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September 22, 2021

VIA ONLINE SUBMISSION

Alania Ray
Loudoun County Director of Planning and Zoning
Department of Planning and Zoning
1 Harrison Street, SE, 3rd Floor
Leesburg, Virginia 20177

Dear Ms. Ray:

We write you on behalf of Virginia Health Operations, LLC ("VHO") and Monroe LE, LLC ("Monroe") (collectively, "Newport Academy") with respect to three properties. These properties are located at 20191 Gleedsville Road, 20179 Gleedsville Road, and 20173 Gleedsville Road, in Leesburg, Virginia 20175 (each a "Property" and collectively as the "Properties"). Each of these Properties is zoned to the Agricultural Rural 1 District ("AR-1").

Newport Academy has engaged in preliminary discussions with John and Jennie Crowe, the owners of 20191 Gleedsville Road and an adjacent 10-acre undeveloped parcel identified as Tax Map #59-4-A (the "Additional Parcel"), and David and Jennie Dussalt, owners of 20179 and 20173 Gleedsville Road, regarding a potential purchase of the Properties together with the Additional Parcel. Newport Academy would operate the Properties as three separate, single-sex group residential facilities for no more than eight adolescents, with one or more nonresident staff persons. Each of these residences would be licensed by the Virginia Department of Behavioral Health and Developmental Services ("VDBHDS") as an "MH Therapeutic Group Home for Children and Adolescents with Serious Emotional Disturbance."

The current owners are supportive of Newport Academy's proposed use of each Property. However, prior to any purchase of the Properties, Newport Academy seeks a zoning determination that their proposed use of each Property would each be considered occupancy of a "Dwelling, single family detached" as defined in Article 8 of the Revised 1993 Loudoun County Zoning Ordinance (the "Zoning Ordinance"), and therefore permitted, as a matter of right.

By way of background, Newport Academy provides treatment to adolescents between the ages 12 and 17 who are experiencing depression, anxiety, trauma, and other mental health issues in a safe, supportive, home-like setting. Newport Academy has offered programs to adolescents throughout the United States, including locations in California, Washington, Connecticut, Pennsylvania, Maryland, and Virginia. Newport Academy currently operates three VDBHDS-licensed group residential facilities in Fairfax County.

2 COR 2021-0233

As proposed, each of the Properties would continue to be used as they are today, as separate single family detached dwellings. Each of the Properties would serve up to eight adolescents between the ages of 12 and 17. Each Property would separately satisfy the criteria of a “residential facility” per Section 15.2-2291(A) of the Code of Virginia. The physical characteristics of the Properties, namely three expansive, secluded lots of 4.9 acres, 8.01 acres, and 2.26 acres respectively, are ideal for such residential facilities. Each of the Properties are developed with a large, detached home, offering maximum privacy. An aerial view of the Properties, along with the Additional Parcel, has been enclosed as an exhibit.

These residences would be separately staffed 24/7 through shifts of non-resident personnel offering a structured environment and 24-hour support for residents. Business operations and additional support would be provided as needed by members of Newport Academy’s Virginia management team, located off-site.

Residents would participate in individual therapy, group therapy, academic study, and a variety of other activities, including music therapy, life skills counseling, yoga, meditation and other fitness activities. Residents would have access to common areas of the home for downtime and will eat meals with other residents in a family-style setting but will not have access to the other two properties. Newport Academy’s residents typically stay between 30 to 90 days, with the national average for length of stay being 45 days.

As you know, the Zoning District permits use of each of the Properties as a “Dwelling, single family detached” as such is defined in Article 8, as a matter of right. That use is defined in the Zoning Ordinance as “[a] residential dwelling unit, other than a portable dwelling, designed for and occupied by one family only and not structurally connected or attached to any other dwelling.” Importantly, the definition of “family” provided in Article 8 includes “[a]ny group identified in Section 15.2-2291 of the Code of Virginia.” Thus, Newport Academy’s proposed use of the Properties for VDBHDS-licensed, separate group residential facilities for up to eight residents suffering from mental health issues falls squarely within Section 15.2-2291 of the Code of Virginia.

In considering this determination request, you should be aware that Newport Academy will not seek to operate drug rehabilitation facilities at the Properties, nor provide detoxification services or other substance abuse treatment. Newport will not admit a resident who is currently using illicit substances or needs treatment for same. Likewise, any resident of Newport Academy who is determined to be using alcohol or other drugs will be subject to immediate administrative discharge.

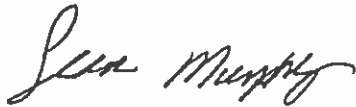
Accordingly, for these reasons, we request that you issue a zoning determination for each of the Properties confirming that in the event Newport Academy were to purchase one or more of the Properties, it would be permitted, by-right, to operate its proposed residential facilities on each, upon appropriate licensure from VDBHDS.

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We are available to discuss further with you if you wish.

Sincerely yours,



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/s/ Steven M. Mikulic
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Use this form to submit applications to the Loudoun County Department of Planning and Zoning. For any questions regarding your submission, please contact the Department of Planning and Zoning Customer Service Center at 703-777-0246, option #5 or dpz@loudoun.gov.

Additional information about the Legislative Land Development Process, including application paperwork and timelines can be found at www.loudoun.gov/legislativelanduse.

Administrative Applications

- Air Permit
- Appeal (APPL)
- Certificate of Appropriateness (CAPP)
- Certificate of Appropriateness Admin (CAPA)
- Conservation Easement
- Proffer Determination (ZCOR)
- Variance (VARI)
- Vesting Determination (ZCOR)
- Virginia Water Protection Permit
- Zoning Determination (ZCOR)
- Zoning Verification (ZCOR)

Legislative Applications

Commission Permit (CMPT)
Minor Special Exception (SPM)
Minor Special Exception (SPM) (Child Care Home)
Rezoning Residential (ZRES) (Subject to Code of Virginia § 15.2-2303.4)
Sign Development Plan (SDP)
Special Exception (SPEX)
Special Exception (SPEX) (Error in Location)
Zoning Concept Plan Amendment (ZCPA)
Zoning Concept Plan Amendment (ZCPA) (Residential Deck into Proffered Yard)
Zoning Conversion in the Route 28 Tax District (ZRTD)
Zoning Map Amendment (ZMAP)
Zoning Modification (ZMOD)
Zoning Modification Residential (ZRM) (Subject to Code of Virginia § 15.2-2303.4)

Zoning Determination

A request for a Zoning Determination asks a specific question, such as whether a unique land use is permitted on a specific property.

Applicant Information

Applicant Name * Steven M. Mikulic
Applicant Email * smikulic@mcguirewoods.com
Applicant Address * McGuireWoods LLP, 1750 Tysons Blvd, Suite 1800, Tysons VA 22102
Applicant Phone Number * (e.g. 703-712-5375)
703-712-5375

Do you have a representative?

A representative is anyone who is not the applicant that will be the main contact throughout the application process.

Yes No

Parcel/Site Information

Parcel Identification Number (PIN) * eg 315 30 2419
315-30-2419

Site Address/Property Location Description 20173 Gleedsville Road

Acreage 2

Existing Zoning District AR-1

Parcel Identification Number (PIN) * eg 315 39 2788
315-39-2788

Site Address/Property Location Description 20191 Gleedsville Road

Acreage 5

Existing Zoning District AR-1

Parcel Identification Number (PIN) * eg 315 39 4049
315-39-4049

Site Address/Property Location Description 20179 Gleedsville Road

Acreage 8

Existing Zoning District AR-1

Application Description * Provide information and details about the proposed application.
Zoning Determination confirming a proposed use is permitted on each of the Properties as detailed in the uploaded letter. An exhibit showing the Properties has been included for ease of review.

Uploads

Signed Documents

Documents requiring signatures can be completed via DocuSign.
Land Development Application
Disclosures of Real Parties In Interest Form

- The Disclosures form can be provided prior to posting the property for the Planning Commission Public Hearing

Once the documents are signed, download the forms to then upload into the proper section below.

Written request including specific question	Active_15@391123_1_Gleedsville Zoning Determination Request - 9.22.21.PDF	124.86KB
Additional Uploads	Active_15@281662_1_Gleedsville Properties (Aerial Map).PDF	907.35KB

Fees

If your submission has a fee, the payment can be submitted by check made out to the County of Loudoun and mailed to the following address:

Department of Planning and Zoning
 P.O. Box 7000
 Leesburg, VA 20177

For legislative applications, Planning and Zoning staff will contact you regarding your fee amount during the Checklist Review process.

For any further questions, please contact the Department of Planning and Zoning Customer Service Center at 703-777-0246, option #5 or dpz@loudoun.gov.

Save to LMIS

Application Type *	Please enter the Application Type (all caps)
Application Year *	Please enter the Application Year (yyyy) (ex. 2020)
Application Number *	Please enter the Application Number (4 digits)