



FAIRFAX COUNTY

Date of Board's Motion: August 1, 2005
PLANNING COMMISSION: November 16, 2005
BOARD OF SUPERVISORS: November 21, 2005
@ 3:30 PM

V I R G I N I A

October 21, 2004

STAFF REPORT

APPLICATIONS PCA 1999-SU-054

SULLY DISTRICT

APPLICANT: Board of Supervisor's Own Motion

PRESENT ZONING: PDH-3, WS

PARCEL(S): 34-4 ((21)) (2) D

ACREAGE: 3.42 acres

PROPOSAL: To amend the proffered conditions on a portion of the property rezoned pursuant to RZ 1999-SU-054, to allow removal of an existing barrier to create a permanent connection between Lowe Street and Vernacchia Drive.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 1999-SU-054, subject to the execution of proffers consistent with those found in Appendix 1.

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

It should be further 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 or TTY 711 (Virginia Relay Center).



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).

**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS MAY BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF APPLICATION

Applicant: Board of Supervisor's Own Motion

Location: Terminus of Lowe Street at Vernacchia Drive in the Chantilly Green Subdivision.

Request:

To amend the proffered conditions on a portion of the property rezoned pursuant to RZ 1999-SU-054 to allow removal of an existing barrier to create a permanent connection between Lowe Street and Vernacchia Drive. A Proffered Condition Amendment is required because the Conceptual/Final Development Plan shows a cul-de-sac with bollards as a possible emergency access point only, with no permanent connection between the two streets. The PCA is required to create a permanent connection between these two streets.

Waivers and Modifications:

There are no waivers or modifications associated with the PCA.

Copies of the draft proffers, applicant's affidavit, and applicant's Statement of Justification are contained in Appendices 1 through 3 of this report.

LOCATION AND CHARACTER

Site Description:

The site located at the eastern end of Lowe Street and western end of Vernacchia Drive, which is part of the existing residential subdivision known as Chantilly Green. Chantilly Green consists of one hundred twenty-six (126) residential lots and associated improvements and amenities. The neighboring approved Centerville Road Properties site consists ninety-six (96) total units (eighty-seven (87) single family detached and nine (9) single family attached.)

BACKGROUND

The proffers governing Chantilly Green (RZ 1999-SU-054) provided for the installation of a barrier adjacent to the cul-de-sac at the end of Lowe Street in order to restrict access from Chantilly Green to Lowe Street. The proffer was written to address concerns raised by the former residents of Lowe Street during the public hearing process on the rezoning. Subsequent to the development of Chantilly Green, the properties along Lowe Street were consolidated by National

Capital Land and rezoned (RZ 2004-SU-015) on January 10, 2005. It was anticipated that the barrier would be removed to create a through street when the properties along Lowe Street were redeveloped as was shown on the Lowe Street plans. The Chantilly Green HOA has requested in a letter dated April 22, 2005 (Appendix 3), that the barrier be removed. However, the Chantilly Green proffers do not designate the barrier as temporary or otherwise provide for its removal. In response to the letter requesting removal of the barrier, it was determined that a Proffered Condition Amendment (PCA) application to amend the RZ 1999-SU-054 proffers would be required.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area III
Planning District:	Upper Potomac Planning District
Planning Sector:	Lee Jackson Community Planning Sector (UP8)
Plan Map:	Residential, 3-4 du/ac

Plan Text:

Fairfax County Comprehensive Plan, 2003 Edition, as amended through February 10, 2003, Upper Potomac Planning District, UP8 – Lee-Jackson Community Planning Sector, on pages 155-160 states:

- “4. The area between Armfield Farms and Chantilly Green, Tax Map; 34-4 ((1)) 4, 5, 6; 34-4 ((2)) 1-12; 34-4 ((3)) 1-12, is planned for residential use at 3-4 dwelling units per acre. As an option, residential use at 4-5 dwelling units per acre may be considered under the following conditions:
- At a minimum, the land area found for Tax Map 34-2((1)) 18, 34-4((1)) 4, 5, 6, and 85% of the land area of the Ox Hill subdivision, Tax Map 34-4((2)) 1-12 and ((3)) 1-12) should be consolidated. Consolidation should occur in a manner that provides for the future development of any unconsolidated parcels, either to remain at 1 dwelling unit per acre as zoned, or up to the base level density of 3 dwelling units per acre;
 - Single family detached and/or other types of single-family units, such as patio or zero-lot-line, are appropriate. It should be demonstrated that units types other than single family detached can be effectively integrated into the community;
 - High quality design is a priority in order to foster compatibility with existing adjacent residential communities; and

- Consider removing the restrictions that allow only emergency vehicle access at the eastern end of Lowe Street, in order to improve traffic circulation. There should be no connection to Springhaven Drive.

ANALYSIS

Proffer Condition Amendment

The proposed Proffered Condition Amendment was submitted solely create a permanent connection between Lowe Street and Vernacchia Drive. No new CDP/FDP has been filed: a new proffer is proposed which would allow the creation of the permanent connection.

Transportation Analysis (Appendix 5)

No transportation issues have been identified in conjunction with the application. This proposal will help to improve circulation through out the existing Chantilly Green and proposed Chantilly Road Property housing developments that Lowe Street serves.

Land Use Analysis

No land use issues have been identified in conjunction with this application.

Environmental Analysis

No environmental issues have been identified in conjunction with the application.

ZONING ORDINANCE PROVISIONS

The proposed opening of Lowe Street to provide a permanent through connection to Vernacchia Drive does not impact the site's ability to meet the Zoning Ordinance provisions for the Planned Development Housing (PDH) District; the site is still in conformance with the provisions of Articles 6 and 16 of the Zoning Ordinance.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff believes that the proposal is in conformance with the Comprehensive Plan and in conformance with the Zoning Ordinance for the PDH district.

Recommendations

Staff recommends approval of PCA 1999-SU-054, subject to the proffers contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board of Supervisors or Planning Commission, 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 further noted that the content of this report reflects the analysis and recommendations of staff, it does not reflect the position of the Planning Commission or Board of Supervisors.

APPENDICES

1. Proffers
2. Affidavit
3. Letter requesting proffer interpretation
4. Approved CDP/FDP and Proffered Conditions for RZ 1999-SU-054 & FDP conditions.
5. Transportation Analysis
6. Glossary of Terms

PROFFERS

PCA 1999-SU-054

CHANTILLY GREEN

November 1, 2004

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the undersigned applicant and owners, for themselves and their successors or assigns (hereinafter referred to as "Applicant"), hereby proffer that development of the parcel under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference 34-4 ((21)) (2) D (hereinafter referred to as the "Property") will be in accordance with the following conditions if, and only if, said Proffer Condition Amendment is granted. In the event said application request is denied, these proffers shall be null and void. All previously approved proffers and development conditions are hereby reaffirmed, with the following exception:

1. Irrespective of that shown on the Conceptual/Final Development Plan, the barrier located at the terminus of Lowe Street and Vernacchia Drive will be removed in order to create a permanent connection between the two streets.

APPLICANT/OWNERS:

CHANTILLY GREEN ESTATES HOMEOWNERS ASSOCIATION,
INC.BY: _____
BRENDAN R. HANTZES, PRESIDENT