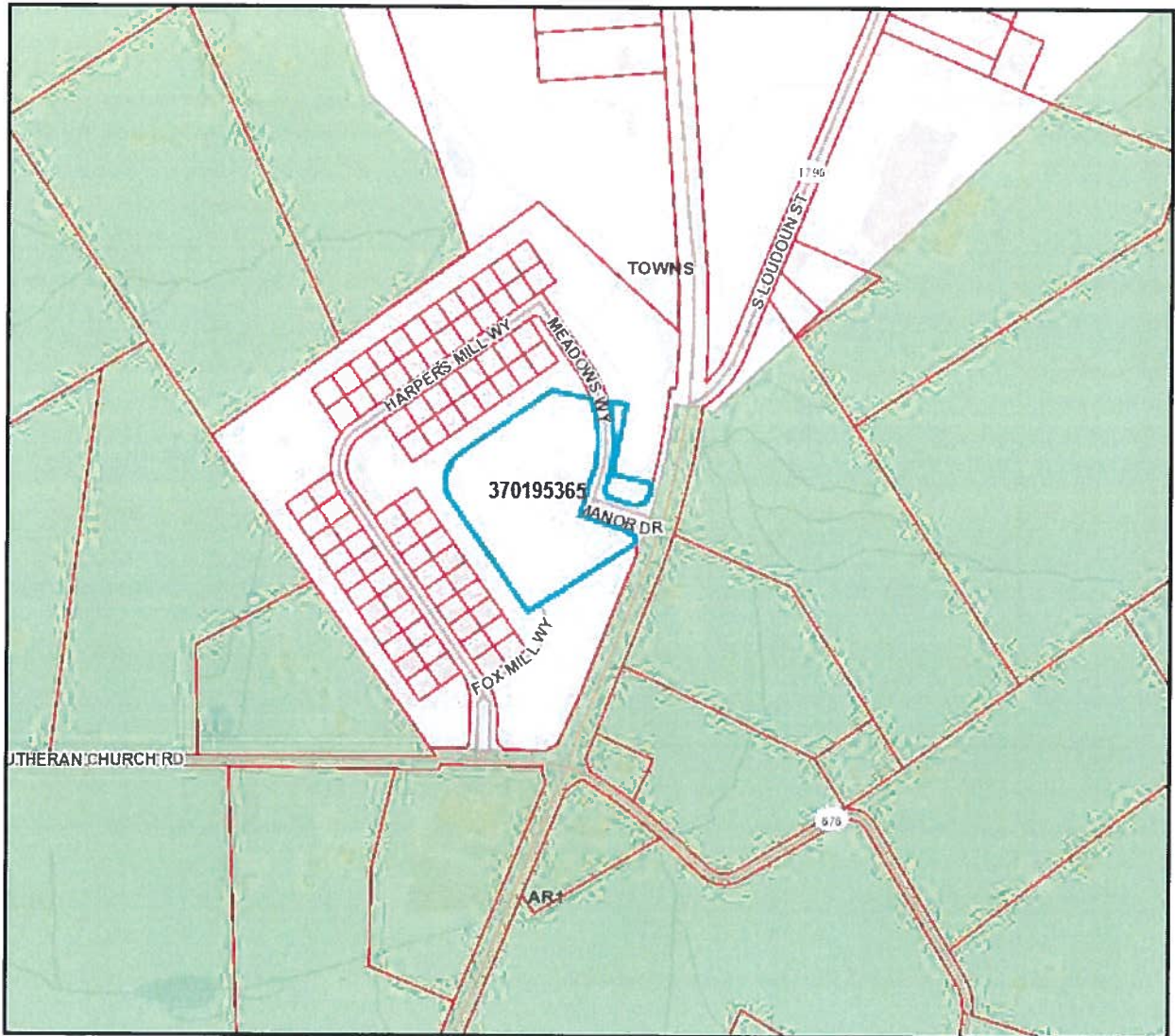


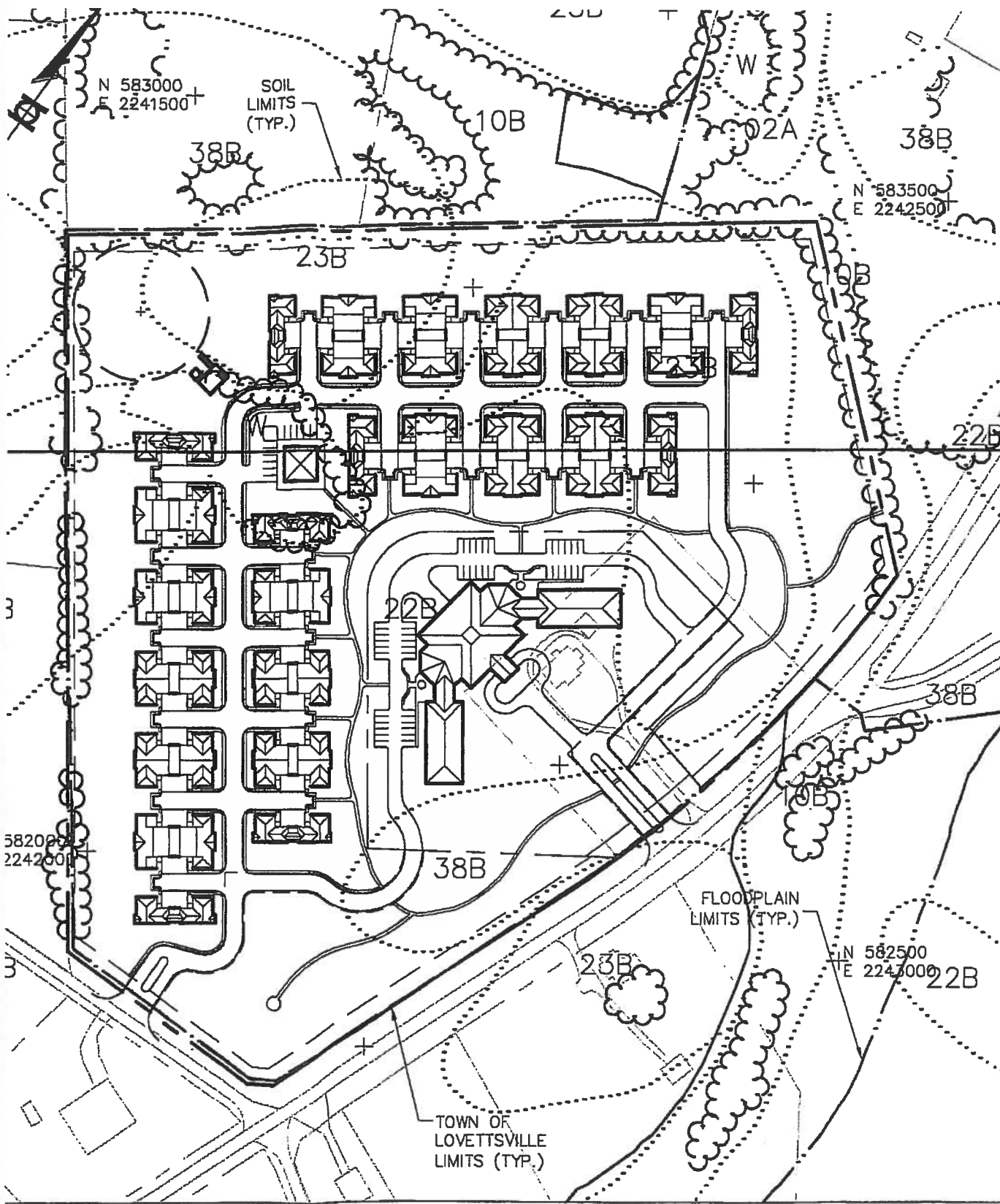




Tax Plat Map

Borrower/Client				
Property Address 12745 Berlin Tpke				
City	Lovettsville	County	Loudoun	State VA Zip Code 20180
Lender Pamela Storch, As the Executor of the Estate of Richard Storch				





SOILS MAPPING

SCALE: 1"=200'

SOILS OVERLAY INFORMATION

MAPPING UNIT NUMBERS NAME, SCOPE AND HYDROLOGIC GROUP	SOIL CHARACTERISTICS	MAPPING UNIT POTENTIAL FOR DEVELOPMENT ON CENTRAL WATER AND SEWER
Appraisal of 12745 Berlin Turnpike, Lovettsville, VA 20180		
2A CODORUS SILT LOAM,	VERY DFFP MODFRATFLY WFI1	IV - VERY POOR, SUBJECT

351

File

Town of Lovettsville

Ordinance: APPROVING ZONING MAP AMENDMENT, CONCEPT PLAN AND CONDITIONAL USE PERMIT FOR 287 JOINT VENTURE

MOTION: Robert Bradley

SECOND: James Morgan

WHEREAS, 287 Joint Venture, a Virginia General Partnership, submitted a Conditional Use Permit application on June 21, 2001, and Zoning Map Amendment application on July 16, 2001, to rezone approximately 27 acres from CR-1 to R-1 for the development of a 122-unit retirement community on property identified on Loudoun County Tax Map 9 as parcels 45A-1 and 45A-1 (formerly 45A and 45C); and

WHEREAS, 287 Joint Venture submitted a Proffer Statement dated August 30, 2001, before a joint public hearing on the said applications before the Lovettsville Town Council and Planning Commission, pursuant to notice duly advertised in *Leesburg Today*, a newspaper of general circulation within the Town, on August 17, 2001 and August 24, 2001, in accordance with the provisions of *Va. Code* § 15.2-2204; and

WHEREAS, the Lovettsville Planning Commission on November 28, 2001, recommended approval of the said applications, subject to certain conditions, pursuant to § § 9A-7(9) and 9A-9 (6) of the Lovettsville Zoning Ordinance; and

WHEREAS, 287 Joint Venture submitted a Letter of Clarification of Proffer Statement dated April 24, 2003, clarifying the commitments of its Proffer Statement dated August 30, 2001; and

WHEREAS, Town Council finds that the proposed Zoning Map amendment and Concept Plan, as proffered, and Conditional Use Permit are consistent with the objectives of the R-1 District, and Retirement Community use, and will be in general conformity with the Lovettsville Town Plan, promote the protection of public health, safety and welfare and the preservation of open space; and are consistent with good zoning practice.

NOW, THEREFORE, BE IT ORDAINED by the Lovettsville Town Council that the Zoning Map Amendment and Concept Plan for Lovettsville Retirement Village, 287 Joint Venture, to rezone approximately 27 acres to R-1, with a Conditional Use Permit for a "Retirement Community" in accordance with the Concept Plan, (comprising the "Conditional Use Application and Zone Change Application for Continuing Care Facility, Lovettsville Retirement Village" prepared by Bowers & Associates, Ltd., dated June 2001 and revised through February 5, 2003, and Ground Floor Plan, Loft Floor Plan, Primary Drive and Secondary Drive Concept Plants dated March 5, 2003 and prepared by Lessard Architectural Group, Inc., and received in the Town offices April 23, 2003, which are attached and made part of the Proffers, as Exhibit A) are hereby approved, and the voluntary Proffer Statement dated August 30, 2001, as clarified by the Letter of Clarification of Proffer Statement dated April 24, 2003, is hereby accepted and made a

The German Settlement

part of the said rezoning, in accordance with the provisions of Virginia Code section 15.2-2229 through 15.2-2303.

BE IT FURTHER ORDAINED by the Lovettsville Town Council that the corresponding Conditional Use Permit application, authorizing establishment of a Retirement Community in the R-1 District, be approved, subject however to the following conditions:

1. In the development and use of the Retirement Community, the Applicant shall ensure that the general design standards, set forth in § 4A-1(a) of the Lovettsville Zoning Ordinance, and the specific design standards for Retirement Community uses, set forth in § 4A-1(b)(8), shall be met, in accordance with the Concept Plan and voluntary proffers accepted above.
2. The design of the Retirement Community shall generally be in conformance with the Concept Plan and related architectural elevations and renderings, in accordance with the Concept Plan and voluntary proffers, subject to final design to accommodate engineering.
3. During its first phase of development, the Applicant will upgrade the existing water and sanitary sewer facilities in accordance with its voluntary proffers and shall extend these upgraded town water and sewer lines to the property of the Lovettsville Fire & Rescue Company so as to allow for privately-owned lateral connections to the Lovettsville Fire & Rescue Company building.
4. Concurrent with submission of the first Site Plan for the Retirement Community use, a Landscaping Plan and a Lighting Plan shall be submitted for review by the Town. All building-mounted and parking lot lighting fixtures will be designed to mitigate against off-site light spillage and shall be outfitted with appropriate shrouds and/or automatic cut-off features.
5. All on-site private roads and parking areas shall be maintained by the proprietor of the Retirement Community and/or a unit owners association at no cost to the Town of Lovettsville. Maintenance activities related to these private street and parking areas shall include, but not be limited to, snow removal, asphalt sealing, leaf removal, and paint-striping. Additionally, the Applicant and/or the unit owners association shall provide snow removal and maintenance services to all trails and/or sidewalks built on the Subject Property.
6. As recommended by VDOT, Route 676 shall be improved to a GS-3 (Rural Collector Road System) standard along the Subject Property's frontage as a bonded improvement that shall be completed concurrent with the first phase of Site Plan development.
7. Deliveries to this development shall be limited to the hours between 8:00 AM and 6:00 PM, or as regulated by the unit owners association.



VOTE:

AYES: Greene, Zoldos, Morgan, Bradley, Efthim
NAYS: None
ABSTENTIONS: None
ABSENT FOR VOTE: Miller

Adopted this 24th day of April, 2003.


Elaine Walker, Mayor

Attest:


Town Clerk

The Town of Lovettsville

RESOLUTION: CONDITIONAL APPROVAL OF RECORD PLAT LOVETTSVILLE RETIREMENT VILLAGE

MOTION: Loftus

SECOND: Greene

WHEREAS, U.S. Home Corporation received approval of a preliminary subdivision plat for Lovettsville Retirement Village on December 3, 2003 consistent with the proffered rezoning and Conditional Use Permit for Retirement Community approved by the Town Council on April 23, 2003; and

WHEREAS, U. S. Home Corporation received conditional approval of Lovettsville Retirement Village Construction Plans and Profiles on October 27, 2004; and

WHEREAS, the Record Plat for Lovettsville Retirement Village, prepared by Bowers & Associates, Ltd., dated March 4, 2004 and revised through November 2, 2004 has been recommended for approval by the Town Engineer and Zoning Administrator and the Town Attorney as conforming to the Subdivision Ordinance of the Town of Lovettsville.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the Town of Lovettsville that the Record Plat for Lovettsville Retirement Village, dated March 4, 2004 and revised through November 2, 2004 as prepared by Bowers & Associates, Ltd., be approved in accordance with section 2.9 of the Subdivision Ordinance subject to the following conditions:

1. The applicant shall enter into a performance agreement with the Town of Lovettsville and post a bond for all public improvements in accordance with Section 6.4 of the Subdivision Ordinance of The Town of Lovettsville.
2. No zoning permits authorizing the issuance of any building permits or a residential or non-residential structure requiring public water service shall be issued until there is a service connection in place to serve such unit or structure utilizing the water system improvements approved by the Town Council Resolution: Approve U.S. Home Corporation commitment with regard to proffers, Paragraph 6(a), Lovettsville Retirement Village, adopted July 29, 2004.

The German Settlement

PO BOX 209 • LOVETTSVILLE, VA • 20180
PHONE: 540-822-5788 • FAX: 540-822-5788

- 3. Conditional Letter of Approval of Map Amendment from the Federal Emergency Management Agency for the proposed alteration of the 100 year floodplain; mapped on FIRM Map Number 51107C0025D, dated July 5, 2001, confirms that the floodplain easement depicted upon the plat is adequate.
- 4. The applicant shall record the approval record plat with the Clerk of the Circuit Court of Loudoun County within six (6) months of the date of final approval and shall furnish the Zoning Administrator with proof of recordation of the final plat, three prints and one reproducible copy of the executed final plat. Deeds and plats for required off-site easements shall be recorded not later than the date of recording the record plat, with proof of recordation, three prints and on reproducible copy of each plat furnished to the Zoning Administrator.

VOTE:

AYE: Zierk, Engel, Loftus, Greene, Hyde

NAY: none

ABSTAIN: none

ABSENT FOR VOTE: none

Dated: November 3, 2004


 William Hyde, Chairman