



APPLICATION FILED: November 17, 2006  
PLANNING COMMISSION: March 1, 2007  
BOARD OF SUPERVISORS: March 12, 2007 @ 3:30

# County of Fairfax, Virginia

---

**February 13, 2007**

## **STAFF REPORT**

**APPLICATIONS PCA 91-Y-010-4 and FDPA 91-Y-010-3**

### **SULLY DISTRICT**

<b>APPLICANT:</b>	SKY 06, LLC
<b>PARCEL(S):</b>	65-1 ((10) 6
<b>ACREAGE:</b>	2.19 acres
<b>ZONING:</b>	PDC, WS
<b>FAR:</b>	0.07 FAR
<b>OPEN SPACE:</b>	60%
<b>PLAN MAP:</b>	Residential, 16-20 du/acre
<b>PROPOSAL:</b>	Amend the proffers associated with RZ 91-Y-010 to permit a private school of special education (martial arts studio), office use, retail use, eating establishment or fast food restaurant with no drive-in window in an existing building in Land Bay 11B, currently approved for miniature golf recreation use and an accessory fast food restaurant (without a drive-in window) only.

### **STAFF RECOMMENDATIONS:**

Staff recommends approval of PCA 91-Y-010-04 subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDPA 91-Y-010-3 subject to the approval of PCA 91-Y-010-04 and the development conditions in Appendix 1.

O:\dmoss0\PCA\PCA 81-S-058-06 SKY06\Final Staff\_Report.doc

---

**Department of Planning and Zoning**  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703 324-1290  
FAX 703 324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)

**Excellence \* Innovation \* Stewardship**  
**Integrity \* Teamwork \* Public Service**

Staff recommends a reaffirmation of the previously approved modification of the transitional screening requirement and barrier requirement along the periphery of Land Bay 11B, in favor of that depicted on the CDP/FDP and as required by the approved development conditions.

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 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 additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 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 WILL BE  
FOUND AT THE BACK OF THIS REPORT**

**DESCRIPTION OF THE APPLICATION**

**Proposal**

The applicant, SKY06, LLC, proposes to amend the proffers and Conceptual/Final Development Plan associated with RZ 91-Y-010 (the Centre Ridge development) to permit a private school of special education (martial arts studio) and a fast food eating establishment with no drive-in window within an existing 6,450 square foot building in Land Bay 11B, currently permitted by the FDP as a miniature golf recreation use and an accessory fast food use. The approved CDP for Land Bay 11B of Centre Ridge permits office uses, retail uses, child care centers, eating establishments or fast food restaurants with no drive in window. As such, the proffers propose to reserve the option for these uses as future uses on the site, except for child care centers, provided that adequate on-site parking can be accommodated in accordance with the provisions of Article 11 of the Zoning Ordinance. The only physical change proposed for Land Bay 11B is the removal of the existing outdoor miniature golf course, portions of which will be replaced with a 2,000 square-foot outdoor exercise area and 2,000 square-foot playground. No changes are proposed to the permitted intensity of the application property, and no changes are being proposed to the permitted uses, intensity or design of the remainder of Centre Ridge not covered by this application. All other previous proffers and the previously approved CDP and FDP are reaffirmed. The applicant's proffers, FDPA Conditions, affidavit, and statement of justification can be found in Appendices 1-4, respectively.

**Previously Approved Waivers and Modifications:**

The applicant is requesting a reaffirmation of the previously approved modification of the transitional screening requirement and barrier requirement along the periphery of Land Bay 11B, in favor of that depicted on the FDP and as required by the approved development conditions.

**LOCATION AND CHARACTER**

**Site Description:**

The 2.19-acre subject property is located on Multiplex Drive, approximately 400 feet south of its intersection with Machen Road, in an area generally bordered by Centreville Road, Centrewood Drive and Machen Road. The site is a portion of the Centre Ridge development, which consists of 448.8 acres in thirteen land bays. The subject property is located in Land Bay 11B (see Sheet 2 of the CDPA provided at the front of this staff report). The site is developed with a 6,450 square-foot building and an outdoor miniature golf course.

**Surrounding Area Description:**

<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Restaurant	PDC	16-20 du/acre
<b>South</b>	Restaurant	PDC	Retail and other
<b>East</b>	Multiplex Theatre	PDC	16-20 du/acre
<b>West</b>	Promotional Center	PDC	16-20 du/acre

**BACKGROUND:**

The 448.4 acre development know as Centre Ridge was approved by the Board of Supervisors (BOS) on December 15, 1986, pursuant to RZ 81-S-058 and RZ 86-S-096 (with proffers). The property was rezoned to the PDH-2, PDH-12, PDH-20, and PDC Districts and the BOS approved two Conceptual Development Plans for the entire 448.4 acre site as well as Final Development Plans for five of the 12 land bays, and accepted the applicant's proffers dated December 11, 1986. The following summarizes the zoning history pertaining to Land Bay 11 (a portion of which is the subject of this application).

On June 22, 1988, the Planning Commission (PC) approved an FDP for 200,000 gross square feet of commercial development on 26.6 acres, zoned PDC, located in Land Bay 10. RZ 91-Y-010 and FDP 91-Y-010 were approved by the PC and the BOS on October 24, and October 28, 1991, respectively. This rezoning and the concurrent applications, PCA 81-S-058-2 and PCA 88-S-083, rezoned Land Bay 11 of Centre Ridge from the PDH-20 District to the PDC District, replaced the approved 415 dwelling units in Land Bay 11 with commercial uses, and allowed an increase in the amount of commercial square footage approved for Land Bay 10, and the expansion of the commercial uses into Land Bay 11. A total of 285,000 gross square feet of floor area was approved for Land Bays 10 and 11 (a combined FAR of 0.14).

PCA 91-Y-010, approved by the BOS on January 11, 1993, (with concurrent applications) permitted modifications to the proffers and other land bays, but did not change the approvals for Land Bays 10 or 11.

PCA 91-Y-010-2 and FDPA 91-Y-010, approved by the BOS and PC on June 6, 1994, and April 25, 1994, respectively, amended the proffers, CDP, and FDP to permit the addition of a miniature golf facility and an eating establishment with an ice skating rink in place of the previously approved office and retail uses. These are the plans and proffers that govern the site of the current application; see Appendix 5 for copies. (A concurrent application to allow a fast food restaurant with drive-through windows was withdrawn after publication of a staff report recommending denial.)

On February 28, 2005, PCA 91-Y-010-3 and FDPA 91-Y-010-2 were approved to amend the Conceptual and Final Development Plans and proffered conditions on a portion of the property rezoned pursuant to RZ 91-Y-010 to allow the development of a drive-in bank in lieu of the previously shown eating establishment with ice skating rink, and to add an additional point of access to the CDP. The only change proposed to the proffers was to condition the new combined CDP/FDP. This site is adjacent to, but does not directly impact the current applications.

## COMPREHENSIVE PLAN PROVISIONS

**Plan Area:** Area III

**Planning Sector:** Centreville Area and Suburban Center, Bull Run Planning District

**Plan Map:** Planned for PDC, 16-20 dwelling units per acre

### Plan Text:

On page 24 of the 2003 edition of the Area III Plan, as amended through September 25, 2006, the Plan states under the heading, Land Unit D-2, "General Land Unit Recommendations:"

#### "D-2 (55 Acres) Suburban Center

Land Unit D-2 is planned for residential use at 16-20 dwelling units per acre. As an option to residential use, the portion of Land Unit D-2 located south of Machen Road Extended may be considered for development of a movie theater and child care center and possibly neighborhood-serving retail and office uses to serve the community. This option is appropriate only if all of the following conditions are met:

- The theater and all other non-residential development are designed to complement existing and planned residential development;
- The portion of Land Unit D-2 south of Machen Road Extended and the adjoining Land Unit D-3 are developed in a coordinated and integrated manner with the total amount of non-residential development not to exceed 285,000 square feet of gross floor area;
- Substantial and effective screening and buffering in excess of ordinance requirements is provided to all adjacent residentially planned lands to mitigate visual and noise impacts. This should be accomplished through a combination of landscaping and/or solid architectural barriers;

- Pedestrian access from the adjacent residential communities should be provided. To facilitate this access, street lights should be provided along Centrewood Drive and Machen Road Extended where they border this portion of Land Unit D-2 and Land Unit D-3;
- Parking areas should be well landscaped and retail signage and lighting should not adversely impact surrounding residential areas;
- Forty-one affordable housing units, which equal ten percent of the approved number of units displaced by non-residential development, are provided elsewhere in the Centre Ridge development where multi-family housing has been planned or approved. The existence of these units should be certified prior to occupancy of the theater or other non-residential uses;
- Machen Road Extended should provide a connection to Route 28 and access to non-residential uses in Land Unit D-2. An internal roadway system should be provided which interconnects the multiple uses as well as Machen Road Extended and Centrewood Drive. The key facilities which provide the interconnection should have no on-street parking and a minimum of access points to the land uses and the major off-street parking areas; and
- Access to any future development on Parcels 65-1((10)) 8-10 [incl.] from Centrewood Drive or from Machen Drive is not appropriate. In addition, pedestrian connections from these parcels to adjoining development are encouraged.”

## **ANALYSIS**

As stated, the previous CDP and FDP are being carried forward with this application. The only changes being made with this PCA are to the proffered uses and development conditions.

### **Land Use and Environmental Analysis (Appendix 6)**

No land use issues associated with this application. As no new impervious surface will be created, no environmental issues have been identified.

### **Transportation Analysis (Appendix 7)**

There are no transportation issues associated with this application.

**Public Facilities** (Appendix 8)

The current proposal will not alter the previous analyses regarding stormwater, as no change the site's impervious surface area is proposed. Nevertheless, the applicant will be required to meet all stormwater management requirements at the time of site plan approval. Similarly, all fire prevention, public parks, water service and sanitary sewer service requirements as established under the previously proffered Conceptual and Final Development Plans continue to be met.

**CONFORMANCE WITH PROFFERS**

The applicant is requesting to amend the proffers to permit a private school of special education (martial arts studio), office use, retail use, eating establishment or fast food restaurant with no drive in window within an existing 5,000 square foot building in Land Bay 11B, currently approved for miniature golf recreation use only. The only physical change proposed for the property is the removal of the existing outdoor miniature golf course, portions of which will be replaced with an exercise area and a playground. No other changes are being proposed to the permitted uses, intensity or design of the site, and all other previous proffers are reaffirmed.

**ZONING ORDINANCE PROVISIONS**

The proffered condition amendment application does not alter the previous analysis regarding the general or design standards for the P District, waivers and modifications, or other applicable Zoning Ordinance provisions as established with the currently proffered Conceptual and Final Development Plans for the property.

The previously approved CDP and FDP were approved with a modification to the transitional screening requirement and barrier requirement along the periphery of Land Bay 11B, in favor of that depicted on the FDP and as required by the approved development conditions. Staff considers it appropriate that this modification be carried forward.

**CONCLUSIONS AND RECOMMENDATIONS****Staff Conclusions**

Staff concludes that the subject application is in harmony with the Comprehensive Plan and is in conformance with the applicable Zoning Ordinance provisions, subject to the execution of the proffers and the imposition of the proposed development conditions contained in Appendices 1 and 2, respectively.

**Staff Recommendations**

Staff recommends approval of PCA 91-Y-010-04, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDPA 91-Y-010-3, subject to the development conditions contained in Appendix 2.

Staff recommends reaffirmation of the previously approved modification of the transitional screening requirement and barrier requirement along the periphery of Land Bay 11B, in favor of that depicted on the FDP and as required by the approved development conditions.

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

**APPENDICES**

1. Draft Proffers
2. FDPA Development Conditions
3. Affidavit
4. Statement of Justification
5. Proffers for PCA 91-Y-010-3 and FDPA 91-Y-010-3
6. Land Use and Environmental Analysis
7. Transportation Analysis
8. Public Facilities Analyses
9. Glossary of Terms

**PROFFER STATEMENT**

Proffered Condition Amendment to Rezoning Case Nos.

PCA 91-Y-010-4 and FDPA 91-Y-010-3

Applicant: SKY 06 T/A American Martial Arts Center

Development: Centre Ridge

Property Location: 65-1 ((10)) 6, Land Bay 11B, Approximately 2.19 acres located in Centreville, Virginia (Sully Magisterial District)

Zoning District PDC (Planned Development Commercial)

Date: February 7, 2007

Pursuant to Section 15.2-2303 (A) 1 of the Code of Virginia (1950, as amended) ("Virginia Code") and Section 18-203 of the Zoning Ordinance of Fairfax County (1978, as amended), the title owners/ applicant (collectively, "Applicant") in this zoning application, proffer that the redevelopment and uses of these parcels under consideration and shown on the Conceptual Development Plan dated October 4, 2006, prepared by Dewberry & Davis ("Property"), shall be subject to all terms and conditions proffered and approved for PCA 81-S-058-5 (Concurrent with PCA 91-Y-010-2) on June 6, 1994, and PCA 91-Y-010-3 and FDPA 91-Y-010-02, dated January 18, 2005, approved by the Board of Supervisors on February 28, 2005, except as amended by the following terms and conditions. This Proffer affects Land Bay 11B, Lot 6, only. In the event this application is denied, these proffers shall be null and void immediately, and of no further force and effect.

General

1. The General Proffer No. 1 written Pursuant to Section 16-402 of the Fairfax County Zoning Ordinance requiring that the Property shall be developed in conformance with the Conceptual Development Plan ("CDP"), prepared by Dewberry & Davis, LLC; shall remain in effect and this Proffer dated February 7, 2007, does not change the previous Proffers, except to provide for a change in use and modifications to Land Bay 11B, Lot 6, to allow the following uses: school of special education, fast food restaurant with no drive-in window(s), or possible future office, retail sales establishment, child care center, or eating establishment provided adequate parking can be provided for these uses; and, provided, minor modifications may be permitted that are necessitated by sound engineering practices that may become necessary as part of final site engineering design, as determined by the Department of Public Works & Environment Management (DPWES).

Each reference to "Applicant" in this Proffer Statement shall include within its meaning, and shall be binding upon, Applicant or Applicant's successor (s) in interest, and/or developer (s), owner (s) and/or operators of the Property, or any portion thereof.

TITLE OWNERS

SKY 06

Yun Ho Song, President

---

Signature

SKY 06

Seong (Sharon) Song, Vice-President

---

Signature

**DEVELOPMENT CONDITIONS**

**FDPA 91-Y-010-3**

**February 13, 2007**

If it is the intent of the Planning Commission to approve FDPA 91-Y-010-3, located at Tax Map 65-1 ((10)) 006 to modify the development conditions to permit a private school of special education (martial arts studio) and fast food eating establishment, staff recommends that the approval be subject to the following development conditions.

All previous FDP conditions imposed by FDPA 91-Y-010, dated March 16, 1994, are reaffirmed, except as follows:

Subsection:

Land Bay 11B

All previous conditions deleted and replaced with the following:

1. Permitted uses shall include a private school of special education and fast food restaurant (without a drive-in window) only.
2. The artificial rocks on the site left over from the defunct miniature golf course shall be removed prior to the issuance of the non-RUP; and the remaining foundation of the course shall be removed within two (2) years of the approval of the FDPA.