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**WALSH COLUCCI  
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**REVISED**

February 5, 2016

Barbara C. Berlin, Director  
Zoning Evaluation Division  
Fairfax County Department of Planning & Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

Re: Application for Rezoning from the C-3 District to the PRM District  
Special Exception For Uses in a Floodplain  
Fairfax County Tax Map Reference: 83-1 ((1)) 42 and 49A  
(the "Subject Property")  
Lennar Multifamily Communities, LLC (the "Applicant")

Dear Ms. Berlin:

Please accept this letter as a statement as justification for an application to rezone the Subject Property from the C-3 District to the PRM District as well as a concurrent special exception to allow grading in the floodplain as described in more detail below.

**Property Information**

Zoned to the C-3 District, the approximately 6.32 acre Subject Property is located northeast of the intersection of Huntington Avenue (Route 1332) and Metroview Parkway (Route 8750) in the Mount Vernon Magisterial District. On July 1, 1991, the Subject Property was rezoned from the R-4 and R-E Districts to the C-3 District to permit office development pursuant to RZ 90-V-061. There are currently proffers applicable to the Subject Property. The Applicant proposes to replace and supercede all prior proffers and conditions applicable to the Subject Property with this application. Although the Subject Property has been approved for office development since 1991, it has long been vacant.

**Comprehensive Plan Recommendations**

The Subject Property is located within the Mount Vernon Planning District, within the Huntington Community Planning Sector, within the Transit Station Area of the Fairfax County Comprehensive Plan (the "Plan"). More specifically, the Subject Property is within Land Units C and D. In consideration of the Applicant's proposal, on December 2, 2014, the Board of Supervisors authorized consideration of an out-of-turn Plan amendment to consider up to 674 additional residential units within Land Units C and D. It is anticipated that this rezoning will proceed concurrently with the pending Plan amendment, with the understanding that the Board must

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act on the Plan amendment prior to consideration of this application. Should the Plan amendment be adopted by the Board, the Applicant's proposal will be in harmony with the Plan's recommendations. An analysis of the residential development criteria is included below.

### **Description of the Proposed Development**

The proposed development consists of a single multifamily building with 348 units. The proposed 6-story building features a central garage that is largely screened by residential units. The garage will connect directly to each building level for convenient resident access. Given the proximity of the Huntington Metro Station to the Subject Property, the Applicant proposes parking at a rate of 1.3 spaces per unit which is consistent with other residential development approved in the Transit Station Area.

The Applicant's proposal includes an outdoor pool and courtyard area as an amenity to its residents. Additionally, the Applicant proposes a public trail on the northern portion of the Subject Property along Cameron Run that will tie into a trail that is under construction on property directly west of the Subject Property. The Applicant also proposes an urban linear park on the Parcel 49A that will be an amenity for new and existing residents in the surrounding area. Finally, the Applicant proposes to dedicate an easement along Cameron Run to allow for a possible kayak launch in the future by others.

There is a Resource Protection Area (RPA) on the northern and eastern sides of the Subject Property. The Applicant has recently received approval of an RPA delineation that updates the prior RPA boundaries. The proposed development does require a concurrent RPA exception and Water Quality Impact Assessment that will be submitted under separate cover. As part of this application, the Applicant proposes to pipe the existing stream to improve drainage in this area. The Applicant has been working to coordinate the piping with Fairfax County. The County will soon begin a levee project adjacent to the Subject Property and the Applicant is hopeful that the proposed piping will connect with the proposed levee project. As a result of the levee project, it is anticipated that the existing floodplain will be modified in the future. However, until that occurs, the Applicant requests approval of a special exception request to allow grading and construction of a retaining wall within the 100-year floodplain. The grading and retaining wall will allow for construction of the multifamily building, and will further allow the Subject Property to accommodate the County's proposed levee project as well as piping of an existing stream to improve drainage in vicinity of the Subject Property.

### **Residential Development Criteria**

Residential Development Criteria have been adopted in order to evaluate zoning requests for new residential development. The following identifies how the proposed development meets the criteria:

- I. **Site Design** — All applications are to be characterized by high-quality site design. The Applicant believes that its proposal provides high-quality site design as follows:

- A. Consolidation—The Subject Property is approximately 6.32 acres in size. The Applicant has consolidated two (2) undeveloped parcels. All other adjacent parcels are developed.
  - B. **Layout** — The proposed layout provides logical, functional, and appropriate relationships between the new residential uses and adjacent existing uses. The site has been designed to respect the development pattern of adjacent properties. The proposed residential building is adjacent to an existing high-rise multifamily building. As a mid-rise building, the proposed development provides a transition from the high-rise building to the adjacent townhomes to the southeast.
  - C. **Open Space** — Approximately 2.98 acres of open space will be provided on the Subject Property to serve the development. This open space is well in excess of Zoning Ordinance requirements.
  - D. **Landscaping** — Ample landscaping is provided on periphery of the Subject Property and within the development's courtyard.
  - E. **Amenities** — The Applicant will construct a public trail, provide enhanced pedestrian access to the Huntington Metro Station, provide an easement for a future kayak launch, create an urban park, improve existing drainage, and provide an attractive central courtyard to create an inviting residential community.
- II. **Neighborhood Context** — New developments are to fit into the fabric of their adjacent neighborhoods. To the north, the Subject Property is encumbered with RPA and adjacent to Cameron Run. To the south is an existing high-rise development. To the east is an existing townhome development that will be screened from the proposed development by the RPA. Parcels to the west are zoned to the PRM District and approved for multifamily development.
- III. **Environment** — Proposals should be consistent with the policies and objectives of the environmental element of the Plan.
- A. Preservation — The Applicant proposes to protect a large portion of the existing RPA on the Subject Property. The area will provide significant buffering to adjacent developments as well as attractive open space.
  - B. Slopes and Soils — Soils information available to date indicates that it will be adequate for residential development.
  - C. Water Quality — Best Management Practices for stormwater management will be provided through a combination of dry swales, bioretention filter, and pervious pavers.
  - D. Stormwater Management — The site is currently undeveloped. The Applicant will be providing stormwater detention through an underground facility.

- E. Noise — If determined necessary, impacted units will include construction measures for noise mitigation to ensure the County's noise standards are met.
  - F. Lighting — Lighting on the site will be shielded and directed downward in order to minimize neighborhood glare and impacts to the night sky. The Applicant commits to meet the County's adopted lighting and glare regulations.
  - G. Energy/Green Building Practice — The dwelling units will be constructed to meet or exceed current energy efficiency standards.
- IV. **Tree Preservation and Tree Cover Requirements** — The Applicant proposes to preserve trees on the northern portion of the Subject Property. The Applicant will work with the Urban Forester to ensure adequate tree preservation to the extent feasible.
- V. **Transportation** — Applications are to implement measures to address planned transportation improvements. The Applicant will be enhancing pedestrian access to the Huntington Metro Station with the creation of an urban plaza parallel to Huntington Avenue. The Applicant will implement a Transportation Demand Management program for the development. The Applicant will work with FCDOT to address any transportation concerns.
- VI. **Public Facilities** — It is anticipated that residential development impacts to the Public Facility System will occur. These include impacts on the public schools and public parks. The Applicant anticipates making a contribution to the Board of Supervisors for school purposes and a contribution to the Park Authority. It is expected that the Public Facilities' recommendation will be satisfied with these contributions.
- VII. **Affordable Housing** — Because the proposed dwelling units are Type 3 construction, they are exempt from the applicability of the Affordable Dwelling Unit (ADU) Ordinance.
- VIII. **Heritage Resources** — There are no significant cultural, architectural, economic, social, political, or historic heritage sites or structures located on the Subject Property.
- IX. **Density** — The Plan does not recommend a density in terms of dwelling units per acre. The Plan is currently being reviewed and will likely recommend a maximum number of dwelling units. The Applicant anticipates that with the adoption of a Plan amendment, the proposal will comply with the recommended number of units for these Land Units.

In accordance with Section 2-904, paragraph B, of the Zoning Ordinance, please accept the following additional information regarding the special exception application for uses in a floodplain:

- There are currently flooding issues on the Subject Property and surrounding properties given that the elevation of the properties are below the elevation of the 100-year floodplain. The Applicant is working with Fairfax County to connect to their proposed levee along Cameron Run that proposes a barrier between the residential uses and Cameron Run in an effort to improve flooding in the area. As a result of the levee project, it is anticipated that flooding will be minimized.

- Additional Federal and State permits are required for the proposed development that the Applicant is seeking in accordance with Federal and State requirements.

To the best of our knowledge, the proposed use will be in conformance with all applicable ordinances, regulations and adopted standards except as modified on the CDP/FDP/SE Plat and as requested below:

- The Applicant requests a modification of transitional screening and barrier requirements in accordance with Section 13-305, Paragraph 2 in favor of what is shown on the CDP/FDP/SE Plat. The Applicant has located the building on the Subject Property to be approximately 42 feet from the property line and approximately 152 feet from adjacent structures. Additionally, the Applicant proposes to retain existing landscaping on the eastern side of the Subject Property and enhance the area to further minimize impacts to adjacent properties.
- The Applicant requests a waiver of interior parking lot landscaping requirements in accordance with Section 13-302 of the Zoning Ordinance. The proposed parking for the multifamily building is within a garage that will be screened by the proposed building. Accordingly, the proposed parking will not have any deleterious effect on surrounding development.

### **Summary**

The Applicant proposes rezoning to the PRM District and concurrent special exception to allow a multifamily development along Cameron Run that will be conveniently located near the Huntington Metro Station. The proposed development will enhance the existing community and will be an asset to Fairfax County.

Should you have any questions, or need any additional information, please do not hesitate to contact me.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.



Sara V. Mariska

cc: John Malone  
Clayton Tock  
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