



FAIRFAX COUNTY

APPLICATION FILED: November 12, 2004
PLANNING COMMISSION: July 13, 2005
PLANNING COMMISSION DECISION: September 28, 2005
BOARD OF SUPERVISORS: October 17, 2005 @ 3:00 pm

V I R G I N I A

September 22, 2005

STAFF REPORT ADDENDUM

APPLICATION RZ 2004-MA-038

MASON DISTRICT

APPLICANT: Moon Sik Park

PRESENT ZONING: C-6, CRD, HC, SC

REQUESTED ZONING: C-7, CRD, HC, SC

PARCEL(S): 71-1 ((1)) 115A and 116B

ACREAGE: 2.04 acres

FAR: 0.70

OPEN SPACE: 26%

PLAN MAP: Retail and Other

PROPOSAL: To rezone 2.04 acres from the C-6 to the C-7 District to permit the construction of a 75 ft. tall hotel, with first floor retail and other non-residential uses.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2005-MA-038, subject to the execution of proffers consistent with those contained in Attachment 1.

Staff recommends approval of a waiver of the barrier requirement and a modification of the transitional screening requirement along the southern property line, in favor of the treatment depicted on the GDP.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

BACKGROUND

RZ 2004-MA-038 is a request by Moon Sik Park to rezone a 2.04 acre property located in the Annandale Commercial Revitalization District, on the south side of Little River Turnpike (Route 236) approximately 400 feet east of its intersection with Backlick Road.

The property is currently zoned C-6 and the applicant is seeking approval of a C-7 District to permit the construction of a 75 ft. tall hotel structure with accessory retail uses, at a FAR of 0.70. The Staff Report, recommending approval, was published on June 29, 2005. On July 13, 2005, the Planning Commission held a public hearing to consider this request; at the public hearing there was some confusion as to the character of the proposed retail uses, and the decision was deferred to allow the applicant time to clarify his intent and his proffers.

Since the public hearing, the applicant has submitted a revised Generalized Development Plan (GDP) and a revised proffer statement which is contained in Attachments 1 of this addendum.

DISCUSSION

Generalized Development Plan (GDP) (Copy at the front of Addendum)

Title of GDP: Annandale Hotel

Prepared by: Christopher Consultants

Original and Revision Dates: August 9, 2004 as revised through
September 9, 2005

Revised Draft Proffer Statement September 7, 2005 (see Attachment 1)

The applicant has made a number of revisions to both the plans and the proffers in order to clarify the location and appearance of the proposed retail uses which are intended to support the hotel use. There have been no changes proposed to the types or amount of retail uses, but the plans have been modified to provide a clearer depiction of the proposed layout of the uses, and the proffers now clarify that retail uses may occur on both the first and second floors of the hotel, but that no more than a total of 24,570 sq. ft. of retail uses may be provided. The plans now clarify that the front half of the building (facing Route 236) will be seven floors (75 ft.) in height and the back half of the structure (facing John Marr Drive) will be one to two floors (or a maximum of 28 ft.) in height. The first floor of the building is specified to consist of a maximum of 18,144 sq. ft. of retail uses. The second floor is proposed to consist of hotel uses in the northern half of the structure with an open pool deck to be surrounded by retail uses in the southern half of the structure. A side elevation of the hotel structure has now been added, which clearly depicts the two story nature of the southern half of the structure, and clarifies that there will be no individual entries or individual commercial signage on the east and west sides of the structures; these points are also specifically committed to in the draft proffers. The applicant has also provided an elevation of the proposed free-

standing project sign (to scale), which depicts a common sign for the tenants of the building which will be a maximum of six feet in height; no sign area is calculated, but the sign will need to meet the provisions of Article 12 prior to the issuance of a sign permit.

In addition to the previously discussed clarifications, the proffers have also been revised to include a provision that a building mounted sign, identifying the name of the hotel, may be permitted on the east or west side(s) of the hotel, subject to the provisions of Article 12, and that all uses will be subject to the maximum square footages depicted on Sheet 2 of the GDP.

Staff has reviewed these modifications with the applicant, and believes that they have successfully clarified the character of the proposed retail uses, as requested at the Planning Commission public hearing.

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

Staff continues to believe that the application is in harmony with the Comprehensive Plan and in accordance with the applicable provisions of the Zoning Ordinance.

Recommendations

Staff recommends approval of RZ 2005-MA-038, subject to the execution of proffers consistent with those contained in Attachment 1.

Staff recommends approval of a waiver of the barrier requirement and a modification of the transitional screening requirement along the southern property line, in favor of the treatment depicted on the GDP.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

ATTACHMENTS

1. Revised Draft Proffers
2. Affidavit

PROFFERS
2004-MA-038
MOON SIK PARK
September 7, 2005

Pursuant to Section 15.2.2303A of the 1950 Code of Virginia, as amended, the undersigned applicant and owners, for themselves and their successors or assigns (hereinafter referred to as "Applicant"), hereby proffer the following conditions provided the Subject Property is rezoned in the C-7 District as proffered herein.

1. **Generalized Development Plan/Special Exception Plat.** Pursuant to Section 18-204, development shall be in substantial conformance with the Generalized Development Plan ("GDP") entitled "Annandale Hotel," prepared by Christopher Consultants and last dated September 9, 2005.
2. **Floor Area Ratio (FAR) and Building Height.** The subject property shall be developed with a maximum FAR of 0.70 and building height of 75 feet.
3. **Architectural Treatment.** Architectural design shall be in general conformance with elevations and treatments depicted on the GDP and the architectural drawings prepared by Christopher Consultants dated August 2005 entitled Entrance Elevation, Rear Elevation and Building Details. The east elevation shall be substantially similar to the west elevation shown in the drawings. The four-sided, architectural treatment will include marble, granite, pre-cast concrete or brick veneers or some combination of two or more of these materials, and include glass. No individual business entrances shall be allowed along the eastern or western side of the building nor shall business signs be permitted on these sides, except that a building mounted sign may be permitted on each side identifying the name of the hotel, if provided in accordance with the provisions of Article 12 of the Zoning Ordinance.
4. **Noise Attenuation.** In order to reduce interior noise to a level of approximately DNL 45 dBA, construction of the hotel shall include the following acoustical treatment measures:
 - i. Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39.
 - ii. Doors and glazing shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20 percent of any façade exposed to noise levels of DNL 65 dBA or above. If glazing constitutes more than 20 percent of an exposed façade, then the glazing shall have an STC rating of at least 39.

iii. All surfaces shall be sealed and caulked in accordance with methods approved by the American Society of Testing and Materials (ASTM) to minimize sound transmission.

iv. As an alternative to the above, the Applicant may, prior to site plan approval, elect to have an acoustical analysis performed subject to approval by DPWES, in coordination with Environmental and Design Review Branch, DPWES and the Department of Planning and Zoning, to verify or amend the noise levels and impact areas as set forth above, and/or to determine which areas of the hotel may have sufficient shielding to permit a reduction in the mitigation measures prescribed above or which may include alternative measures to mitigate noise impacts.

5. **Uses.** In addition to the hotel use, the following uses may be permitted on the first floor and second floor only: business service and supply service establishments, eating establishments, fast food restaurants, financial institutions, offices, personal service establishments, quick-service food stores, retail sales establishments, and accessory uses as permitted by Article 10. In addition special exception uses may be provided if approved by the Board of Supervisors. These uses shall be limited to the maximum square footages set forth on the Tabulation on Sheet 2 of the GDP. The cellar area shall be limited to hotel accessory uses and accessory service uses, such as meeting/banquet rooms, and exercise rooms. The hotel will have banquet facilities and meeting rooms available for rental by civic groups, private parties, and the public in general.
6. **Outdoor Seating.** Outdoor dining in the outdoor seating areas on the John Marr side of the building shall be prohibited after midnight. Use of exterior loudspeakers, or other exterior sound amplification devices shall not be permitted on the John Marr Drive side of the building.
7. **Directional Signs.** All signs shall be in conformance with Article 12. Temporary promotional banners, balloons, flags, or rooftop displays shall not be permitted on the site. No promotional signage shall be permitted on any light poles or on table umbrellas in the outdoor eating areas; However, this shall not preclude the display of seasonal banners. Directional signage shall be provided on site to provide clear directions to visitors as to the location of underground parking and alternate surface parking on-site. Said signage shall be subject to the review of the Department of Planning and Zoning.
8. **Landscaping.** Landscaping shall be in substantial conformance with that shown on the GDP. Existing on-site trees shall be preserved and transplanted if determined appropriate by Urban Forest Management. The applicant shall provide a transplanting plan as part of the first and all subsequent submissions of the site plan for review and approval by Urban Forest Management, and shall implement the plan as approved. The plan shall be prepared by a professional with experience in the preparation of tree transplanting plans, such as a certified arborist or landscape architect. Depending upon site constraints, the plan shall

address one or all of the following items, as determined by Urban Forest Management:

- The species and sizes to be transplanted;
 - the existing locations of the trees;
 - the proposed final locations of the trees;
 - the proposed time of year when the trees will be moved;
 - the transplant methods to be used, including tree spade size if applicable; details regarding after-transplant care, including mulching and watering, and, if necessary, support measures such as cabling, guying or staking;
 - details regarding equipment to be used to transport plant materials, and the routing of such equipment.
9. **Streetscape**. The streetscape design and materials shown on the GDP (sidewalk, lighting, landscaping and street furnishings) shall meet the standards and specifications of the streetscape as outlined in the Comprehensive Plan for the Annandale Community Business Center, as determined by Urban Forest Management.
10. **Road Dedication**. At the time of site plan approval, or upon demand by Fairfax County, whichever occurs first, right-of-way along John Marr Drive necessary for public street purposes and as shown on the GDP shall be dedicated and conveyed to the Board of Supervisors in fee simple.
11. **Inter-parcel access**. The applicant shall provide public access easements for purposes of inter-parcel access, at the locations shown on the GDP. The connection to Tax Map 71-1 ((1)) 115C shall align with the ingress/egress easement for this parcel recorded among the land records of Fairfax County in Deed Book 13185 at page 1357. Said on site easement shall be recorded prior to the issuance of a Non-Residential Use Permit (Non-RUP).
12. **Lighting**. All outdoor lighting fixtures shall be in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance.
13. **Stormwater Management**. Unless the stormwater management/best management practices facility is waived by DPWES, the applicant shall provide the stormwater management/best management practices facilities underground as depicted on the GDP, as determined by DPWES.
14. **Fairfax County Water Authority**. At the time of site plan approval, a 14 foot wide easement, contiguous with and parallel to, the existing easements recorded in deed book 7523 at page 1823 and deed book 7253 at page 1826, shall be dedicated and conveyed, at no cost, to the Fairfax County Water Authority.

15. **Counterparts.** These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.

**OWNER OF TAX MAP 71-1 ((1)) PARCELS 115A
AND 116B**

Moon Sik Park

Hyon B. Chung