development is proposed with this application and existing open space along the Town Branch will be retained. This application is consistent with the Town Plan’s Natural Resources element.
  - f. Housing:** No new development is proposed with this application. The dwelling unit style will remain, retaining the diversity of dwelling unit styles that adjoin the Downtown. This application is consistent with the Town Plan’s Housing element.
- 2. Traffic Impact Analysis (TIA):** The traffic impact analysis was waived as a submittal requirement due to the fact that no new vehicle trips would be created and no new site improvements are proposed.
  - 3. Site Design:** The property is developed with 33 dwelling units, 32 single-family attached townhouses and 1 single-family detached home. Developed in the 1980’s, extensive site demolition would be necessary to comply with existing development standards. Therefore, the Applicant has requested modifications which will memorialize the legally nonconforming use of the property. Because this application proposes no new development, Staff does not have any substantive comments regarding the site’s design.
  - 4. Proffers:** The Applicant is not proposing any new development and has not submitted proffers. The Applicant takes the position that application of the proffer guidelines is not warranted because no new development is proposed and there are no additional impacts to mitigate. Staff agrees with the justification. The ordinance approved by Town Council will be sufficient to enforce substantial conformance with the Concept Plan.

**VI. MODIFICATIONS:** The Applicant is requesting or needs six (6) zoning modifications which must be approved and/or granted by Town Council. TLZO Section 8.2.2.E Zoning Modifications authorizes Town Council to waive zoning standards, but states “*No modifications shall be permitted which affect uses, density, or floor area ratio of the district. No modification shall be approved unless the Town Council 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.*”

1. **PD District Size:** The Applicant must receive a modification of the minimum area requirement. TLZO Sec. 8.3.1, Minimum Area of Planned Development Districts states the Planned Residential Neighborhood district must contain a minimum of five (5) acres. However, the same section of the ordinance states that Town Council may find that “*a smaller area [is] suitable for a planned residential development by virtue of its unique historical or environmental features or its redevelopment and infill development potential.*”

The Applicant justifies the modification given that the request is the minimum necessary to comply with ordinance requirements. This rezoning reflects an as-built condition which meets the intent found in TLZO Section 8.3.1. (see Site/Zoning Data Note #3 on Sheet 1 and Page 4 of the Statement of Justification, Attachment 5)

Staff supports the requested modification as the criteria established in TLZO Sec. 8.3.1 are substantially met. The existing 3.5 acre development is suitable for a planned residential development by virtue of its unique historical and existing infill development.

2. **Lot Size:** TLZO Section 8.3.2 specifies that townhouse lots sizes must *average* 2,000 square feet. This section allows a minimum lot size of 1,600, for only 25% of the total amount of units. The ordinance also specifies that an equal amount of units must exceed the average lot size to in order to achieve the average lot size of 2,000 square feet. As proposed, only 2 townhouse lots would meet or exceed 2,000 s.f. and 30 are between 965 and 2,000 s.f. (see Site/Zoning Data Note #4 on Sheet 1 and Page 4 of the Statement of Justification, Attachment 5).

The Applicant justifies the modification based on the existing as-built condition of the property. The Applicant is unable to provide the minimum lot sizes required by the ordinance. The modification is the minimum necessary to achieve compliance with ordinance requirements.

Staff supports the requested modification. The modification achieves the intended purpose of allowing the creation of fee-simple property via individual lots in recognition of an existing as-built condition. No new development is proposed;

therefore, no added benefits or privileges are granted to the Applicant for the purpose of maximizing density.

3. **Open Space**: TLZO Sec. 8.4.8 requires at least 15% of the site, or 0.48 acres, be established for public and common open space. In addition to this open space requirement, this section of the ordinance requires areas be provided for public recreation sites at 2 acres for each 100 dwellings. The threshold for the public recreation sites is not met with this application and is not required.

1.94 acres of open space exists in the as-built condition of the property. The Applicant has exceeded the ordinance requirement and the modification is not necessary.

4. **Parking**: TLZO Sec. 11.3 requires 2.5 parking spaces per dwelling unit. There are 33 existing units which result in a parking requirement of 83 spaces. Parking for the existing development is provided in the form of 33 surface parking spaces and 37 garage spaces, for a total of 70 spaces. The provided parking is deficient 13 spaces under current ordinance requirements.

The Applicants' justification for the parking modification is a simple statement that declares the development will be in conformance with the rezoning concept plan (see Site/Zoning Data Note #9 on Sheet 1 and Page 4 of the Statement of Justification, Attachment 5).

The development has existed since 1986. At the time the site plan was approved only two parking spaces per unit were required and the required number of spaces was provided per the approved site plan. For this reason, Staff supports the parking modification.

5. **Deck Setbacks**: TLZO Section 10.4.5.C.5 limits the extent to which a deck may extend into a required yard. This section of the ordinance did not exist at the time the site plan was approved. Some of the proposed lots have deck up to the rear property line and would not satisfy the current ordinance requirements (see Site/Zoning Data Note #11.6 on Sheet 1).

Staff supports the modification. Due to the fact that this section of the ordinance did not exist at the time the decks were constructed, the modification is the minimum necessary to make the existing structures legally conforming.

6. **Buffer-yards and Screening**: TLZO Sec. 12.8 requires buffer-yards ranging from 0 to 25-feet depending on the use of the adjacent property. Additionally, screening material in varying densities, S-1 through S-3, is required. (see Site/Zoning Data Note #11.5 on Sheet 1 and Page 4 of the Statement of Justification, Attachment 5)

The property was initially developed in 1986 and the zoning ordinance requirements for buffer-yard and screening have changed. The existing as-built condition of the property prevents compliance with current ordinance

requirements. There is physically no room to provide either the buffer-yard or the required screening material without removing existing structures.

Staff supports the requested modification. No new development is proposed; therefore, no added benefits or privileges are granted to the Applicant for the purpose of maximizing density.

7. **On-lot Canopy**: TLZO Section 12.3.1.E requires each platted lot to contain two and a half percent (2.5%) of the lot area or 3,000 square feet, whichever is less. Staff notes that this section of the ordinance did not exist at the time the site plan was approved.

The Applicant justifies the modification given the existing as-built condition of the property. The Applicant is unable to provide the tree canopy on the individual lots required by the ordinance. The modification is the minimum necessary to achieve compliance with ordinance requirements.

## **VII. APPROVAL CRITERIA:**

Zoning Ordinance Section 3.3.15 establishes the following criteria for the Planning Commission and Town Council to use, in addition to other reasonable considerations, in making their decision regarding approval or disapproval of a zoning map amendment application. Listed below are the specific criteria. -

- A. *Consistency with the Town Plan, including but not limited to the Land Use Compatibility policies.* - No new development is proposed with this application. The existing development is consistent with many Town Plan goals and objectives.
- B. *Consistency with any binding agreements with Loudoun County, as amended, or any regional planning issues, as applicable.* - There are no binding agreements with Loudoun County with the existing development.
- C. *Mitigation of traffic impacts, including adequate accommodation of anticipated motor vehicle traffic volumes and emergency access.* - No new vehicle trips will be created and no public improvements are required. This application is consistent with the Town Plan's Transportation Element.
- D. *Compatibility with surrounding neighborhood and uses.* - No new development is proposed with this application. The existing development is compatible with the surrounding neighborhood.
- E. *Provision of adequate public facilities.* - No new development is proposed with this application. The existing development is currently served by adequate public facilities and no new public infrastructure is required to serve the site.

**VIII. RECOMMENDED REVISIONS:** Staff has completed two (2) reviews of the application. The majority of the recommended revisions are minor corrections/revisions recommended by Staff.

1. **H-1 Reference:** Revise Site/Zoning Data Note #2 to reference that the property is zoned H-1, Overlay, Old and Historic District.
2. **General Note #6:** This note could be interpreted to prohibit minor alterations to existing buildings. Staff believes the intent of the note is to memorialize the existing built-out condition of the property. The note should be revised to include language that prohibits the construction of new buildings or site alterations greater than 500 square feet.
3. **General Note #9:** Staff recommends that General Note #9 be revised to include the following language:

*Consistent with TLZO Sec. 8.2.2.G, this rezoning concept plan shall constitute the minimum standards for development of the property, waiving conformity with the DCSM requirements at the time of approval except as described for stormwater management in notes on this Concept Plan. Any new development of the property shall be required to meet DCSM requirements at the time of application.*

In effect, this note will permit the Town Council to waive compliance with the latest DCSM development standards for what has already been constructed based on the approved site plan TLPF-1985-0028 with one exception: stormwater management which is dealt with in Comment #5 Storm Drainage below. Note also that it does not waive compliance with SLDR regulations.

4. **Pre-Application Requirements:** Prior to the initiation of the Final Record Plat review, and in accordance with Section 3.10 of the SLDR, a pre-application meeting is required. The pre-application meeting shall be used to define the requirements of Construction Plans and compliance with SLDR requirements. The approval of this rezoning application does not guarantee the approval of the ensuing subdivision process.
5. **Storm Drainage:** No plan has been submitted that demonstrates how stormwater is handled on the site. In some cases decks and other obstructions appear to have been constructed in drainage areas, which could impede the flow of stormwater through the site. As stated in Comment #3 General Note #9 above, Staff believes this on-site storm drainage should remain a private system, even after the property is subdivided because public standards for the system cannot be met without substantial change to certain structures on the property. To ensure that the existing system is adequately maintained, Staff recommends the following:
  1. **Add Note to Plat:** Applicants should add a note to the Concept Plan that explains the stormwater management facilities shall remain *private* and

that they shall not now or in the future be the responsibility of the Town of Leesburg, and that they shall be adequately maintained by the Home Owners Association and lot owners as prescribed in Home Owner Association documents so as not to be a detriment to the Town of Leesburg or other off-site properties.

2. **Deed Restriction Note.** To guard against lack of maintenance and potential obstruction of the private stormwater management system on site, a restriction clause should be added to the deed for each lot which states the following:

The stormwater management facilities in Chesterfield are private and not the responsibility of the Town of Leesburg. These stormwater management facilities shall be privately maintained, and no part of the facilities shall be altered, blocked or reoriented so as to divert water onto another owner's property or onto public property.

A note should be added to the Concept Plan to this effect.

6. **New General Note #10:** Staff recommends the addition of the following note regarding waivers or modifications:

*Approval of this zoning map amendment does not express or imply any waiver or modification of the requirements set forth in the Subdivision and Land Development Regulations or the Zoning Ordinance unless specifically noted or included with this rezoning Concept Plan.*

7. **Private Street:** A note should be added to the Concept Plan that states that the interior vehicular circulation is not publically maintained and maintenance shall be provided by the homeowners association.
8. **Ingress/Egress:** A note should be added to the Concept Plan that states public and private ingress/egress easements shall be accommodated across lots and common areas, where applicable, at the time of subdivision review.
9. **Setbacks, Decks:** Staff recommends that the existing condition of constructed decks and applicable setbacks be reflected in the Site/Zoning Data table in Sheet 1. Staff recommends the following note and revision to the table:

*“Construction or alteration of decks shall be exempt from the requirements of TLZO Sec. 10.4.5.C.2, except as provided: no deck shall be extended closer to the rear property line than the closest existing deck in that building group.”*
10. **Building Setbacks:** Staff recommends that the Applicants reduce the building setback from 10 feet to 5 feet to allow the *existing* enclosed decks to become legally conforming structures.

**11. Rezoning Plat, Phasing Lines:** The rezoning plat contains the old site-plan phasing lines. Because the property in total is being rezoned, only the perimeter boundary of the property should be shown. Retaining the old phase lines could cause confusion and should be removed from the rezoning plat.

**12. Rezoning Plat Lot Lines:** The rezoning plat is only intended to depict the limits of the property to be rezoned. Like the comment above, proposed interior lot lines should be removed from the rezoning plat. Proposed lot lines should only be depicted on the Concept Plan to avoid confusion.

## **IX. SAMPLE DRAFT MOTIONS:**

### **Approval with Revisions**

I move that rezoning application TLZM-2013-0008, Chesterfield Place Condominiums, be amended in accordance with the recommended revisions contained in the staff report dated June 5, 2014, and return to the Planning Commission at the July 3, 2014 regular meeting for further action. Revised plans should be submitted to staff no later than 10 days prior to the July 3, 2014 meeting.

### **Approval**

I move that rezoning application TLZM-2013-0008, Chesterfield Place Condominiums, be forwarded to the Town Council with a recommendation of approval on the basis that the Approval Criteria of Zoning Ordinance Section 3.3.15 have been satisfied and that the proposal would serve the public necessity, convenience, general welfare and good zoning practice.

### **Denial**

I move that rezoning application TLZM-2013-0008, Chesterfield Place Condominiums, be forwarded to the Town Council with a recommendation of denial on the basis that the Approval Criteria of Zoning Ordinance Section 3.3.15 have not been satisfied due to the following reasons\_\_\_\_\_.

## **X. ATTACHMENTS:**

1. Location Map
2. Town Plan Land Use Map
3. Zoning Map
4. Chesterfield Place Concept Plan prepared by Bowman Consulting last revised April 14, 2014.
5. Chesterfield Place Statement of Justification dated December 18, 2013

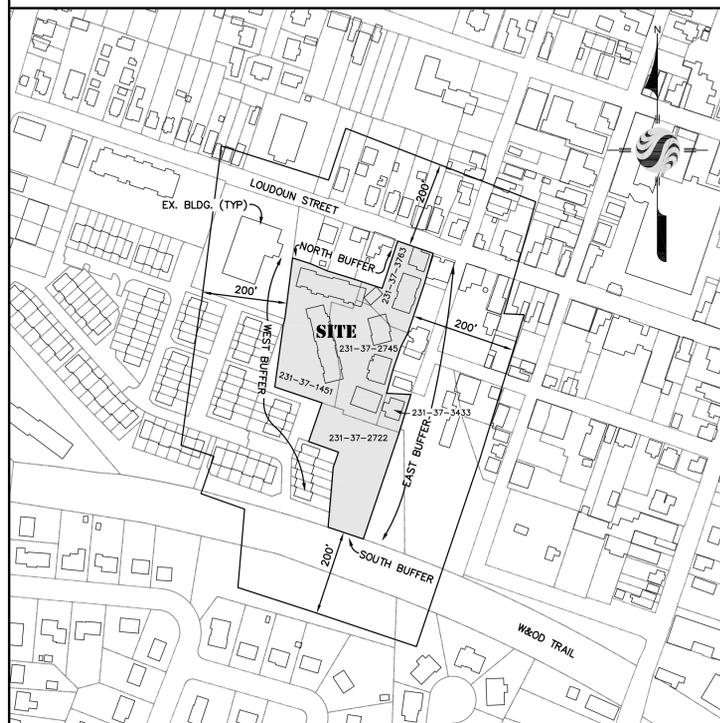
## GENERAL NOTES:

- ALL PARCELS ARE LOCATED WITHIN THE HI OLD & HISTORIC OVERLAY DISTRICT.
- PARCEL 231-37-2722 IS PARTIALLY LOCATED WITHIN THE FLOODPLAIN OVERLAY DISTRICT.
- SITE INFORMATION SHOWN HEREON WAS OBTAINED FROM THE FOLLOWING SOURCES:
  - SITE PLAN TITLED "CHESTERFIELD" APPLICATION #7-440-2F-5.1 APPROVED AND REVISED THRU SEPT. 8, 1994
  - DB 1045 PG 0447 WHICH INCLUDES THE PHR&A PLAT SHOWING CHESTERFIELD PLACE CONDOMINIUM IMPROVEMENTS
  - MAPPING INFORMATION FROM LOUDOUN COUNTY GIS
  - SITE SURVEY CONDUCTED BY STANTEC CONSULTING SERVICES INC. DATED FEBRUARY 26, 2014.
- THERE ARE NO KNOWN ENVIRONMENTAL OR HISTORIC FEATURES LOCATED ON THIS SITE.
- NO SIGNAGE IS PROPOSED WITH THIS REZONING APPLICATION.
- NO NEW CONSTRUCTION IS CURRENTLY PROPOSED WITH THIS REZONING APPLICATION. ANY FUTURE CONSTRUCTION OF NEW BUILDINGS OR SITE ALTERATIONS GREATER THAN 500 S.F. IS PROHIBITED.
- ALL EXISTING TREE COVER IS TO REMAIN.
- THE EXISTING CONDITIONS PLAT SHOWS GRADING ACCOMPLISHED UPON THE SITE IN CONJUNCTION WITH IMPROVEMENTS CONSTRUCTED UPON THE PROPERTY. NO NEW GRADING OR CONSTRUCTION IS PROPOSED IN CONJUNCTION WITH THIS APPLICATION FOR REZONING OF THE PROPERTY TO PRN FROM B-1. THE EXISTING CONDITIONS PLAT ILLUSTRATES THE DIRECTIONAL ARROWS FOR STORM WATER FLOW ACROSS THE PROPERTY. NO REVISIONS OF SUCH FLOWS OR NEW CONSTRUCTION IS PROPOSED THAT WILL INTERFERE WITH THE EXISTING STORM WATER FLOW ACROSS THE PROPERTY.
- CONSISTENT WITH TLZO SEC. 8.2.2.G, THIS REZONING CONCEPT PLAN SHALL CONSTITUTE THE MINIMUM STANDARDS FOR DEVELOPMENT OF THE PROPERTY, WAIVING CONFORMITY WITH THE DCSM REQUIREMENTS AT THE TIME OF APPROVAL EXCEPT AS DESCRIBED FOR STORMWATER CONVEYANCE IN NOTES ON THIS CONCEPT PLAN. ANY NEW DEVELOPMENT OF THE PROPERTY SHALL BE REQUIRED TO MEET DCSM REQUIREMENTS AT THE TIME OF APPLICATION.
- APPROVAL OF THIS ZONING MAP AMENDMENT DOES NOT EXPRESS OR IMPLY ANY WAIVER OR MODIFICATION OF THE REQUIREMENTS SET FORTH IN THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS OR THE ZONING ORDINANCE UNLESS SPECIFICALLY NOTED OR INCLUDED WITH THIS REZONING CONCEPT PLAN.

### LANDSCAPE BUFFER AND SCREENING MATRIX

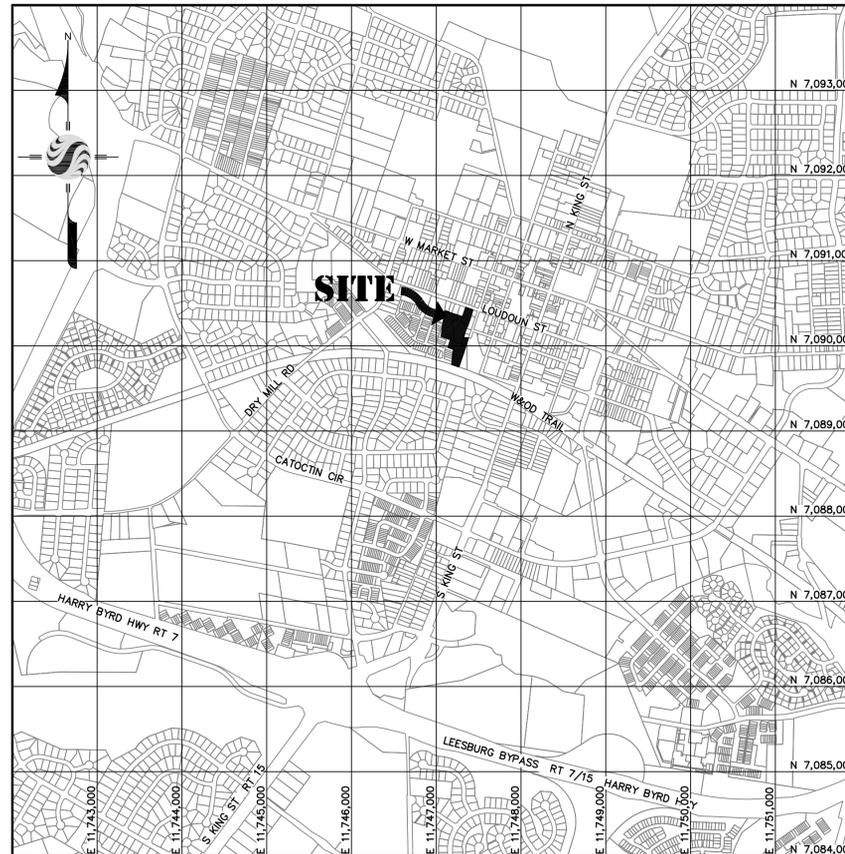
Proposed land use/buffer matrix designation	Location of yard	Existing land use of adjacent property	Buffer yard matrix designation	Length of yard	Buffer required	Existing/Proposed buffer
Single Family Residential (townhouses) Rb	East	Office & Public Parking	Ca	±765'	25' screen 3	0'-10' with existing vegetation and existing opaque fencing
	South	W&OD trail	Ia	±88'	25' screen 2	25' with existing vegetation
	West	Single family residential/Townhouses	Rb	±775'	None	NA
	West	Fire Station	Ic	±121'	25' screen 3	0'-15' with existing vegetation and existing opaque fencing
	North	Office	Ia	±45'	25' screen 2	0'-10' with existing vegetation and existing opaque fencing
	North	Office	Ca	±45'	25' screen 3	0'-10' with existing vegetation and existing opaque fencing
	North	Retail	Ca	±67'	25' screen 3	0'-10' with existing vegetation and existing opaque fencing
	North	Single family residential	Ra	±185'	10' screen 1	0'-10' with existing vegetation and existing opaque fencing

## 200 SCALE MAP INSERT:



# REZONING PLAT FOR CHESTERFIELD PLACE

## TOWN OF LEESBURG LOUDOUN COUNTY, VIRGINIA



### VICINITY MAP

SCALE: 1"=1000'

### OWNER/APPLICANT:

CHESTERFIELD PLACE CONDO UNIT OWNERS  
& UNIT OWNERS ASSOCIATION  
C/O KOURY COMMUNITIES INC.  
3843 PLAZA DR  
FAIRFAX, VA 22030-2512

### PREPARED BY:



Stantec Consulting Services Inc.  
4500 Daly Drive Suite 100  
Chantilly, VA 20151-3724  
Tel: 703.263.1220  
Fax: 703.263.1221

www.stantec.com

DATE ISSUED:  
DECEMBER 2013

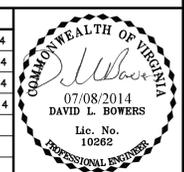
## SITE/ZONING DATA:

- OWNER OF PROPERTY IS THE CHESTERFIELD PLACE CONDOMINIUM UNIT OWNERS ASSOCIATION AND OWNERS OF CONDOMINIUM UNITS 1-33 ON 3.2 ACRES OF REAL PROPERTY DESCRIBED AS PIN 231-37-2722; 231-37-2745; 231-37-1451; 231-37-3763; AND 231-37-3433 (COLLECTIVELY THE "PROPERTY").
- EXISTING ZONE: B-1, COMMUNITY (DOWNTOWN) BUSINESS DISTRICT, H-1, OVERLAY, OLD AND HISTORIC DISTRICT  
PROPOSED ZONE: PRN, PLANNED RESIDENTIAL NEIGHBORHOOD DISTRICT, H-1, OVERLAY, OLD AND HISTORIC DISTRICT
- TLZO SECTION 8.3.1 MINIMUM AREA  
MINIMUM REQUIRED: PLANNED RESIDENTIAL NEIGHBORHOOD (PRN) DISTRICTS SHALL BE AT LEAST FIVE (5) ACRES IN AREA UNLESS THE TOWN COUNCIL FINDS A SMALLER AREA SUITABLE FOR A PLANNED RESIDENTIAL DEVELOPMENT BY VIRTUE OF ITS UNIQUE HISTORIC OR ENVIRONMENTAL FEATURES OR ITS REDEVELOPMENT AND INFILL DEVELOPMENT POTENTIAL.  
PROVIDED: THE SUBJECT PROPERTIES CONTAIN 139,392 SQUARE FEET OR 3.2 ACRES OF LAND SUBMITTED BY VIRTUE OF AN INFILL DEVELOPMENT.
- TLZO SECTION 8.3.2 LOT SIZE  
REQUIRED:  
  - 1,600 S.F./0.04 AC NO MORE THAN 25% OF TOTAL LOTS PROVIDED WITH WIDTH 18' MIN. REQUIRED (\*)
  - 2,000 S.F./0.05 AC MIN. 75% OF TOTAL LOTS PROVIDED WITH WIDTH 20' MIN. REQUIRED(\*)
  - 2,000 S.F./0.05 AC AVERAGE FOR TOTAL LOTS PROVIDED(\*)(\*)WHERE LOTS LESS THAN 2,000 SQ. FT. IN AREA ARE PROPOSED, AN EQUAL NUMBER OF LOTS ABOVE 2,000 SQ. FT. IN AREA SHALL BE PROPOSED SO THAT THE OVERALL LOT SIZE AVERAGES OUT TO 2,000 SQ. FT. FOR EXAMPLE, IF 100 SFAS ARE PROPOSED, THEN AT LEAST 200,000 SQ. FT. OF SPA LOT AREA MUST BE CREATED (I.E. 100 LOTS \* 2,000 SQ. FT. AVERAGE = 200,000). IF 25 OF THE LOTS ARE PROPOSED TO BE 1,600 SQ. FT., THAT IS 40,000 SQ. FEET (25 LOTS \* 1,600 = 40,000). THE REMAINING 75 LOTS MUST CONTAIN 160,000 SQ. FT. (200,000 - 40,000 = 160,000). THAT MEANS THESE 75 LOTS MUST AVERAGE APPROXIMATELY 2,133 SQ. FT. (WITH NONE LESS THAN 2,000 SQ. FT.) PER LOT TO REACH THE 200,000 SQ. FT. REQUIREMENT. A CALCULATION DEMONSTRATING THAT THE REQUIRED LOT AVERAGE HAS BEEN MET SHALL BE SUBMITTED AS PART OF THE REZONING REQUEST.  
 PROVIDED:  
 21 LOTS (64%) = EXISTING TOWNHOUSES 20' OR GREATER IN WIDTH  
 12 LOTS (36%) = EXISTING TOWNHOUSES BETWEEN 17'-19' IN WIDTH  
 ± 3 LOTS (8%) = EXISTING GARAGE UNITS 12' IN WIDTH  
 36 LOTS TOTAL  
  
 3 LOTS (8%) = EXISTING TOWNHOUSES 2,000 S.F. OR GREATER IN AREA  
 33 LOTS (84%) = EXISTING TOWNHOUSES BETWEEN 965 S.F. AND LESS THAN 2,000 S.F.  
 ± 3 LOTS (8%) = EXISTING GARAGE UNITS 731 S.F.  
 36 LOTS TOTAL
- TLZO SECTION 8.3.4 RESIDENTIAL DENSITY LIMITS  
MINIMUM PERMITTED: 5-12 DWELLING UNITS/ACRE MEDIUM RESIDENTIAL PER TOWN PLAN CHAPTER 6 PG 6-24  
PROVIDED:  
 139,392 S.F./3.2 ACRES TOTAL LAND AREA  
 = 13,068 S.F./0.3 ACRES FLOODPLAIN  
 126,324 S.F./2.9 ACRES NET LAND AREA TO COMPUTE DENSITY LIMIT  
 11.4 DWELLING UNITS/ACRE = (33 DWELLING UNITS/2.9 ACRES)/(33 DWELLING UNITS/126,324 S.F.)
- TLZO 8.4.8 OPEN SPACE  
MINIMUM REQUIRED: 0.48 AC/20,909 S.F. (3.2 AC X 0.15)  
PROVIDED: 1.93 AC/84,226 S.F. (0.60)
- TLZO SECTION 8.4.6 DENSITY, INTENSITY AND DIMENSIONAL STANDARDS  
LOT AREA, YARD AND BUILDING HEIGHT REGULATIONS SHALL BE SET OUT IN THE ORDINANCE ESTABLISHING THE PLANNED DEVELOPMENT DISTRICT. IN ACCORDANCE WITH THE ESTABLISHMENT OF THESE RESTRICTIONS, LISTED BELOW ARE THE PROPOSED AREAS, YARDS AND BUILDING HEIGHTS TO BE IMPOSED ON THE PROPOSED PRN DISTRICT SHOWN HEREON:  
 7.1. LOT AREA = RANGES FROM 965 S.F./0.02 AC TO 4,708 S.F./0.11 AC  
 7.2. BUILDING YARD SETBACKS = 0' FRONT, 0' SIDE, 5' REAR FOR LOTS 3-16, 18-26, 28-32, #113  
 0' FRONT, 0' SIDE, 0' REAR FOR LOTS 1-2, 17 & 27  
 7.3. MAXIMUM BUILDING HEIGHT = 40'  
 8. DWELLING UNIT TYPE: 32 SINGLE FAMILY ATTACHED TOWNHOUSES + 1 SINGLE FAMILY DETACHED NON-RESIDENTIAL S.F.: 0 (ZERO)  
 9. PARKING  
 REQUIRED: 83 SPACES (2.5 PER DWELLING X 33 DWELLINGS)  
 PROVIDED: 33 SPACES (SURFACE PARKING)  
 ± 37 SPACES (GARAGE)  
 70 TOTAL PARKING SPACES PROVIDED  
 10. NO NEW PEDESTRIAN CIRCULATION, PATHS, BIKEWAYS OR TRAILS ARE PROPOSED.  
 11. PURSUANT TO ZONING ORDINANCE SECTION 8.2.2.E. THE REZONING PLAN SPECIFICALLY MODIFIES THE FOLLOWING STANDARDS:  
 11.1. THE SIZE OF THE PLANNED RESIDENTIAL NEIGHBORHOOD DISTRICT IS REDUCED FROM FIVE ACRES TO 3.2 ACRES.  
 11.2. LOT SIZES SHALL BE AS DESCRIBED IN NOTE 4.  
 11.3. THE NUMBER OF PARKING SPACES SHALL INCLUDE ALL GARAGES CONSTRUCTED ON THE PROPERTY WITH THE PROVISION THAT, PRIOR TO THE FIRST RECORD PLAT APPROVAL FOR ANY PORTION OF THE PROPERTY, A COVENANT WILL BE RECORDED THAT WILL PRECLUDE THE PRIMARY USE OF ANY GARAGE LOCATED ON THE PROPERTY FOR PURPOSES OTHER THAN THE STORAGE OF VEHICLES.  
 11.4. THE NUMBER OF PARKING SPACES ON THE PROPERTY SHALL BE AT LEAST 70 SPACES INCLUDING 37 GARAGE SPACES.  
 11.5. EXISTING LANDSCAPING ON THE PROPERTY COMMON AREA SHALL BE RETAINED TO THE GREATEST EXTENT POSSIBLE WITH THE UNDERSTANDING THAT ANY DEAD OR DISEASED PLANTS ON THE PROPERTY COMMON AREA MAY BE REPLACED WITH LIKE-KIND OR EQUIVALENT PLANT MATERIAL, WITH THE FURTHER UNDERSTANDING THAT THE PERCENT OF LANDSCAPING COVERAGE IN THE PROPERTY COMMON AREA SHOWN ON THE REZONING PLAN WILL NOT BE REDUCED.  
 11.6. CONSTRUCTION OR ALTERATION OF DECKS SHALL BE EXEMPT FROM THE REQUIREMENTS OF TLZO SEC. 10.4.5.C.2. EXCEPT AS PROVIDED: NO DECK SHALL BE EXTENDED CLOSER TO THE REAR PROPERTY LINE THAN THE CLOSEST EXISTING DECK IN THAT BUILDING GROUP.

## SHEET INDEX:

- COVER SHEET
- EXISTING CONDITIONS & CONCEPT PLAN
- EXISTING CONDITIONS & CONCEPT PLAN
- REZONING PLAT
- REZONING PLAT
- EXISTING CONDOMINIUM ASBUILT & NEW LOT EXHIBIT

Revision:	Date:
REVISED PER TOWN COMMENTS	01/17/14
REVISED PER REFERRAL COMMENTS DATED 03/14/14	04/14/14
REVISED PER STAFF REPORT COMMENTS DATED 06/05/14	06/12/14
REVISED CONCEPT PLAN NOTES ON SHEET 2	07/08/14



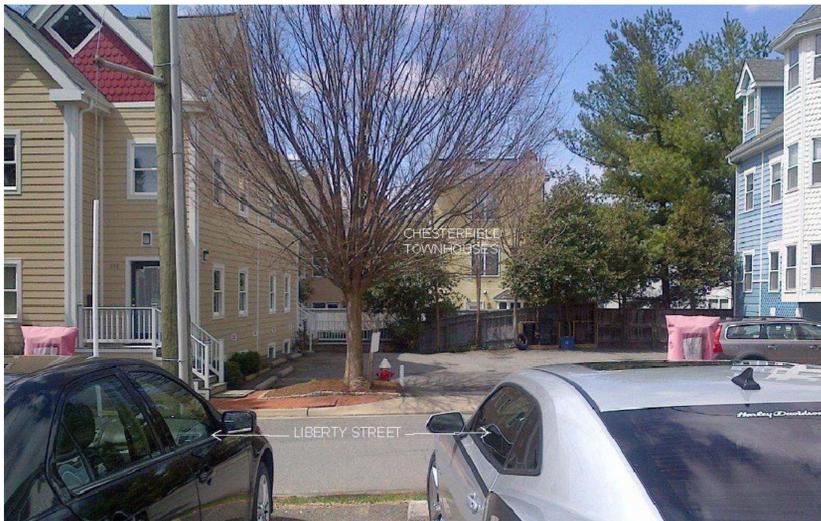




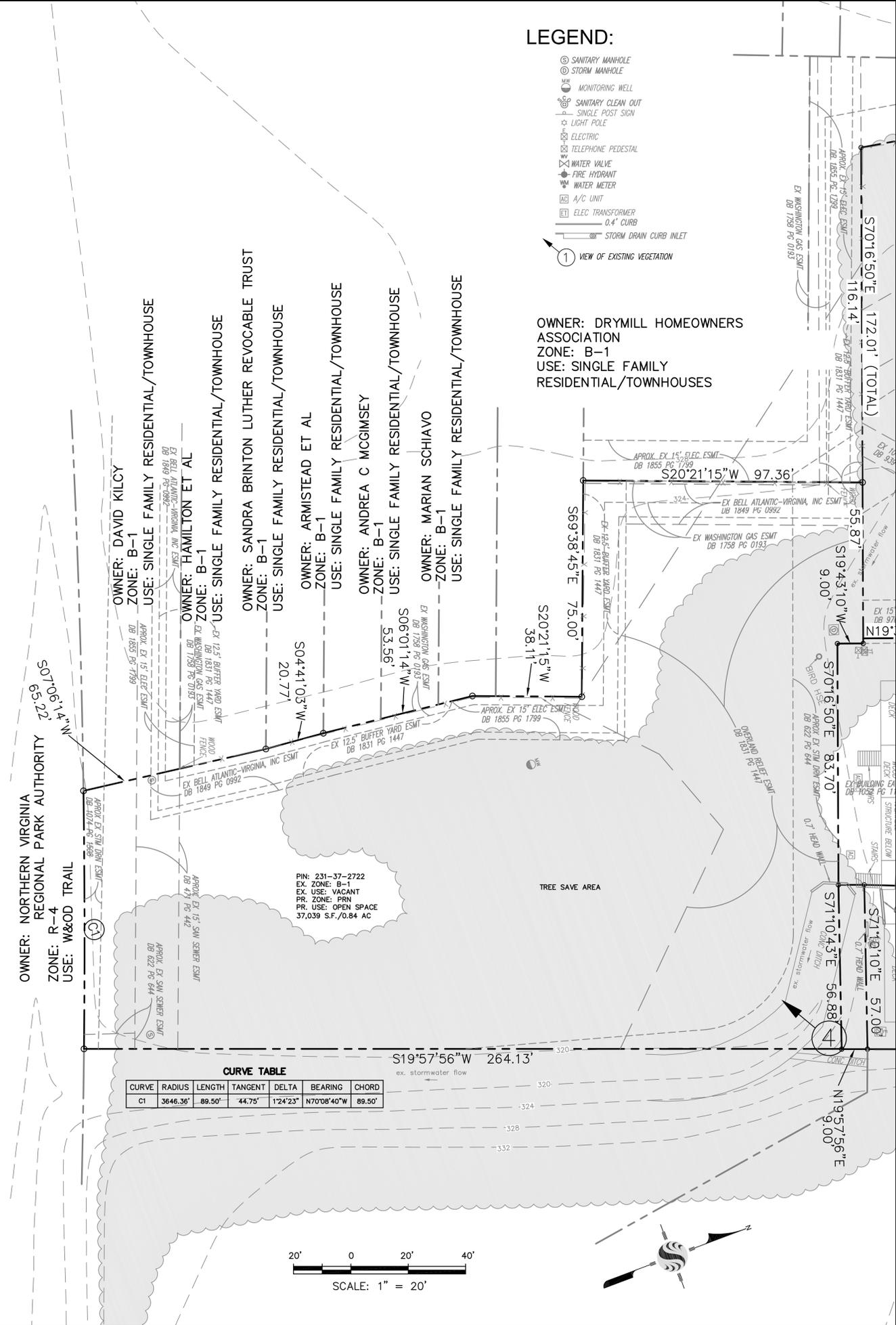
VIEW #4 LOOKING WEST TOWARDS DRYMILL SUBDIVISION. IMAGE ILLUSTRATES EXTENT OF EXISTING VEGETATION TO SERVE AS BUFFER BETWEEN CHESTERFIELD DEVELOPMENT AND W&D TRAIL.



VIEW #5 LOOKING WEST FROM TOWN PARKING LOT TOWARDS CHESTERFIELD. IMAGE ILLUSTRATES EXTENT OF EXISTING SCREENING TO SERVE AS BUFFER.



VIEW #6 LOOKING WEST FROM LIBERTY STREET TOWARDS CHESTERFIELD. IMAGE ILLUSTRATES EXTENT OF EXISTING SCREENING TO SERVE AS BUFFER.



MATCHLINE SEE SHEET 2

**Stantec Consulting Services Inc.**  
 6500 Day Drive, Suite 100  
 Channahon, IL 61515-5124  
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 Fax: 708.283.1211  
 www.stantec.com

**Stantec**

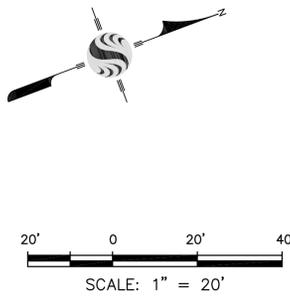
**EXISTING CONDITIONS & CONCEPT PLAN**  
**CHESTERFIELD PLACE**  
 TOWN OF LEESBURG  
 LOUDOUN COUNTY, VIRGINIA

**Date:** DECEMBER 2013  
**Scale:** 1"=20'  
**Design:** TEAM **Drawn:** AH  
**Project No.** 2029040011  
**Sheet** 3 **of** 6  
**Cad File** 5320plot.dwg  
**File No.** 5320

**Revision:**

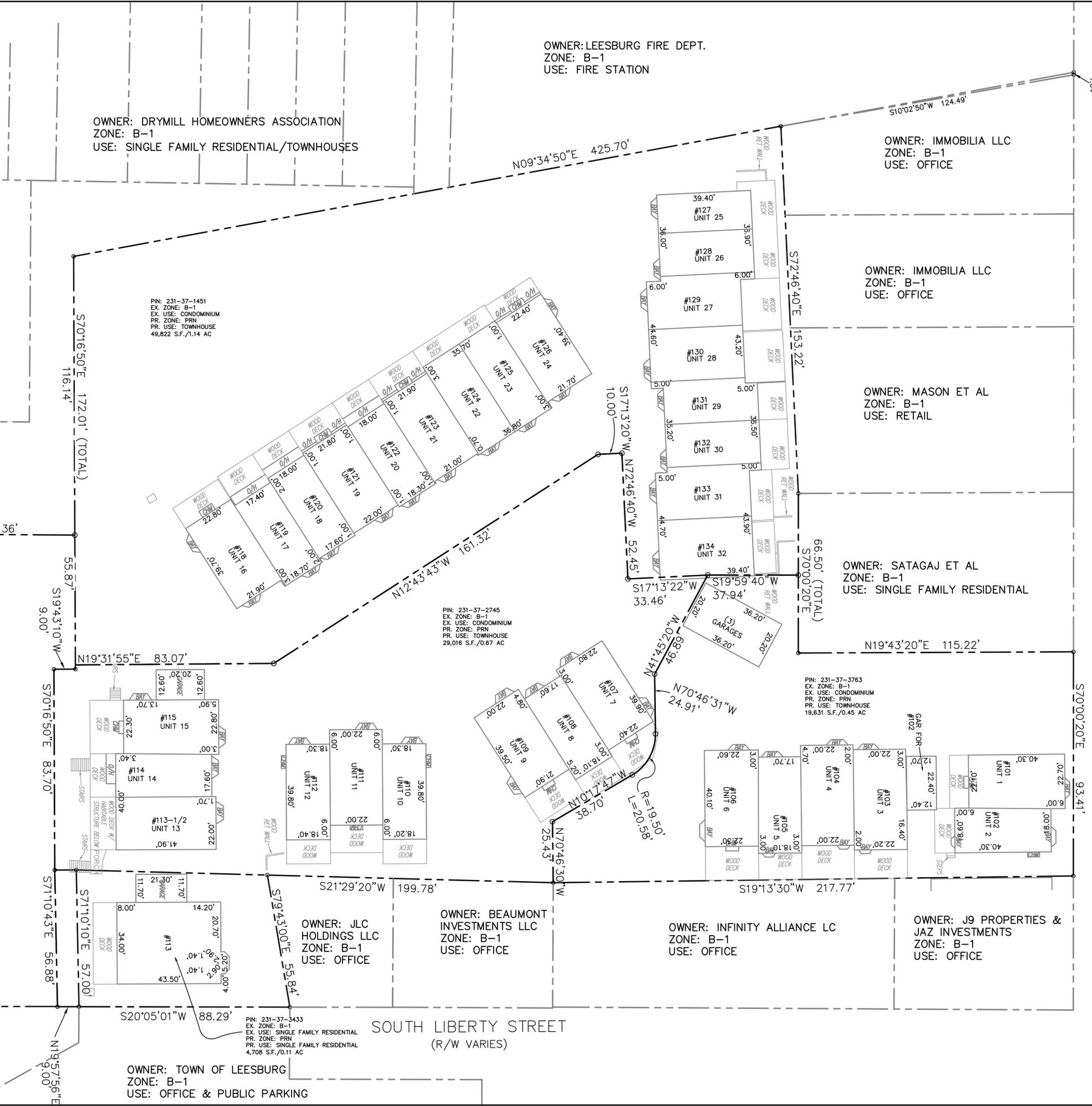
Revision	Date	Comments
1	01/17/14	REVISED PER TOWN COMMENTS
2	04/14/14	PER REFERRAL COMMENTS DATED 03/14/14
3	06/12/14	PER STAFF REPORT DATED 06/05/14
4	07/08/14	REVISED CONCEPT PLAN NOTES ON SHEET 2
5	07/08/14	REVISED CONCEPT PLAN NOTES ON SHEET 2

**COMMONWEALTH OF VIRGINIA**  
 07/08/2014  
 DAVID L. BROWERS  
 11-00002  
 PROFESSIONAL ENGINEER



- NOTES:**
- CERTIFICATION OF THIS PLAT APPLIES TO THE EXTERNAL BOUNDARY FOR THE DEVELOPMENT ONLY. INTERNAL BOUNDARIES ARE FOR ILLUSTRATIVE PURPOSES ONLY.
  - ALL INFRASTRUCTURE IS EXISTING AND TO REMAIN AS SHOWN. NO IMPROVEMENTS ARE PROPOSED AND THEREFORE WILL NOT BE SUBJECT TO CONSTRUCTION PLAN REVIEW. HOWEVER THE SITE WILL BE SUBJECT TO A FINAL RECORD PLAT REVIEW.
  - TOTAL LAND AREA = 139,392 S.F./3.2 ACRES
  - A PRELIMINARY PLAN OF SUBDIVISION IS NOT REQUIRED SINCE FEWER THAN FIFTY LOTS ARE PROPOSED. AT THE PRE-APPLICATION CONFERENCE REQUIRED PRIOR TO SUBMISSION OF A APPLICATION FOR APPROVAL OF A RECORD PLAT FOR ANY PORTION OF THE PROPERTY, THE APPLICANT FOR SUBDIVISION APPROVAL AND TOWN REPRESENTATIVES SHALL CLARIFY INFORMATION TO BE INCLUDED ON AS-BUILT DRAWINGS TO BE SUBMITTED WITH AN APPLICATION FOR APPROVAL OF THE FIRST RECORD PLAT FOR ANY PORTION OF THE PROPERTY. APPROVAL OF TLZM 2013-0008 DOES NOT GUARANTEE APPROVAL OF ANY RECORD SUBDIVISION PLAT FOR ANY PORTION OF THE PROPERTY.
  - THE EXISTING STORMWATER CONVEYANCE FACILITIES SHALL REMAIN PRIVATE AND SHALL NOT NOW OR IN THE FUTURE BE THE RESPONSIBILITY OF THE TOWN OF LEESBURG, AND SHALL BE ADEQUATELY MAINTAINED BY THE HOME OWNERS ASSOCIATION AND LOT OWNERS AS PRESCRIBED IN HOME OWNER ASSOCIATION DOCUMENTS SO AS NOT TO BE A DETRIMENT TO THE TOWN OF LEESBURG OR OTHER OFF-SITE PROPERTIES. THIS NOTE IS ALSO TO BE ADDED AS A RESTRICTION CLAUSE TO THE DEED FOR EACH LOT.

MATCHLINE SEE SHEET 5



LOUDOUN STREET  
(R/W VARIES)

SOUTH LIBERTY STREET  
(R/W VARIES)

Stantec Consulting Services Inc.  
6500 Derry Drive, Suite 300  
Channahon, IL 61515-9124  
Tel: 708.283.1220  
Fax: 708.283.1221  
www.stantec.com

Date:	01/17/14	04/14/14	06/12/14	07/08/14
Revised Per Town Comments				
Revised Per Town Comments Dated 03/14/14				
Per Referral Report Dated 06/05/14				
Per Staff Report Dated 06/05/14				
Revised Concept Plan Notes on Sheet 2				

REZONING PLAT

**CHESTERFIELD PLACE**

TOWN OF LEESBURG

LOUDOUN COUNTY, VIRGINIA

LOT 1

Date: DECEMBER 2013

Scale: 1"=20'

Design: TEAM Drawn: AH

Project No. 2029040011

Sheet 4 of 6

Cad File 5320plot.dwg

File No. 5320

**NOTES:**

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- THE EXISTING STORMWATER CONVEYANCE FACILITIES SHALL REMAIN PRIVATE AND SHALL NOT NOW OR IN THE FUTURE BE THE RESPONSIBILITY OF THE TOWN OF LEESBURG, AND SHALL BE ADEQUATELY MAINTAINED BY THE HOME OWNERS ASSOCIATION AND LOT OWNERS AS PRESCRIBED IN HOME OWNER ASSOCIATION DOCUMENTS SO AS NOT TO BE A DETRIMENT TO THE TOWN OF LEESBURG OR OTHER OFF-SITE PROPERTIES. THIS NOTE IS ALSO TO BE ADDED AS A RESTRICTION CLAUSE TO THE DEED FOR EACH LOT.

OWNER: NORTHERN VIRGINIA  
REGIONAL PARK AUTHORITY  
ZONE: R-4  
USE: W&OD TRAIL

S07°06'14"W  
65.22'

OWNER: DAVID KILCY  
ZONE: B-1  
USE: SINGLE FAMILY RESIDENTIAL/TOWNHOUSE

OWNER: HAMILTON ET AL  
ZONE: B-1  
USE: SINGLE FAMILY RESIDENTIAL/TOWNHOUSE

OWNER: SANDRA BRINTON LUTHER REVOCABLE TRUST  
ZONE: B-1  
USE: SINGLE FAMILY RESIDENTIAL/TOWNHOUSE

OWNER: ARMISTEAD ET AL  
ZONE: B-1  
USE: SINGLE FAMILY RESIDENTIAL/TOWNHOUSE

OWNER: ANDREA C MCGIMSEY  
ZONE: B-1  
USE: SINGLE FAMILY RESIDENTIAL/TOWNHOUSE

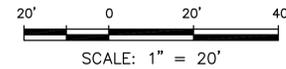
OWNER: MARIAN SCHIAVO  
ZONE: B-1  
USE: SINGLE FAMILY RESIDENTIAL/TOWNHOUSE

OWNER: DRYMILL HOMEOWNERS ASSOCIATION  
ZONE: B-1  
USE: SINGLE FAMILY RESIDENTIAL/TOWNHOUSE

PN: 231-37-2722  
EX. ZONE: B-1  
EX. USE: VACANT  
PR. ZONE: PRN  
PR. USE: OPEN SPACE  
37,039 S.F./0.84 AC (TOTAL)  
13,068 S.F./0.3 AC (FLOODPLAIN)

**CURVE TABLE**

CURVE	RADIUS	LENGTH	TANGENT	DELTA	BEARING	CHORD
C1	3646.36'	89.50'	44.75'	1'24'23"	N70°08'40"W	89.50'



S70°16'50"E 172.01' (TOTAL)  
116.14'

S20°21'15"W 97.36'

S19°43'10"W 9.00'

N 19°

S70°16'50"E 83.70'

S71°10'10"E 57.00'

S71°10'43"E 56.88'

N19°57'56"E 9.00'

MATCHLINE SEE SHEET 4

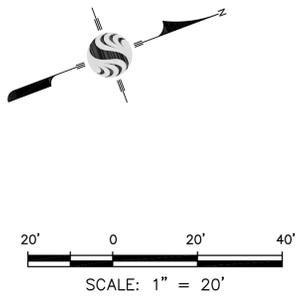
REZONING PLAT  
**CHESTERFIELD PLACE**  
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Sheet 5 of 6  
Cad File 5320plot.dwg  
File No. 5320



Revision:	Date:
REVISED PER TOWN COMMENTS	01/17/14
PER REFERRAL COMMENTS DATED 03/14/14	04/14/14
PER STAFF REPORT DATED 06/05/14	06/12/14
REVISED CONCEPT PLAN NOTES ON SHEET 2	07/08/14

Stantec Consulting Services Inc.  
6500 Derry Drive, Suite 200  
Channahon, VA 20151-9124  
Tel: 703.283.1220  
Fax: 703.283.1221  
www.stantec.com



OWNER: DRYMILL HOMEOWNERS ASSOCIATION  
 ZONE: B-1  
 USE: SINGLE FAMILY RESIDENTIAL/TOWNHOUSES

OWNER: LEESBURG FIRE DEPT.  
 ZONE: B-1  
 USE: FIRE STATION

OWNER: IMMOBILIA LLC  
 ZONE: B-1  
 USE: OFFICE

OWNER: IMMOBILIA LLC  
 ZONE: B-1  
 USE: OFFICE

OWNER: MASON ET AL  
 ZONE: B-1  
 USE: RETAIL

OWNER: SATAGAJ ET AL  
 ZONE: B-1  
 USE: SINGLE FAMILY RESIDENTIAL

OWNER: JLC HOLDINGS LLC  
 ZONE: B-1  
 USE: OFFICE

OWNER: BEAUMONT INVESTMENTS LLC  
 ZONE: B-1  
 USE: OFFICE

OWNER: INFINITY ALLIANCE LC  
 ZONE: B-1  
 USE: OFFICE

OWNER: J9 PROPERTIES & JAZ INVESTMENTS  
 ZONE: B-1  
 USE: OFFICE

OWNER: TOWN OF LEESBURG  
 ZONE: B-1  
 USE: OFFICE & PUBLIC PARKING

**NOTES:**  
 1. ANCILLARY GARAGE STRUCTURES (UNITS A, B, & C) ARE NOT HABITABLE.



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	07/08/14
	07/08/14



EXISTING CONDOMINIUM ASBUILT  
 & NEW LOT EXHIBIT  
**CHESTERFIELD PLACE**  
 TOWN OF LEESBURG  
 LOUDOUN COUNTY, VIRGINIA

Date:	DECEMBER 2013
Scale:	1"=20'
Design:	TEAM
Drawn:	AH
Project No.	2029040011
Sheet	6 of 6
Cad File	5320plot.dwg
File No.	5320

Stantec Consulting Services Inc.  
 6500 Derry Drive, Suite 100  
 Community, VA 20131-5124  
 Tel: 703.283.1220  
 Fax: 703.283.1211  
 www.stantec.com

PRESENTED: July 22, 2014

ORDINANCE NO. \_\_\_\_\_

ADOPTED: July 22, 2014

AN ORDINANCE: APPROVING TLZM 2013-0006 CHESTERFIELD PLACE, TO REZONE THE EXISTING 3.2 ACRE CHESTERFIELD CONDOMINIUM DEVELOPMENT FROM B-1 TO PRN.

WHEREAS, a Rezoning Application has been filed by the Chesterfield Place Condominium Unit Owners Association to rezone 3.2 acres of land from the B-1, Community (Downtown) Business District to PRN, Planned Residential Neighborhood, to allow the future subdivision of the common property into 32 individual "townhouse" lots, one (1) single-family detached lot and common open space on land identified as Loudoun County Parcel Identification Numbers (PIN) 231-37-2722, 231-37-2745, 231-37-1451, 231-37-3763, and 231-37-3433; and

WHEREAS, a duly advertised Planning Commission public hearing was held on June 5, 2014; and

WHEREAS, at the June 19, 2014 meeting, the Planning Commission recommended approval of this application to the Town Council; and

WHEREAS, the Town Council held a duly advertised public hearing on this application on July 22, 2014; and

WHEREAS, staff recommended approval; and

WHEREAS, the Council has concluded that the approval of the application would be in the public interest and in accordance with sound zoning and planning principles.

THEREFORE, ORDAINED by the Council of the Town of Leesburg in Virginia:

SECTION 1. The property shall be developed in substantial conformance with the concept development plan prepared by Stantec Consulting Services Inc. dated July , 2014; and

AN ORDINANCE: APPROVING TLZM 2013-0006 CHESTERFIELD PLACE, TO  
REZONE THE EXISTING 3.2 ACRE CHESTERFIELD  
CONDOMINIUM DEVELOPMENT FROM B-1 TO PRN.

SECTION 2. Severability. If a court of competent jurisdiction declares any provision of this ordinance invalid, the decision shall not affect the validity of the ordinance as a whole or any remaining provisions of this ordinance.

SECTION 3. This ordinance shall be in effect upon its passage.

PASSED this 22<sup>nd</sup> day of July 2014.

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Kristen C. Umstatt, Mayor  
Town of Leesburg

ATTEST:

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Clerk of Council