



APPLICATION FILED: December 5, 2006
APPLICATION AMENDED: February 20, 2007
PLANNING COMMISSION: April 4, 2007
BOARD OF SUPERVISORS: April 9, 2007

County of Fairfax, Virginia

March 22, 2007

STAFF REPORT

APPLICATION PCA/FDPA 1998-DR-049-04

DRANESVILLE DISTRICT

APPLICANT: Hampstead Village, Inc.

PRESENT ZONING: PDH-5

PARCEL(S): 30-1((30)) 8A & 9A

ACREAGE: 15,648 sq. ft. or 0.3592 acre portion of the
24.14 acre Evans Farm Development

FAR/DENSITY: 5.96 du/ac (Overall Evans Farm Development)

OPEN SPACE: 7.6 acres or 31.5% (Overall Evans Farm Development)

PLAN MAP: 3-4 du/ac (14.43 acres of Evan Farm Development)
5-8 du/ac (9.71 acres of Evans Farm Development)

PROPOSAL: Subdivide one single-family detached dwelling unit
(SFD) lot, into two separate lots; resulting in an
overall density of 5.96 du/ac.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA1998-DR-049-04, subject to proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDPA 1998-DR-049-04, subject to the approval of PCA 1988-DR-049-04 and the associated Conceptual Development Plan.

O:\JTHO10\PCA-FDPA 1998-DR-049-04\ Hampstead.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/

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 recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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 WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

The applicant, Hampstead Village, LLC., is requesting an amendment to subdivide one single-family detached dwelling unit (SFD) lot, located on a 0.3592 acre portion of the 24.14 acre development known as Evans Farm, into two separate lots. The subject property is presently composed of Tax Map Parcels 030-1((30)) 8A and 9A, and the applicant desires to construct one single-family detached dwelling upon each lot. If approved, Parcel 8A would contain approximately 0.15 acres of land and Parcel 9A would contain approximately 0.22 acres.

The draft proffers submitted with the pending application will not change the proffered commitments accepted with the original approvals of Evans Farm pursuant to RZ 1998-DR-049, PCA 1998-DR-049, and PCA 1998-DR-049-2. However, the draft proffers will require the deletion of those proffers approved with PCA 1998-DR-049-3, which were approved by the Board of Supervisors on March 27, 2006, and permitted the consolidation of Parcels 8A and 9A for the purpose of developing one (1) single-family detached dwelling unit. The applicant's present PCA request (PCA 1998-DR-049-4) asks that the previous approval be negated, and that Parcels 8A and 9A be developed identically as they were depicted in RZ 1998-DR-049 (approved by the Board of Supervisors on July 26, 1999), as separate single-family detached dwelling units. As with PCA 1998-DR-049-3, this present PCA only affects the 0.3592 acre subject property, and not the remainder of the Evans Farm development.

The draft proffers are contained in Appendix 1 and the applicant's affidavit is in Appendix 2. The statement of justification is in Appendix 3. A copy of the Clerk to the Board's letter regarding the approval of RZ 1998-DR-049 along with the accepted proffers is in Appendix 4. Appendix 5 contains a copy of the proffered combined Conceptual/Final Development Plan (CDP/FDP) for the original rezoning.

LOCATION AND CHARACTER

Evans Farm, approved pursuant to the approval of RZ 1998-DR-049, is a residential development that includes single family detached dwelling units, single family attached dwelling units and multi-family dwelling units located on private streets. A majority of the units are also located on alleys, from which the garages are generally accessed. At this point in time, the subject property (composed of Parcels 8A and 9A) is the only undeveloped property within the subdivision.

The property subject to this amendment is located towards the southwestern portion of Evans Farm and abuts property within the development on three sides; the fourth side abuts a grouping of older single family detached dwellings, located to the east with

frontage on Chain Bridge Road. The areas to the northwest and south are a part of Evans Farm and are already developed with single family detached dwelling units. All other areas, to the immediate north and west, are developed with single family attached dwelling units, and are also a part of Evans Farm.

BACKGROUND

The application property (15,648 sq. ft.), along with the remainder of the land in the Evans Farm development (24.14 acres total), was rezoned to the PDH-5 District subject to proffers pursuant to the approval of RZ 1998-DR-049 on July 26, 1999. The approval allowed the development of 144 dwelling units, of which 18 were affordable dwelling units (ADUs), resulting in a density of 5.96 dwelling units per acre, (based on the bonus density allowed for the provision of ADUs). The multi-family building with the affordable dwelling units was developed as an expansion of the Lewinsville Retirement Residence, which is located immediately west of Evans Farm.

With the approval of PCA 1998-DR-049 on October 27, 2003, the unit mix was altered to be 44 single-family detached dwelling units, 68 single-family attached dwelling units and 32 multi-family dwelling units. The mix was altered by converting two single family detached dwelling units and two multi-family dwelling units to four single-family attached dwelling units within a 0.61 acre portion of Evans Farm that is different than the application property for the pending application. The overall number of units remained the same, 144 dwelling units, including 18 affordable dwelling units that have been added to the adjacent Lewinsville Retirement Residence. Appendix 6 contains the Clerk to the Board's letter regarding the approval of PCA 1998-DR-049 along with the portion of the CDPA/FDPA illustrating the approved changes to a 0.61 acre portion of Evans Farm.

On January 10, 2005, PCA 1998-DR-049-2 was approved, which allowed an amendment to change the layout of five of the single family detached dwelling units located on a 0.97 acre portion of Evans Farm, in the northeastern portion of the site. The overall number of units again remained the same, only the footprint of the of units changed from a single family house with an attached garage behind the unit, to one whereby the unit footprint was extended to the rear of the lot and the garage was incorporated into the house. Appendix 7 contains the Clerk to the Board's letter regarding the approval of PCA/FDPA 1998-DR-049-2 along with the section of the CDPA/FDPA demonstrating the approved changes in this 0.97 subject area of the overall development.

As was previously mentioned, on March 27, 2006, the Board of Supervisors approved PCA 1998-DR-049-3, which permitted the consolidation of Parcels 8A and 9A for the purpose of developing one (1) single-family detached dwelling unit. Although this amended the Evans Farm overall approved units from 144 to 143, its approval only affected the 0.3592 acre subject property. According to the Fairfax County Department of Public Works and Environmental Services (DPWES), a record plat was not recorded

to consolidate these two parcels. Appendix 8 contains the Clerk to the Board's letter regarding the approval of PCA/FDPA 1998-DR-049-3 along with Exhibits A and B.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	II
Planning District:	McLean Planning District
Planning Sector:	Kirby Community Planning Sector - M3

The adopted Comprehensive Plan does not include any site specific text that is applicable to the application property. However, the Comprehensive Plan Map shows this area, the Evans Farm Development, to be planned for 3-4 du/ac east of Lynwood Street (14.43 acres) and 5-8 du/ac west of Lynwood Street (9.71 acres). (For reference, Lynwood Street has been renamed to Evans Farm Drive). In short, the applicant desires to return the 0.3592 acre subject property, as approved within RZ 1998-DR-049, back into two separate single-family detached dwelling lots, with the same number of overall approved units (144), density (5.96), and dwelling footprints. As it did in 1999, the application still meets the density requirements of the Comprehensive Plan.

ANALYSIS

Conceptual/Final Development Plan Amendment (Reduction at front of staff report)

Title of CDPA/FDPA:	Evans Farm
Prepared By:	Huntley, Nyce & Associates, Ltd.
Original and Revision Dates:	July 23, 1998 as revised for this application through February 22, 2007.

The submitted CDPA/FDPA consists of the proffered CDP/FDP for the original rezoning, RZ 1998-DR-049, modified to show the proposed changes in the layout of the two parcels (8A and 9A) that are subject to the application, the changes to the 0.61 acre portion that was the subject of PCA/FDPA 1998-DR-049, and the changes to the 0.97 acre portion that was the subject of PCA/FDPA 1998-DR-049-02. As noted above, the proposed change is to allow the resubdivision of one single family lot into two separate lots (8A and 9A), in order to construct two single-family detached dwellings. The applicant's submitted CDPA/FDPA depicts the proposed dwelling and accessory structure footprints as was originally approved in RZ 1998-DR-049. This request (PCA 1998-DR-049-04) would

negate the approval granted to PCA/FDPA 1998-DR-049-03, which allowed for the consolidation of Parcels 8A and 9A into a single lot.

Land Use Analysis

The proposed subdivision to create parcels 8A and 9A for development of two single-family detached dwellings, as shown on the CDPA/FDPA, is identical to what was approved with the original Evans Farm rezoning application. As the request is in harmony with that application, and does not increase the developments overall number of units (144) or density (5.96), Staff has concluded that there are no land use issues associated with this proposal.

Environmental Analysis

There are no environmental issues associated with this proposal.

Public Facilities Analysis

This application does not impact public facilities

Tree Preservation Analysis (Appendix 9)

In its review, Urban Forest Management (UFM) of the Department of Public Works and Environmental Services (DPWES) had two comments.

Issue:

There is an existing single row of 6, 2-3 inch diameter white pine trees located at the northern portion of the site that appear to be a temporary screen and were not identified on the CDP/FDP or the approved landscaping plan. These should not be considered for preservation or transplanting.

Resolution:

The applicant is not proposing to preserve or transplant the 6, 2-3 inch diameter white pine trees referenced above in accordance with the recommendations of UFM, DPWES.

Issue:

There is a 24 inch diameter white pine tree at the east of the property, adjacent to the existing brick wall, and is shown and identified as tree #307, which is to be preserved on the approved site plan #0427-SP-01-2 in the tree preservation plan as required in Proffer #6.

Resolution:

The applicant has stated, via the proposed draft proffers, that the application shall in no way impact the 24 inch diameter white pine tree located on the east side of the subject property, adjacent to the existing brick wall. Furthermore, the proposed draft proffers state that the application shall in no way impact any obligations regarding tree preservation on the subject property pursuant to Proffer #6.

Transportation Analysis

There are no transportation-related issues associated with this proposal.

Zoning Ordinance Provisions (Appendix 11)

The proposed change to subdivide one existing single family lot into two separate lots does not affect the manner in which Evans Farm complies with the provisions of the PDH-5 District. The draft proffers submitted with the proffered condition amendment application incorporate the previous proffers by reference while amending the previous proffers to reference the revised layout for the application property, as depicted within the CDPA/FDPA. The proposed new layout for the application property does not affect compliance with the other proffers (aside from the previously mentioned negation of PCA 1998-DR-049-03) associated with the approval of RZ 1998-DR-049.

CONCLUSIONS AND RECOMMENDATIONS**Staff Conclusions**

PCA/FDPA 1998-DR-049-4 proposes a minor lot layout change to the Evans Farm development to subdivide one existing single family lot into two separate lots. The overall number of units within Evans Farm would increase to 144 units (44 single family detached dwelling units) from 143 units, in accordance with the original rezoning approval for the site; there will be no change in the approved number of affordable dwelling units, the amount or location of open space, or the road network within Evans Farm. The draft proffer amendments will only have effect within the 0.3592 acres comprising the application property, and all other proffer commitments approved with the initial rezoning will be carried forward and will be applicable to this 0.3592 acre site.

Recommendations

Staff recommends approval of PCA1998-DR-049-04, subject to proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDPA 1998-DR-049-04, subject to the approval of PCA 1988-DR-049-03 and the associated Conceptual Development Plan.

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.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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 Statement
2. Affidavit
3. Statement of Justification
4. Clerk to the Board's Letter regarding RZ 1998-DR-049 and Proffers
5. Reduction of the Proffered Conceptual/Final Development Plan for RZ 1998-DR-049
6. Clerk to the Board's Letter regarding PCA 1998-DR-049 and an excerpt from the Proffered CDPA/FDPA illustrating the affected area.
7. Clerk to the Board's Letter regarding PCA 1998-DR-049-02 and an excerpt from the Proffered CDPA/FDPA illustrating the affected area.
8. Clerk to the Board's Letter regarding PCA 1998-DR-049-03 and Exhibits A & B.
9. Urban Forestry Analysis
10. Portion of plat showing the proposed footprint
11. Selected Excerpts from the Zoning Ordinance
12. Glossary of Terms

PROFFERS

PCA /FDPA 1998-DR-049-04

March 9, 2007

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and Section 16-403 of the Zoning Ordinance of Fairfax County (1978, as amended) (the “Zoning Ordinance”), the undersigned Applicant/Owner for both themselves and their successors and assigns (hereinafter “Applicant”), proffer that development of the property identified as Tax Map Reference 30-1((30)) Parcels 8A and 9A (the “Subject Property”) and hereby agree to the following proffers, if, and only if, the Fairfax County Board of Supervisors (the “Board”) approves PCA 1998-DR-049-04 for the Subject Property, which is a .3592 acre portion of the property subject to the proffers for RZ 1998-DR-049. In the event said application is denied, this proffer statement shall be rendered null and void. In the event said application is approved, these proffers shall be applicable only to the .3592 acre parcel that is the subject of this application.

1. Except as modified below, the Subject Property is governed by the Proffers dated July 26, 1999 of RZ 1998-DR-049.

2. Proffer Number 1.1 of the July 26, 1999 proffers shall be amended as follows:

“1. Development Plan

1.1 Subject to the proffers and the provisions of Section 16-402 of the Zoning Ordinance, under which minor modifications to an approved CDP/FDP are permitted, development of the Subject Property shall be in substantial conformance with the CDP/FDP, prepared by Huntley, Nyce & Associates, dated 7/23/98 as amended by the CDPA/FDPA entitled “Evans Farm Dranesville District Fairfax County, Virginia CDPA/FDPA (Zoning Plat) – Lots 8A and 9A”, prepared by Huntley, Nyce & Associates, dated, July 23, 1998 revised through February 22, 2007 consisting of seven sheets (the “Plat”). The footprint of the proposed single family detached dwelling unit on lots 8A and 9A shall be in substantial conformance with the footprint depicted on the sheet 4 of the set.

3. Proffer Number 6 of the July 26, 1999 proffers shall be amended as follows:

“6.4A The amendment to Lots 8A and 9A shall in no way impact the Applicant’s obligations regarding tree preservation on the Subject Property pursuant to this proffer number 6, Tree Preservation, and in notes contained on sheet 6 of the Plat. Specifically, approval of this application shall in no way impact the tree(s) identified for preservation on the east side of the Subject Property, adjacent to the existing brick wall.”

4. Proffer Number 4 of the March 21, 2006 proffers shall be deleted.

SIGNATURES TO FOLLOW ON THE NEXT PAGE:

APPLICANT/TITLE OWNER OF
TM 30-1((30))8A, 9A

HAMPSTEAD VILLAGE LLC

BY: _____
William A. Moran
Title: Manager