



APPLICATION ACCEPTED: July 20, 2006
PLANNING COMMISSION: October 26, 2006
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

October 12, 2006

STAFF REPORT

APPLICATION PCA 2000-MV-051

MOUNT VERNON DISTRICT

APPLICANT: NVR, Inc.

ZONING: PDH-16, HC

PARCEL(S): 101-3 ((34)) B

ACREAGE: 12,528 SF

PLAN MAP: Residential, 2-3 du/ac and retail with an option for residential at 14-16 du/ac

PROPOSAL: To amend RZ 2000-MV-051, previously approved for residential development, to permit a modification of the proffers that would allow an alternative architectural design of four (4) of the residential structures.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 2000-MV-051, subject to the proffer contained in Appendix 1.

It should be noted that it is not the intent of the staff to recommend that the 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.

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Department of Planning and Zoning

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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.



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: NVR, Inc.

Location: Approximately 300 feet east of Sky View Drive, in the southeast quadrant of the intersection of Hallie Rose Street and Hallie Rose Place

Proposal:

The applicant, NVR, Inc., is requesting to amend RZ 2000-MV-051, previously approved for residential development, to permit the modification of the proffers pertaining to the design of certain units. RZ 2000-MV-051 was approved by the Board of Supervisors on April 8, 2002 with proffers and CDP/FDP, to rezone certain land from the C-8, R-2 and Highway Corridor District, to the PDH-16 and Highway Corridor Overlay District. The project is called Skyview Park, and the approval was for 187 total units, composed of 174 single-family attached and 13 single-family detached units, on 14.23 acres of land, at a density of 13.14 du/ac.

To date, the approved development is almost completely constructed, with the exception of approximately thirty-four (34) units, all of which will be located near the south end of the Skyview Park development. Eighteen (18) of the units will be located where existing retail and commercial businesses now exist and front onto Richmond Highway (between Frye Road and Sky View Drive). The proffered CDP/FDP's Architectural Elevation sheet, for the Skyview Park development, depict the proposed units as "REAR-LOAD TWO-OVER-TWO TOWNHOUSES". These units are stacked townhouses with one townhouse on top and one below. The "two-over-two" townhouse elevation depicts six (6) individually connected 3-story buildings, with each building composed of a mixture of brick and siding, two (2) separate front entrances per building, large roofs, and decorative windows and doorways.

NVR, Inc. owns eight (8) of the thirty-four (34) remaining undeveloped units within Skyview Park, and desires to add a new elevation for their proposed "two-over-two" townhouses. NVR, Inc. is proposing a very similar design as the approved CDP/FDP's "two-over-two" townhouse elevation, with both designs composed of a mixture of brick and siding, two (2) separate front entrances, and decorative windows and doorways; however, in contrast, NVR Inc.'s design depicts four (4) individually connected 4-story buildings, with two of the four buildings having roofs with dormer windows. The approved CDP/FDP depicts a 3-story building, and no dormers.

Since NVR Inc.'s proposed "two-over-two" elevation does not match the CDP/FDP-approved elevation, particularly with regard to the added story and various

architectural design features, a Proffered Condition Amendment (PCA) is required in order to permit them to build their desired 4-story, 8-unit, townhouse structure. No other changes are proposed with this application.

Waivers and Modifications:

There are no waivers or modifications associated with this PCA request.

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 subject property shall be composed of four (4) individual lots, all of which will be platted and located upon "Parcel B", an approximate 110 foot wide x 113 foot deep, 12,529 SF vacant parcel of land within the Skyview Park development. Each lot will have a 2-unit ("two-over-two") townhouse upon it, for a total of 8-units, and all of the buildings will be connected and have rear-frontage and driveway connection onto Hallie Rose Place, an existing 24-foot wide private street, which is owned and maintained by the Skyview Park Community Association. The subject property (pictured below), located at the southeast quadrant of Hallie Rose Street and Hallie Rose Place, is already graded and ready for construction.



Picture 1: Looking southeast from the intersection of Hallie Rose Street and Hallie Rose Place at the subject property, also known as "Parcel B".

To the north and west of the subject property are existing single-family attached townhouses, which were built as part of the original 187-unit, 14.23-acre Skyview Park RZ 2000-MV-051 rezoning approval. Directly to the east of the subject property is an existing 7-Eleven quick service food store, which fronts onto Frye Road. To the south of the subject property are a variety of one-story commercial structures, which all front onto Richmond Highway, between Frye Road and Sky View Drive. A portion of the existing commercial structures to the south of the subject property, better known as the “Belvoir Park and Shop” properties, are also part of 187-unit, 14.23-acre Skyview Park RZ 2000-MV-051 rezoning approval. The rezoning and CDP/FDP require these commercial structures to be demolished and replaced with “two-over-two” townhouses (units # 162 through # 187); however, to date, no action has taken place, and the non-residential business uses continue to operate.

In summary, there are thirty-four (34) proposed units within the Skyview Park development which have not yet been developed, as per the approved rezoning. The subject property includes eight (8) of these units. The Belvoir Park and shop commercial properties will eventually account for the remaining twenty-six (26) units.

Surrounding Area Description:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Residential, single-family detached; Public Park (Woodlawn Park); Vehicle light service establishment	R-3; C-8	Residential, 2-3 du/ac; Retail
South	Residential, single-family detached; Retail (including office, quick-service food store, etc.)	C-8	Retail
East	Residential, multifamily dwellings (Woodlawn Manor); Retail (including office, quick-service food store and service station)	R-20; C-8	Residential, 16-20 du/ac; Retail
West	Residential, multifamily dwellings (Sky View Apartments)	R-20	Residential, 16-20 du/ac

BACKGROUND

On April 8, 2002, the Board of Supervisors approved RZ 2000-MV-051, which rezoned 14.23-acres, including the subject property from C-8 and R-2, to PDH-16, subject to certain proffers and a CDP/FDP. The approved CDP/FDP limited the development to 187 units, at a density of 13.14 du/ac, and depicted a large dry pond along Frye Road, two (2) recreational area / multi-purpose fields, a tot lot, and approximately 5 acres (35.0%) of open space, with a small portion dedicated to gazebos and picnic areas. Of the 187 approved residential units, 13 were approved as single-family detached units, and the remaining 174 were approved as single-family attached units.

COMPREHENSIVE PLAN PROVISIONS (Appendix 5)

Plan Area: Mount Vernon, Area IV

Planning Sector: Richmond Highway Corridor Area

Plan Map: Residential, 2-3 du/ac and community-serving retail up to 0.35 FAR with an option for residential at 14-16

Plan Text:

On Page 54 of the Fairfax County Comprehensive Plan, Area IV, 2003 Edition, Mount Vernon Planning District, amended through 4-25-2005, Richmond Highway Corridor Area, "SUBURBAN NEIGHBORHOOD AREAS BETWEEN SOUTH COUNTY CENTER CBC (Community Business Centers) AND WOODLAWN CBC" heading, it states:

5. The area located on the west side of Richmond Highway between Frye Road and Sky View Drive is planned for community-serving retail use up to .35 FAR and residential use at 2-3 dwelling units per acre, as shown on the Comprehensive Plan map. As an option, residential use at 14-16 dwelling units per acre may be considered if some of the commercially zoned parcels along Richmond Highway are included in the consolidation, subject to the following conditions:

- *Substantial parcel consolidation should be achieved including at least 75 percent of the residentially zoned area. Development at the option level should be considered only if it is in conformance with the guidelines for neighborhood redevelopment contained in Appendix 8 of the Land Use section of the Policy Plan;*
- *Residual parcels not included in the initial rezoning under this option may be appropriate for residential use up to 8 dwelling units per acre provided that units are fully integrated and compatible with development,*

either approved or constructed, under the initial rezoning in terms of unit type, design and architecture;

- *Single-family detached units should be located at the northern end of the area across from the single family detached community along Manor Drive;*
- *Effective buffering and screening should be provided by the residential development to screen it from non-residential uses and Richmond Highway. The screening should consist of barriers comprised of brick, masonry, and/or wood;*
- *Access should be provided from both Sky View Drive and Frye Road, and these two roadways should be interconnected with the internal street system for the residential development. There should be no access to Richmond Highway.*

ANALYSIS

Proffer Condition Amendment (Appendix 1 and 6)

On April 8, 2002, the Board of Supervisors approved Rezoning Application RZ 2000-MV-051, which included twenty-one (21) proffers, including proffer #14 that required the proposed dwelling units to be built in conformance with "...*the illustrative architectural elevation as shown on the CDP/FDP.*" One of the elevations depicted, on Sheet 7 of 12 of the approved CDP/FDP, was the "REAR-LOAD GARAGE TWO-OVER-TWO TOWNHOUSES". This elevation called for a 3-story structure, composed of brick and siding, with two (2) separate front entrances, a large roof, and decorative windows and doorways. The CDP/FDP site layout indicated that 34 of the 187-approved rezoning units would be "two-over-two" townhouses, and would be built across 17 lots, or two (2) units per lot.

NVR. Inc., the applicant for this Proffered Condition Amendment (PCA), owns four (4) of the seventeen (17) unbuilt "two-over-two" townhouse lots within Skyview Park. It is NVR Inc.'s desire to have the Board of Supervisors approve another elevation option for their 4-lots. Aside from varying degrees of differences in proposed window/door and brick/siding design features, NVR, Inc.'s proposed "two-over-two" elevation would permit a 4-story structure, versus the existing 3-story approval. This additional story would allow the applicant to build a true "two-over-two" townhouse structure, with each unit having two floors apiece. The roof/attic on the proposed elevation, which now has dormer windows depicted upon it, would only be used as an attic, and would remain as non-livable space.

Sheet # 1 of the approved Skyview Park CDP/FDP for RZ 2000-MV-051 permitted a maximum building height of fifty (50) feet. The CDP/FDP elevations graphically depicted the proposed number of stories of each unit type, and added the wording, "NOT TO SCALE". Nonetheless, NVR Inc.'s proposed proffer amendment and accompanying elevation does indicate that their "two-over-two" townhouses shall be built at a "Height Not to Exceed 50 Feet", which is in conformance with the original BOS approval. The applicant's proposed proffer amendment also lists the general façade building materials, and its accompanying elevation depicts its appearance and materials. In short, of the 4-connected townhouses, the two (2) interior units shall be composed completely of standard brick, and the two (2) exterior units shall have a 1st-story of brick, with the remaining upper 3-stories composed of 4-inch siding.

In summary, as NVR Inc.'s proposed "two-over-two" elevation does not match RZ 2000-MV-051's CDP/FDP-approved elevation, particularly with regard to the added story, a Proffered Condition Amendment (PCA) shall be required in order to permit their desired 4-story townhouses. As this PCA request is only for the subject property, Parcel B, Board of Supervisors action on this case shall only apply to NVR's proposed townhouse units # 154 through # 161.

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 this application.

Transportation Analysis (Appendix 7 and 8)

No transportation issues have been identified in conjunction with this application. Fairfax County's DOT did request that all previous proffers from RZ 2000-MV-051 be reaffirmed by the applicant, and this has been addressed in the applicant's proposed proffer. The Virginia Department of Transportation (VDOT) had no comments because the proposed application will have no impact upon traffic.

Public Facilities Analyses

Water Service (Appendix 9) – Adequate service available; no issues cited.

Fire and Rescue (Appendix 10) – Meets fire protection guidelines; no issues cited.

Department of Public Works and Environmental Services (DPWES) – Adequate capacity available; no issues cited as building footprint size shall not change.

Fairfax County Park Authority – No issues cited.

ZONING ORDINANCE PROVISIONS

PCA: Conformance with PDH-16 District Regulations

The property is currently zoned PDH-16 and continues to meet the Planned Development District Regulations set forth in Part 1 of Article 6, of the Zoning Ordinance.

CONCLUSIONS AND RECOMMENDATIONS

The applicant, NVR Inc., is requesting approval of a Proffered Condition Amendment (PCA) application which would propose another elevation design option for their “two-over-two” townhouses. No other changes to the development would occur with the approval of this PCA request.

The applicant’s proposed “two-over-two” townhouse elevation is in architectural conformance with the previously approved “two-over-two” townhouse elevation, with regard to building materials and ornamental design. The primary difference between the proposed elevation and the previously approved elevation is that NVR, Inc. desires to add one (1) additional story onto the previously approved elevation; this addition will make the new elevation 4-storys in height, versus the previously approved 3-story design. NVR, Inc.’s proposed townhouse elevation will have a maximum building height of fifty (50) feet, which is consistent with the maximum building height shown in the approved CDP/FDP for RZ 2000-MV-051.

Recommendations

Staff recommends approval of PCA 2000-MV-051, 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, 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 Board of Supervisors.

APPENDICES

1. Draft Proffer and Accompanying Elevation
2. Affidavit
3. Statement of Justification
4. Applicant's submitted section drawings
5. Comprehensive Plan Citations
6. RZ 2000-MV-051: Signed Proffered Conditions (dated April 2, 2002), and approved by Board of Supervisor's on April 8, 2002, and CDP/FDP (dated June 6, 2001) from July 18, 2001 Staff Report.
7. Fairfax County DOT Transportation Analysis
8. VDOT Transportation Analysis
9. Water Authority Analysis
10. Fire and Rescue Analysis
11. Staff's Site Pictures
12. Glossary of Terms

PCA 2000-MV-051

September 28, 2006

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the owner, NVR, Inc. (hereinafter referred to as "Applicant") for themselves, their successors and assigns in PCA 2000-MV-051 filed for property identified as Tax Map 101-3 ((34)) B, (hereinafter referred to as the "Application Property") reaffirms the proffers dated April 2, 2002 as approved in RZ 2000-MV-051 subject to the following amendment:

ADD to Proffer 14. Architectural Elevations:

As an option, the dwelling unit architecture for the Rear-Load Garage Two-Over-Two townhouses, Units 154 through 161, shall generally conform to the architectural elevations as shown on the attached Exhibit A. The subject building consists of a maximum of eight (8) units with a maximum building height of fifty (50') feet. Building materials such as standard brick, four (4") inch siding, and shingles shall be the primary façade materials.

Applicant/Title Owner
Tax Map 101-3 ((34)) B
NVR, Inc.

By: _____
Name: Rainer Altmann
Title: Area President