*The Town of*
# Leesburg, Virginia

PRESENTED: November 29, 2016

ORDINANCE NO.2016-O024 ADOPTED: November 29, 2016

AN ORDINANCE: APPROVING TLZM 2013-0006, CRESCENT PARKE, REZONING THE PROPERTY FROM CRESCENT DISTRICT–COMMERCIAL, CRESCENT DISTRICT-MIXED USE OPTION TO CRESCENT DISTRICT-MIXED USE OPTION AND CRESCENT DISTRICT–RESIDENTIAL HIGH DENSITY.

WHEREAS, the rezoning application with concept plan and proffers, TLZM 2013-0006 Crescent Parke, has been filed by Lansdowne Development Group, LLC, to rezone the property from Crescent District – Commercial (CD-C), Crescent District-Mixed Use Option (CD-MUO) to Crescent District – Commercial, Crescent District-Mixed Use Option and Crescent District – Residential High Density (CD-RH); and

WHEREAS, approval of the rezoning application would permit 45,100 square feet of permitted uses in the CD-C district; and 116,625 square feet of permitted uses, inclusive of a 2,000 square foot community room and 70 multifamily dwelling units in the CD-MOU districts; and a total of 274 town houses and/or stacked town houses in the CD-RH district; and

WHEREAS, the subject property of rezoning application TLZM 2013-0006 Crescent Parke, is identified by the Loudoun County Parcel Identification Numbers (PIN) 232-37-7166, 232-37-5627 and 232-38-9290 and 232-28-3893; and

WHEREAS, duly advertised Planning Commission public hearings were held on June 4, 2015 and January 21, 2016; and

WHEREAS, at the August 20, 2015 and April 21, 2016 meetings, the Planning Commission recommended denial of this application to the Town Council; and

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WHEREAS, the Town Council held duly advertised public hearing on this application on October 13, 2015, May 24, 2016, and November 29, 2016; and

WHEREAS, staff recommended approval subject to resolution of the issues contained in the staff memo dated November 29, 2016; and

WHEREAS, the Council has concluded that the application is in general conformance with the Crescent District policies contained in the Town Plan; and

WHEREAS, the Council has concluded that approval criteria of the Town's Zoning Ordinance § 3.3.15 have been satisfied in that mitigation of traffic impacts, including adequate accommodation for anticipated motor vehicle traffic volumes and emergency vehicle access have been provided; the proposed rezoning is compatible with surrounding neighborhoods and uses; provision of adequate public facilities have been provided; and

WHEREAS, the Council has concluded that the proposal would serve the public necessity, convenience, general welfare and good zoning practice.

The Council in the Town of Leesburg in Virginia hereby ORDAINS:

SECTION I. TLZM 2013-0006, Crescent Parke, is hereby approved, subject to the proffers last dated November 28, 2016 (Alternative B – without Park Dedication Option); and

SECTION II. The property shall be developed in substantial conformance with the concept plan prepared by Bowman Consulting last revised November 10, 2016; and

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SECTION III. The modifications listed in the applicant's October 3, 2016 Modification Request Letter are hereby granted; and

SECTION V. All prior ordinances in conflict herewith are hereby repealed.

SECTION VI. 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; and

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

PASSED this 29th day of November, 2016.

David S. Butler

David S. Butler, Mayor
Town of Leesburg

ATTEST:

Lara Bellett

Clerk of Council Pro Tem