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VIA HAND DELIVERY

Tracy D. Strunk, AICP
Director, Zoning Evaluation Division
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Ste. 801
Fairfax, Virginia 22035

**Re: 5919 North Kings Highway, Alexandria, Virginia 22203
Tax Map Nos. 83-3 ((38)) C & 83-3 ((1)) 88G (the "Property")
Amendments to RZ/FDP 2000-MV-046
STATEMENT OF JUSTIFICATION**

Dear Ms. Strunk,

On behalf of the applicant, Avention Holdings I, LLC (the "Applicant"), please accept this letter as a statement of justification for the enclosed application to amend the proffers, concept development plan ("CDP"), and final development plan ("FDP", and together with the CDP, the "CDP/FDP") associated with case RZ/FDP 2000-MV-046. With this application, the Applicant will develop the remaining residential density available under the Comprehensive Plan for this area and implement the vision for the site.

I. Introduction

The Applicant is the contract purchaser of the Property. The Property is located on the north side of Huntington Park Drive and adjacent to the Huntington Metro Station. The Courts at Huntington Station and Pavilions at Huntington Station condominiums are immediately south of the subject site, and Mount Eagle Park is located to the southeast. The Property is also proximate to the Montebello Condominiums to the northeast.

The Property is currently vacant. Pursuant to RZ 2000-MV-046, the Property's approximately four acres are zoned to the PRM, Planned Residential Mixed Use District and designated for multi-family residential use on the CDP/FDP. Under the existing approval, RZ 2000-MV-046 permits up to 650 total residential units, consisting of up to 600 multifamily dwelling units and up to 65 attached dwelling units. Currently, there are 421 multifamily units constructed with the Courts at Huntington Station and Pavilions at Huntington Station condominiums. There are 48 townhomes built in the Pavilions at Huntington Metro townhouse development south of the multifamily condominiums.

II. Summary of Application Requests

With this Application, the Applicant desires to place the remaining 179 approved, but unbuilt, multifamily units at the Property. Further, given the existing Comprehensive Plan guidance permitting up to 850 units in this area (discussed below), the Applicant also desires to place the remaining 200 planned, but unbuilt, multifamily units at the Property. These requests are consistent with the existing and anticipated development of the Property approved with RZ 2000-MV-046, and they are further consistent with the Comprehensive Plan.

To accomplish its goals for the site and fulfill the guidance in the Comprehensive Plan for the Property, the Applicant seeks to amend the existing CDP/FDP to allow a maximum of 850 residential units and provide for the remaining 379 multifamily units at the Property. By adding the remaining units to the site, the Property's total units per acre becomes 94.9 u/a, consistent with Section 6-401 of the Zoning Ordinance. In total, these amendments are consistent with the PRM District's goals, which emphasize multifamily units as the principle use adjacent to transit, such as the Huntington Metro. The proposed revisions to the CDP are also consistent with the existing approvals and expectations for the Property, as the Applicant is proposing to retain the site for multifamily development under the CDP.

As shown on the CDP/FDP, the proposed multifamily building will be seven stories and contain up to 379 multifamily units. The building will be designed with brick as its primary material, which is complimented by hardi-plank, hardi-panel, and nichiha throughout the structure. The proposed building design compliments the existing multifamily structures to the south of the Property, while being respective of nearby single-family uses. It also promotes a contemporary urban design adjacent to the Huntington Metro Station.

Parking is provided onsite through an above-grade parking structure to the northeast of the proposed building. The structure's location will ultimately shield its view from sensitive neighbors to the south and northeast, given the site topography. The Applicant is proposing a total of 530 parking spaces onsite, or approximately 1.39 parking spaces per unit.

Consistent with General Standard 1 of Section 16-101 of the Zoning Ordinance, the proposed amendments incorporate the remaining residential density currently planned for this area under the Comprehensive Plan. The CDP will retain the remaining office and public facility uses anticipated in future land bays, resulting in a mix of uses for the area. Further, the additional multifamily density is appropriate, given the Property's immediate proximity to the Huntington Metro and open space amenities, such as Mt. Eagle Park. Similarly, consistent with General Standard 2, the CDP retains flexibility in design, uses, open space, and the pedestrian network.

General Standard 3 was largely met through the dedication of Mt. Eagle Park. The Applicant intends to supplement this standard through the provision of onsite, private open space. The Applicant will also work with staff and the community to provide an appropriate location for the proposed bus path along the future Biscayne Drive.



The proposed development will positively impact surrounding sites. The new multifamily building will contain high-quality materials and design. Further, it replaces and redevelops a vacant site, adds new stormwater management controls, and provides additional landscaped open space in the area. It will, therefore, satisfy General Standard 4. Further, the site is well served by transit options, including the Huntington Metro and Metro bus line, and there are sufficient public facilities and public utilities to service the proposed development. These conditions satisfy General Standard 5.

Lastly, the proposed development will complete planned pedestrian and bus linkages within the neighborhood. The Applicant will complete various streetscape improvements internal to the site, as well as with the surrounding pedestrian network, as shown on the CDP/FDP. Further, as noted above, the Applicant will work with staff and the community to provide an appropriate location for the proposed bus path along the future Biscayne Drive. These proposed linkages are sufficient to satisfy General Standard 6.

The Property further meets the Design Standards of Section 16-102. Given the Property is adjacent to the Huntington Metro, near the center of the Huntington Transit Station Area, Design Standard 1 would not generally apply to the Property. Design Standard 2 requires general conformance with open space, off-street parking, loading, and signage regulations. Here, the Applicant will meet all onsite parking and loading requirements and conform any future signage to the Zoning Ordinance's standards. Open space is achieved within the overall CDP/FDP through the prior public park dedication and private open space. The Applicant will work with staff on an appropriate package to provide recreational facilities to residents. Lastly, the proposal meets Design Standard 3 by completing anticipated pedestrian, bus, and vehicular linkages originally proffered with the CDP/FDP. The Applicant will work with staff and the community to provide an appropriate location for the proposed bus path along the future Biscayne Drive, and the necessary pedestrian crossings to maintain access to the park.

III. Comprehensive Plan Guidance

The Property is located within Area IV of the Comprehensive Plan, and is specifically within the MV1 Huntington Community Planning Sector. The Comprehensive Plan places the Property within Land Bay E of the Huntington Transit Development Area. Land Bay E, in conjunction with the adjacent Land Bay F to the south, are generally planned for up to 850 residential dwelling units, provided that the Transit Development Area general criterion are met.

The proposed development is consistent with these criterion. The following is provided in response to the Transit Development Area general criterion in the Comprehensive Plan:

1. Development should be coordinated under one planning program for the entire site.

The proposed development is in line with the original approved use of the Property under RZ 2000-MV-046 and as otherwise coordinated with the mid-rise multifamily, townhouse, office, and public facility uses.



2. Retail uses should be limited to the ground level of proposed buildings along the main pedestrian access routes to the Metrorail station.

Consistent with RZ 2000-MV-046, retail uses are not anticipated at the Property.

3. Nonresidential uses should be clustered around the public space near the Metrorail station.

The existing public facilities for the Huntington Metro and a proposed future office use to the west of the Property will not be affected by this application.

4. Residential development should occur towards the south and east of the station in order to provide an appropriate transition to adjacent neighborhoods;

The new multifamily building will be located southeast of the Huntington Metro station, consistent with this criterion. The Applicant is proposing a seven story building to adequately transition from the proposed development to the Fairview neighborhood.

5. Provision of integrated pedestrian and bicycle systems with features such as covered and secure bicycle storage facilities, walkways, trails and sidewalks, enhanced crosswalks providing connections to adjacent neighborhoods, and amenities such as street trees, benches, bus shelters, and adequate lighting.

Consistent with RZ 2000-MV-046, the Applicant is proposing to complete pedestrian, bus, and vehicular linkages anticipated for this site.

6. Creation of usable open spaces such as pocket parks, plazas, common greens and recreation-focused urban parks on the site.

In addition to the previously dedicated Mt. Eagle Park, the Applicant anticipates onsite open space in the form of a usable courtyard for its residents. The Applicant will work with staff on an appropriate package for recreational facilities.

7. Provision of environmental elements into the design, including buildings designed to meet the criteria for LEED Silver (or comparable rating system) green building certification and innovative stormwater management techniques.

The Applicant will work with staff on an appropriate green building package for the proposed development.

8. Buildings should be designed to accommodate telecommunications antennas and equipment cabinets in a way that is compatible with the building's architecture and conceals the antennas and equipment from surrounding properties and roadways.

The Applicant will work with staff to explore opportunities for incorporating such antennas and equipment to the extent feasible.

9. Underground parking, or parking built into the slope, is preferred to minimize visual intrusion and create a pedestrian oriented atmosphere. Architectural detailing, screening, lighting, and landscaping that is aesthetically appealing should be employed along exposed parking levels to mitigate negative impacts. Efforts should be taken to face above ground parking structures to service streets, and they should be designed to be consistent with surrounding buildings. On-street and incidental surface parking shall be allowed consistent with urban design guidelines.

The Applicant is proposing an above-grade structure, consistent with RZ 2000-MV-0046. However, the Applicant has moved the parking structure to the west of the building to locate it along the future Hill Top Drive, consistent with this criterion. Further, this allows the Applicant to effectively screen the parking structure via the multifamily building from the nearby single family neighborhood.

10. Vehicular access to private development should be separated from vehicle access to the Metrorail station.

As further described in the CDP/FDP, the Applicant is proposing separate vehicular access to the Property off of Huntington Park Drive.

IV. Proposed Waivers & Modifications

The Applicant is requesting the following waivers and modifications to the Zoning Ordinance and Public Facilities Manual. Except as otherwise requested below and on the CDP/FDP, the proposed development conforms to the provisions of all applicable ordinances, regulations, and adopted standards.

1. **Modification of Zoning Ordinance § 11-201 and -203 to permit one indoor loading space.**

The Applicant is requesting to provide a minimum of one, and not more than two, indoor loading spaces for the multifamily building. As provided in Section 11-201, the off-street loading provisions only have general application in the PRM District. Furthermore, the Zoning Ordinance requirement of four spaces substantially exceeds the number of loading spaces necessary for successful operation of this building.

2. **Modification of Zoning Ordinance § 11-202(4) to permit a minimum distance of less than forty feet between the loading space and drive aisle.**

The Applicant requests a modification of this section in favor of the spacing shown on the CDP/FDP. The Applicant has moved the garage location away from the adjacent single family neighborhoods. Given site constraints, however, the loading vehicles and resident vehicles will access the site from the same drive aisle, which will necessitate overlap in the area between the loading space and the functional drive-aisle.

3. Waiver and Modification of Zoning Ordinance §13-305(1) regarding the transitional yard screen and barrier requirements.

The Applicant is requesting a waiver of the transitional yard screening requirements and modification of the barrier requirement along the Property's eastern boundary. The site size constrains the ability to include the full transitional screening in light of fire access requirements. The Applicant believes site topography will assist in site screening.

4. Waiver of Zoning Ordinance § 13-203 requiring peripheral landscaping adjacent to an above-grade parking garage.

Due to the site size constraints and provision of the future Hilltop Drive, it is not possible to provide additional screening adjacent to the proposed garage. Currently, an FDP does not exist to develop the proposed office site to the west. Further, the future drive will act to create an adequate distance between the garage structure and any future structure to the west.

5. Waiver of Zoning Ordinance § 17-201(3)(B) requiring inter-parcel access to northern parcels.

Future interparcel access should be assessed with future development plans for parcels to the north. At this time, the provision of office space in the land bay to the west is unclear.

6. Modification of Zoning Ordinance § 17-201(3)(B) requiring inter-parcel access to eastern parcel.

The Comprehensive Plan does anticipate interparcel access to the single family neighborhoods to the east. These existing neighborhoods have road access through existing streets. Future access for the Montibello community via a bus route to the south of the Property will be assessed with this application.

V. Conclusion

For the reasons noted above, the Applicant requests approval of this application. Thank you for your time and attention to this matter.

Very truly yours,



Mark M. Viani, Esq.
Counsel for Applicant