

Statement of Justification, Chantilly Estates

This Rezoning application is the result of a Plan Amendment Application APR 01-III-3UP. The requested amendment of the plan was generated by the properties situation in that it shares frontage with both Rt. 50 and a multiple bay service station. This parcel was thought for over 50 years to be Commercially situated since it is on a major highway and on a corner with a traffic light to Rt. 50 as well as being adjacent to a major commercial center. In addition it was always a separate large parcel and not part of the surrounding residential neighborhood subdivision. Indeed, the current service station on Rt. 50 was subdivided from this parcel to become the first commercial user on this parcel. The owner has continually lived on the remainder of the parcel.

This Applicant filed for a residential land use change in the last APR process while another Applicant filed for a formal Plan change to a commercial use of the property. In the Sully District APR Task Force meeting the APR request for commercial was narrowly defeated, while this proposal for a slight increase in density was unanimously recommended for approval. Subsequent to initial reservations, the Staff also recommended approval of the density change after discussions with this Applicant on the ability to meet setback concerns and also the possibility of providing the service drive, a much needed transportation improvement for the neighborhood.

For the Plan Amendment process the applicant provided the Task Force, Supervisors Office and Staff with a "sketch plan" for development of the property. That Sketch Plan has been refined and is now being submitted as a proffered FDP for 8 lots, also including a proffer to provide frontage access to the service station from Chantilly Rd. This access is an important consideration for the neighborhood since the Chantilly Rd. light channels service station traffic to travel entirely through the neighborhood to get to the service station via Downs Dr. because there is no median break in front of the service station for traffic going east on Rt. 50.

The conditions of the plan Amendment are met in that 1) a Solid fence adjacent to Non-residential uses and Rt. 50 is provided and 2) a 35 foot vegetated buffer adjacent to non-residential and substantial buffering to Rt. 50 is provided, and 3) a service drive is constructed along the frontage of parcel 34-4 ((5)) B to provide a connection between Chantilly Rd and the service station at Downs Drive.

This rezoning application is in complete harmony with the Plan and no waivers are being requested at this time. Furthermore, this statement fulfills requirement no. 10 and no. 12..

Signed: _____
John H. Thillmann, VP and Agent for the Applicant