



APPLICATION FILED: April 4, 2007
PLANNING COMMISSION: January 23, 2008
BOARD OF SUPERVISORS: Not Yet Scheduled

County of Fairfax, Virginia

January 9, 2008

STAFF REPORT

APPLICATION RZ/FDP 2007-MV-011

MOUNT VERNON DISTRICT

APPLICANT:	Carrhomes, LLC
PRESENT ZONING:	R-1
REQUESTED ZONING:	PDH-2
PARCEL(S):	99-4 ((1)) 32 & 33
ACREAGE:	7.46 acres
DENSITY:	1.47 dwelling units per acre (du/ac)
OPEN SPACE:	50%
PLAN MAP:	Residential; 1-2 du/ac
PROPOSAL:	Rezone the subject site from the R-1 District to the PDH-2 District to permit development of 11 single-family detached dwelling units.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2007-MV-011 and the associated Conceptual Development Plan subject to proffers consistent with those contained in Appendix 1 of this staff report.

Staff recommends approval of FDP 2007-MV-011 subject to the proposed development conditions contained in Appendix 2 of this staff report.

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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/

Staff recommends that PFM standard for a typical section for undivided streets be modified to permit the 47-foot wide right-of-way to taper to 44 feet in width in order to align the proposed public street with the existing right-of-way as depicted on the CDP/FDP.

Finally, staff recommends that Sect. 2-0103.2 of the PFM be modified to allow four of the 11 proposed lots (or 36%) to be pipestem lots.

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.

The approval of this application does not interfere with, abrogate or annul any easements, 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).

Rezoning Application

RZ 2007-MV-011

Applicant: CARRHOMES, LLC
Accepted: 04/04/2007
Proposed: RESIDENTIAL
Area: 7.46 AC OF LAND; DISTRICT - MOUNT VERNON

Zoning Dist Sect:
Located: WEST SIDE OF TELEGRAPH ROAD
APPROXIMATELY 100 FEET NORTH OF ITS
INTERSECTION WITH NEWINGTON ROAD

Zoning: FROM R- 1 TO PDH- 2
Overlay Dist:
Map Ref Num: 099-4- /01/ /0032 /01/ /0033

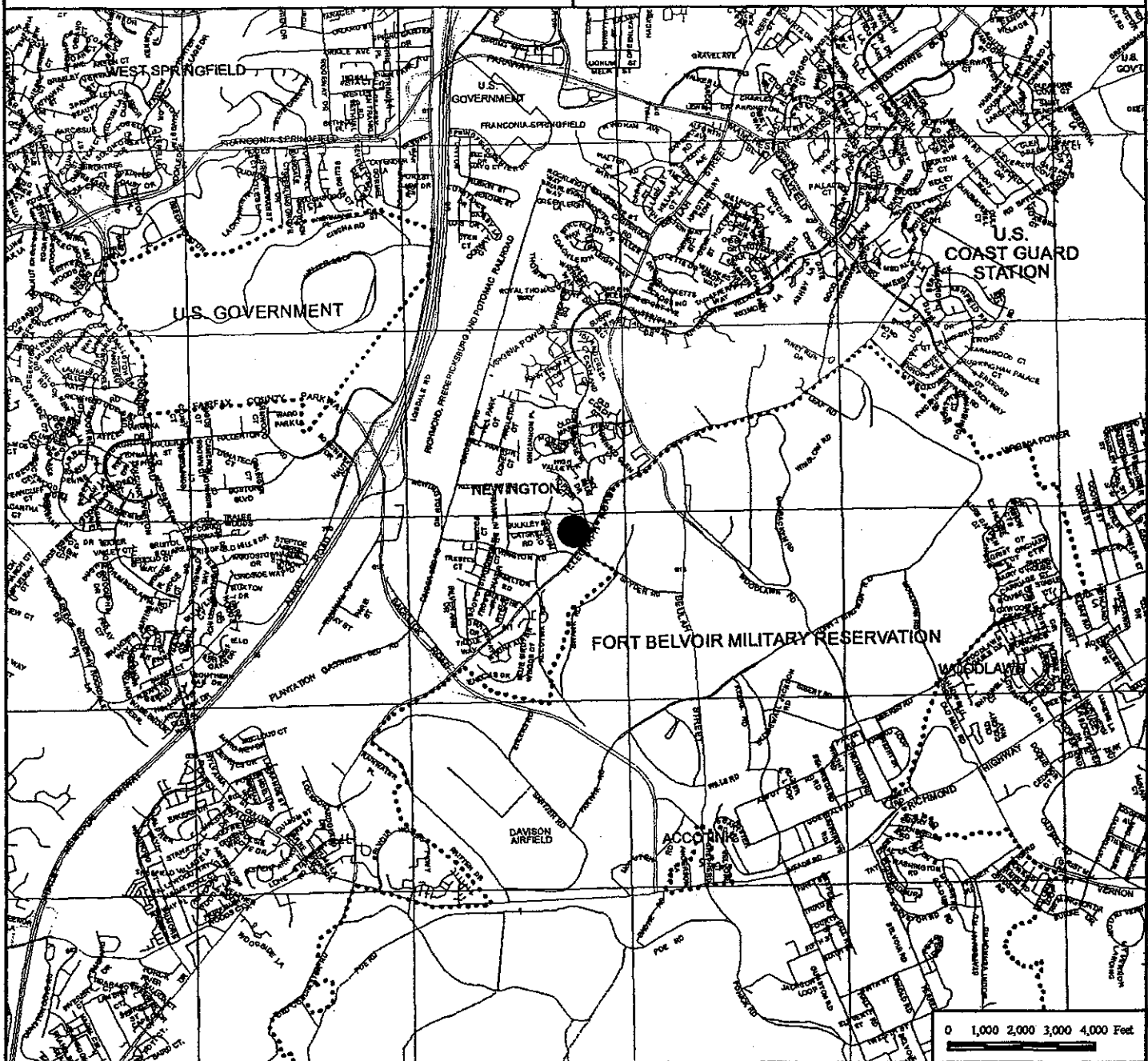
Final Development Plan

FDP 2007-MV-011

Applicant: CARRHOMES, LLC
Accepted: 04/04/2007
Proposed: RESIDENTIAL
Area: 7.46 AC OF LAND; DISTRICT - MOUNT VERNON

Zoning Dist Sect:
Located: WEST SIDE OF TELEGRAPH ROAD
APPROXIMATELY 100 NORTH OF ITS
INTERSECTION WITH NEWINGTON ROAD

Zoning: PDH- 2
Overlay Dist:
Map Ref Num: 099-4- /01/ /0032 /01/ /0033



Rezoning Application

RZ 2007-MV-011

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Located: WEST SIDE OF TELEGRAPH ROAD
APPROXIMATELY 100 FEET NORTH OF ITS
INTERSECTION WITH NEWINGTON ROAD

Zoning: FROM R-1 TO PDH-2
Overlay Dist:
Map Ref Num: 099-4 /01/ /0032 /01/ /0033

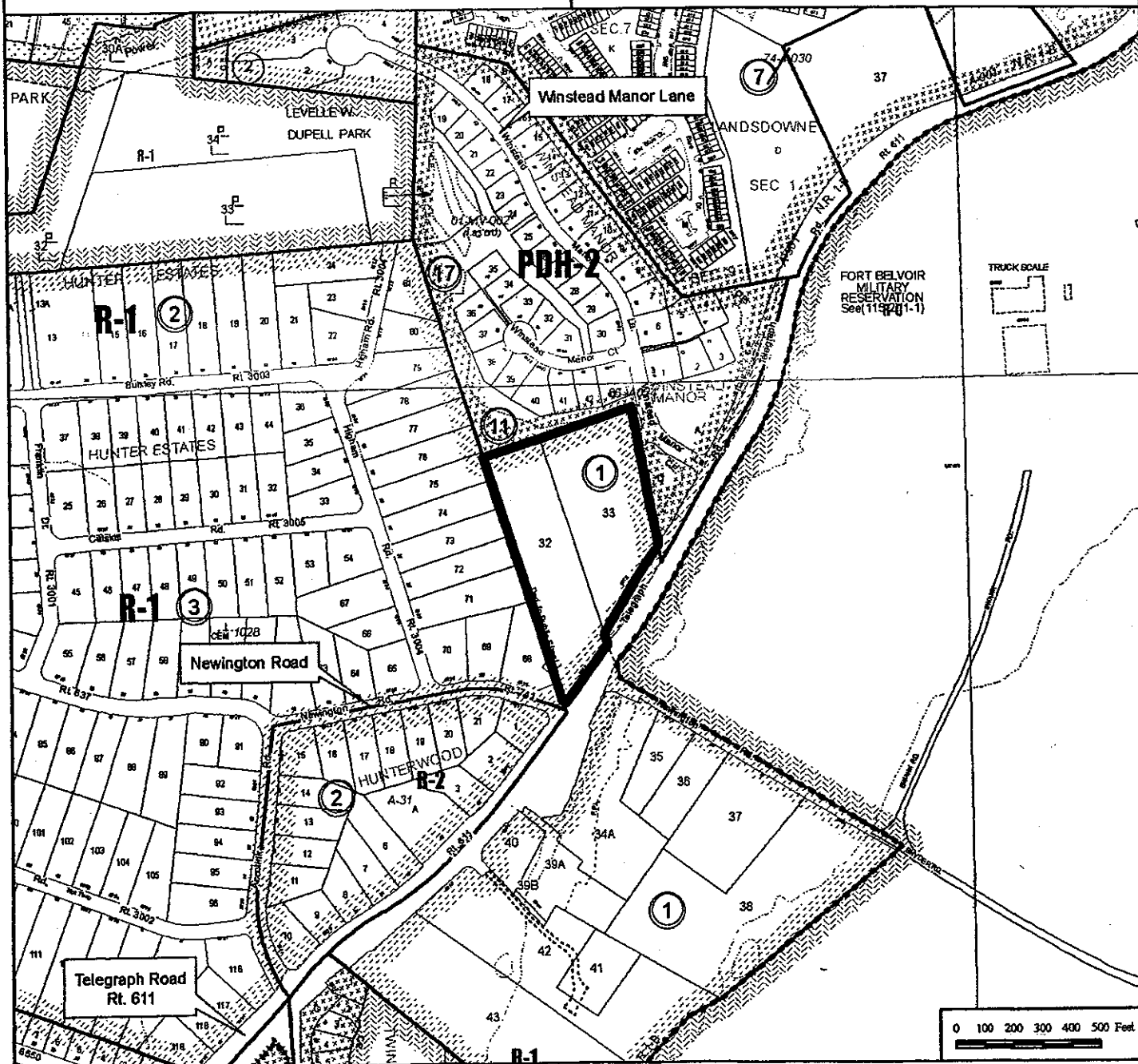
Final Development Plan

FDP 2007-MV-011

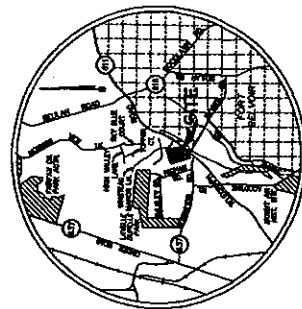
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APPROXIMATELY 100 NORTH OF ITS
INTERSECTION WITH NEWINGTON ROAD

Zoning: PDH-2
Overlay Dist:
Map Ref Num: 099-4 /01/ /0032 /01/ /0033



RZ 2007-MV-011



VICINITY MAP

[illegible]

SITE TABULATIONS	
SITE AREA :	
LOT AREA	133,483.8 (3,094 AC)
PARCEL, 94	108,019.8 (2,477 AC)
REST-OF-WAY DEDICATION	25,827.6 (5,924 AC)
TOTAL	368,000.8 (7,496 AC)

SITE TABULATIONS

PDH-2 ZONE		REQUIRED	PROVIDED
NUMBER OF UNITS	---	---	11 SINGLE-FAMILY DETACHED
DENSITY	2 DU/AC (MAX)	N/A	1.47 DU/AC
MINIMUM LOT AREA	N/A	N/A	10,000 ±
MINIMUM LOT AREA	N/A	N/A	10,000 ±
MINIMUM BUILDING HEIGHT	N/A	N/A	30'
MINIMUM YARDS	20'	N/A	SEE DETAIL
OPEN SPACE	20%	---	DOSE
MAXIMUM	3 SPACES / UNIT (33 TOTAL SPACES)	---	3 SPACES / UNIT (7 TOTAL SPACES)

PDH-2 ZONE

PROVIDED

11 SINGLE-FAMILY DETACHED
1.47 DU/AC
10,000 ±
12,000 ±
30'
NET DETAIL
8022
3 APACES / UNIT
/ 13 TOTAL APACES

TYPICAL LOT LAYOUT

DEVELOPER

CARRINGTON, LLC
3110 PARKVIEW PLAZA, SUITE 1150
FALLS CHURCH, VIRGINIA 22044
(703) 430-0000

TABLE OF CONTENTS

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7 A. CRITICAL DRAINAGE DRAINAGE MAP

CPJ
Associates
Charles P. Johnson & Associates, Inc.
PUBLISHED MONTHLY LAWYER SERVICES DIRECTORY
2000 PUBLISHED MONTHLY LAWYER SERVICES DIRECTORY
2000 PUBLISHED MONTHLY LAWYER SERVICES DIRECTORY
2000 PUBLISHED MONTHLY LAWYER SERVICES DIRECTORY

DATE : JANUARY 18, 2007
REVISED : JUNE 13, 2007
JULY 19, 2007
AUGUST 22, 2007
NOVEMBER 3, 2007
OCTOBER 31, 2007

LEATHERLAND PROPERTY

FILE # 00-884

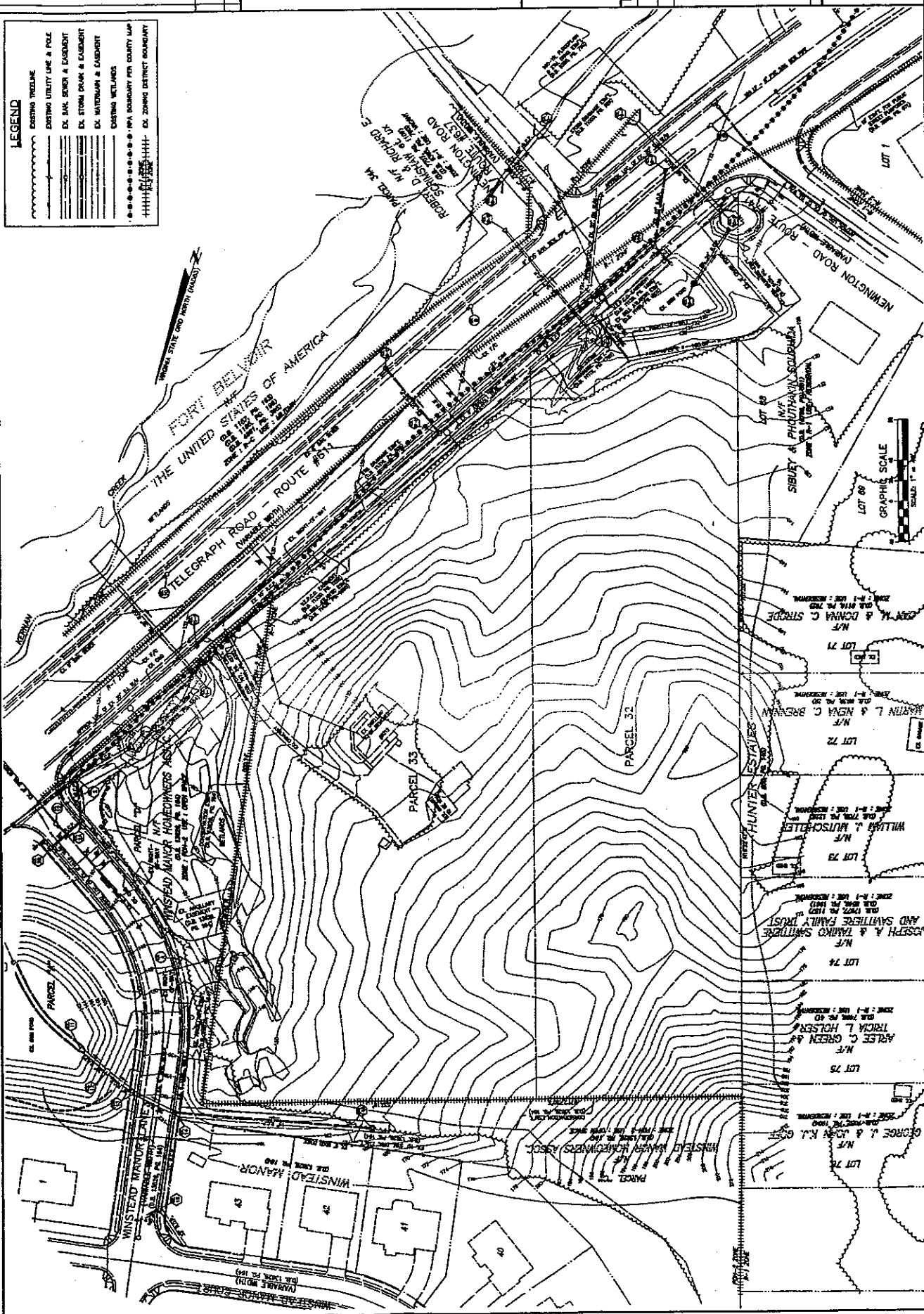
LEATHERLAND
EXISTING CONDITIONS PLAN
PROPERTY
MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA



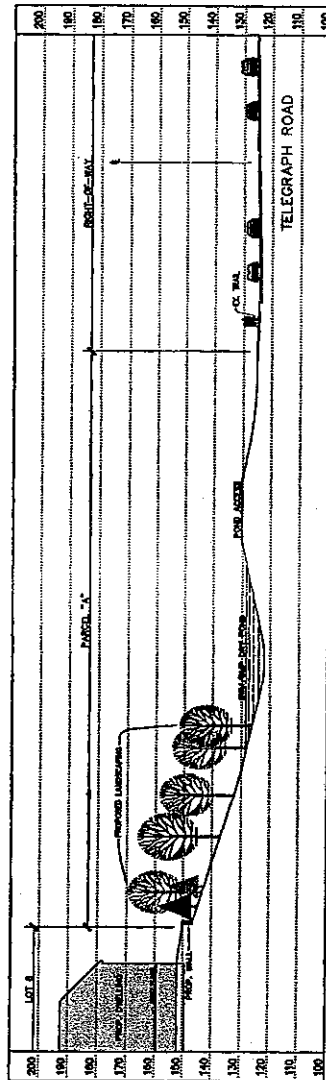
NO.	DESCRIPTION	DATE	BY	CHECKED
1	EXISTING CONDITIONS PLAN	11/17/07	PAUL R. JOHNSON	
2				
3				
4				
5				
6				
7				
8				
9				
10				

CPI
Charles P. Johnson & Associates, Inc.
Associates
10000 WOODBURN ROAD, SUITE 200
FAIRFAX COUNTY, VIRGINIA 22033
TEL: 703.261.1000
FAX: 703.261.1001
WWW.CPI-VA.COM

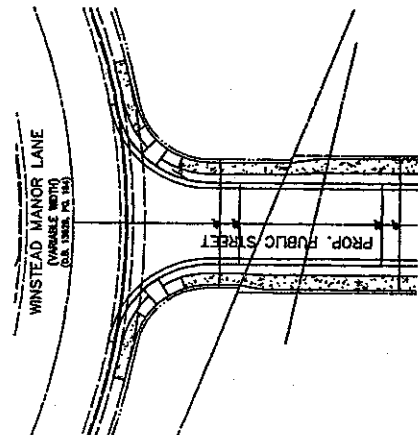
- LEGEND**
- EXISTING TIE LINE
 - EXISTING UTILITY LINE & POLE
 - EX. SAN. SEWER & EXHIBIT
 - EX. STORM DRAIN & EXHIBIT
 - EX. WATERMAIN & EXHIBIT
 - EXISTING METAL LANE
 - EXISTING ASPHALT DRIVE COUNTY MAP
 - EXISTING DRIVE DISTRICT BOUNDARY



ALTO	CHARGE	DATE	RACONDA 300	TIME	1800	DATE	7	PRG. NO. 00-504	TYPE. CDP / FIP
			RECALCULATED			7	4		
						LOGIC			
						DATE			
						TIME			
						APR	APR		
						CHARGE	CHARGE		

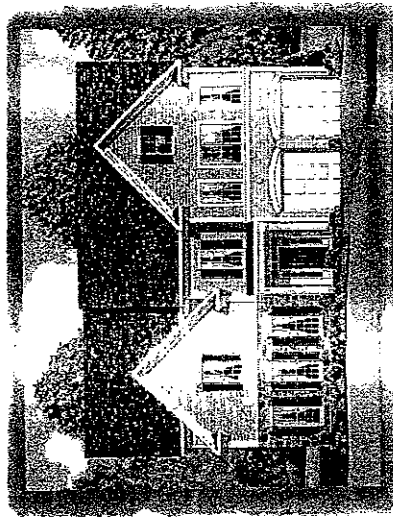
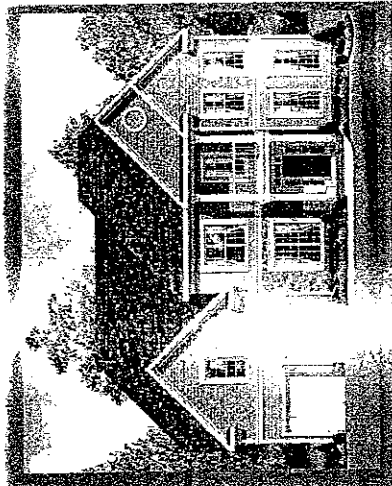
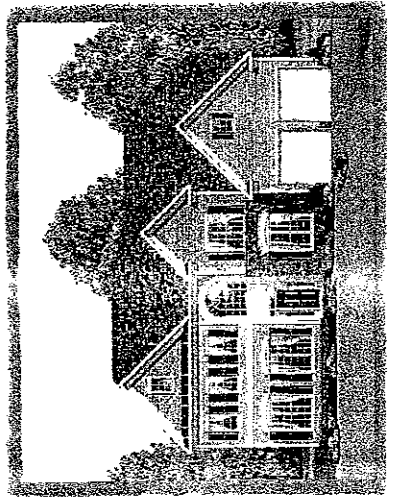
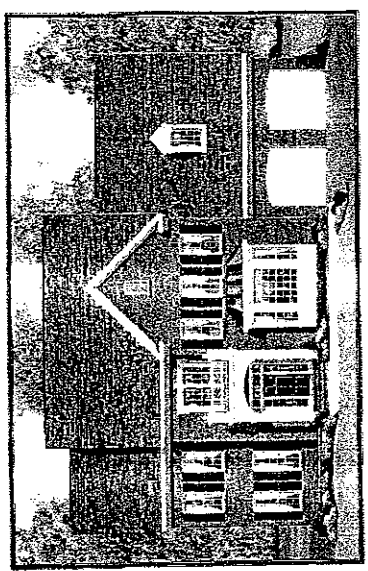


CROSS-SECTION A
SCALE: 1" = 20'

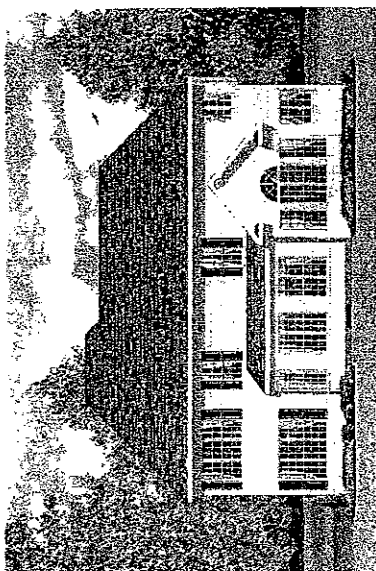


MODIFIED TYPICAL SECTION
AT TE-IN TO WINSTEAD MANOR LANE
SCALE: 1" = 6'
(SEE NOTE 17 ON SHEET 1 FOR MODIFICATION REQUIREMENTS)

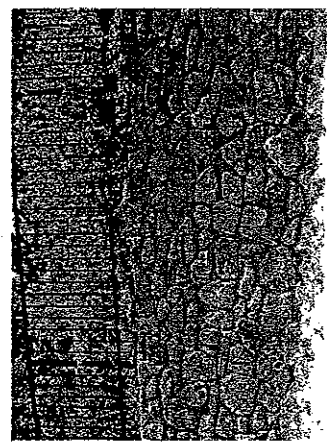
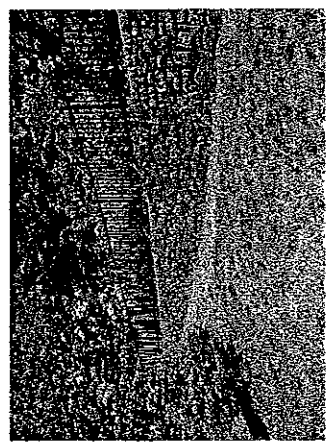
RZ 2007-MV-011 FAIRFAX COUNTY, VIRGINIA MOUNT VERNON DISTRICT LEATHERLAND PROPERTY ILLUSTRATIVE DETAILS		PLAT NO. 01840 PAUL B. JOHNSON ARCHITECT 1417 N. VINTAGE ARLINGTON, VIRGINIA	SHEET 5 OF 7 DATE 02/20/07 PROJECT 2007 DRAWN BY CHECKED BY IN CHARGE SCALE NORTH ARROW REVISIONS NO. DATE BY	ASSOCIATES CPI Charles P. Johnson & Associates, Inc. PLANNING ENGINEERS ARCHITECTS LANDSCAPE ARCHITECTS 1417 N. VINTAGE AVE. SUITE 200 ARLINGTON, VIRGINIA 22204-4404 TEL: 703-261-1100 FAX: 703-261-1101 WWW.CPJ-ARCH.COM
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TYPICAL ARCHITECTURE



TYPICAL REAR ELEVATION FOR LOTS 9-11



TYPICAL RETAINING WALL

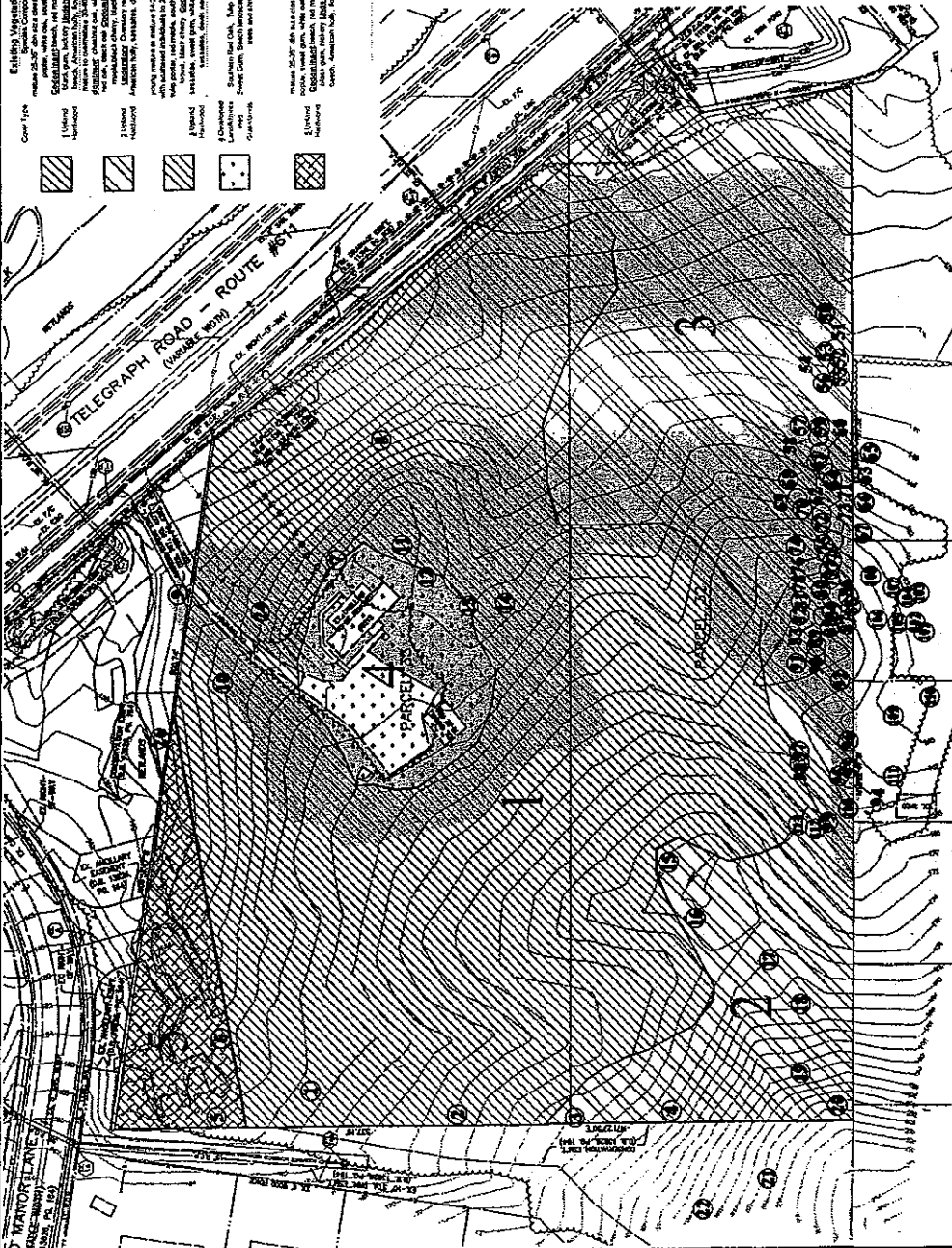
FOR ILLUSTRATIVE PURPOSES ONLY

EXISTING VEGETATION MAP
LEATHERLAND
PROPERTY
MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

[illegible]

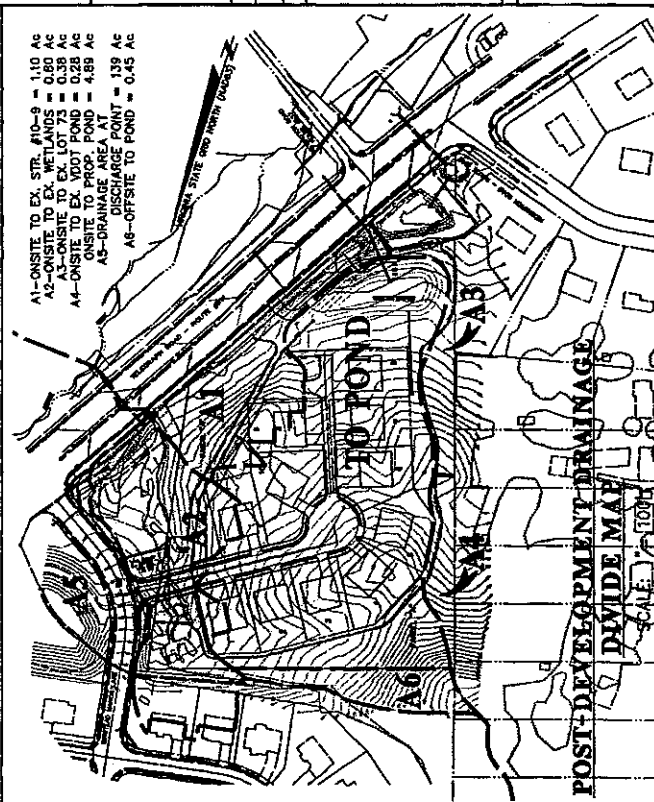
LEGEND

	TRUCK NUMBER
	AREA COVERED BY INVADED

[illegible]

TREE LOCATIONS ARE APPROXIMATE AND HAVE NOT BEEN FIELD-VERIFIED

[illegible]

[illegible]

[illegible]

**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS MAY BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF APPLICATION

Proposal:

The applicant requests approval of a rezoning of 7.46 acres from the R-1 District to the PDH-2 District to permit the development of 11 single family detached dwelling units at an overall density of 1.47 dwelling units per acre (du/ac), with 50% of the site retained as open space. Access to the development is proposed to be provided by a public street connecting to Winstead Manor Lane at the northeastern boundary of the site with a cul-de-sac near the western portion of the subject site. A privately maintained pipestem driveway extending south from the cul-de-sac will provide access to proposed Lots 6 – 9.

The applicant's draft proffers, the applicant's Affidavit and Statement of Justification can be found in Appendices 1-3, respectively.

The application must also comply with certain Zoning Ordinance Provisions found in Article 6, Planned Development Districts, and Article 16, Development Plans (among other Fairfax County requirements); excerpts of which are found in Appendix 14.

LOCATION AND CHARACTER

Site Description:

The 7.46 acre subject property is comprised of two parcels located on the west side of Telegraph Road, approximately 100 feet north of the intersection of Telegraph and Newington Roads. The parcels contain a vacant single family detached home and detached garage, located in the southeastern portion of the site. The subject property is heavily forested and located in the Accotink Creek Watershed, adjacent to the Kernan Creek Resource Protection Area (RPA). There is a continuously flowing headwater wetland/seepage area in the far eastern segment of the site, which connects to and outfalls into the RPA that skirts the edge of the property. The water from this seepage area then flows through a culvert and under Telegraph Road to Kernan Creek. The area which contains the wetland/seepage area consists of a high quality, mature riparian forest, portions of which are within a conservation easement. The property outside of the riparian area consists of average to steep slopes with mature high quality sub-climax and climax stage hardwoods. Some of the species on site consist of medium to large diameter (20-40 inch diameter) oak, hickory, yellow poplar, sweetgum, and beech trees. The understory consists of American holly, flowering dogwood, native shrubs, and in some places, large quantities of invasive-alien vines. The soils throughout the property are mostly loamy and gravelly sediment, and are poor and may be subject to slippage.

Surrounding Area Description:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North & East	Single-family detached residential (Winstead Manor)	PDH-2	Residential; 1-2 du/ac
South	Single-family detached residential; Fort Belvoir Military Preservation	R-1; R-C	Residential; 1-2 du/ac; Public Facilities, Governmental & Institutional
West	Single-family detached residential (Hunter Estates)	R-1	Residential; 1-2 du/ac

BACKGROUND

The existing single family detached dwelling on the subject site was constructed in 1940. No rezoning, special exception, special permit or variance applications have been filed on this property.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: IV

Planning District: Springfield

Planning Sector: Newington Community (S6)

Plan Map: Residential, 1-2 du/ac

Plan Text:

The approximately 35-acre tract west of Telegraph Road and south of the Landsdowne development [Tax Map Parcel 99-2((1))36 and 99-4 ((1)) 32 and 33] is planned for clustered, single-family detached residential use at 1-2 dwelling units per acre. The marine clay located on the steep slopes of Parcel 36 should be avoided. Land for a public park, adjacent to existing parkland, should be provided.

ANALYSIS

Conceptual/Final Development Plan (CDP/FDP) (Copy at the front of staff report)

Title of CDP/FDP: Leatherland Property

Prepared By: Charles P. Johnson & Associates, Inc.

Original/Revision Dates: January 18, 2007, as revised through January 2, 2008

The CDP/FDP consists of seven (7) sheets and includes the following information:

CDP/FDP Leatherland Property	
Sheet 1	Cover Sheet, Vicinity Map, Typical Lot Layout, Soils Map, General Notes
Sheet 2	Existing Conditions Plan
Sheet 3	Conceptual/Final Development Plan
Sheet 4	Cross-Sections
Sheet 5	Architectural Elevations
Sheet 6	Existing Vegetation Map
Sheet 7	Preliminary Outfall Analysis & Onsite Drainage Divide Map

Site Layout: Eleven (11) new single family detached dwellings are proposed on the subject property for a density of 1.47 dwelling units per acre. The existing dwelling and detached garage are to be removed. A typical lot layout is presented on Sheet 1, which depicts a minimum rear yard setback of 25 feet, minimum side yard setback of 7 feet, and a minimum driveway length of 18 feet. The proffers indicate that the minimum front yard setback will be 18 feet. Four proposed front elevations are provided on Sheet 5, as is the typical rear elevation for Lots 9 through 11. No rear elevations for Lots 1 through 8 are depicted. On the periphery of the site, the proposed dwelling units are shown to be set back a minimum of 50 feet from the northern property line (abutting Winstead Manor) and a minimum of 60 feet from the western property line (abutting Hunter Estates).

The proposed development is laid out along a public street with a cul-de-sac. A single entrance to the site is provided by a public street connecting to Winstead Manor Lane at the northeastern boundary of the site with a cul-de-sac near the western portion of the subject site. A privately maintained pipestem extending south from the cul-de-sac will provide access to proposed Lots 6–9. All of the proposed lots front along the proposed public street and privately maintained pipestem. The average lot area proposed is 12,133 square feet (SF) with the proposed lots ranging in size from 10,813 SF to 15,961 SF.

Vehicular Access and Parking: A single entrance to the site is provided by a 28-foot wide public street connecting to Winstead Manor Lane at the northeastern boundary of the site with a cul-de-sac near the western portion of the subject site. A privately maintained pipestem extending south from the cul-de-sac will provide access to proposed Lots 6–9. Three parking spaces will be provided for each unit utilizing tow-car garages and driveways.

Pedestrian Access: Five (5) foot wide concrete sidewalks will be provided on both sides of the internal public street.

Landscaping: A mix of evergreen, shade and ornamental trees are proposed along the western and southern property lines and around the proposed dry pond. Shade trees are also proposed to the rear of Lots 9-11. Shade trees are shown to be provided along the proposed public street and privately maintained pipestem driveway. Approximately 50% of the site will be retained as open space. Along the northern, western and southern boundaries of the site, 168,619 SF of land area (designated as Parcel A) is proposed to perpetually remain undisturbed open space through the recordation of conservation easements.

A retaining wall is proposed between Lot 8 and the proposed stormwater management pond. This wall is shown to have a maximum height of seven feet. A detail on the CDP/FDP indicates that this wall will be faced with stone. In addition, a railing will be located along the top of the wall.

Stormwater Management: Stormwater management (SWM)/Best Management Practices (BMP) facilities will be provided by the installation of an extended detention dry pond and perpetually undisturbed open space (conservation easements). The extended dry pond is shown at the southern portion of the property. Two open space areas, both designated as "Parcel A" on the CDP/FDP, are provided, totaling 168,619 SF in size. The first portion of Parcel A is located in the southeastern corner of the site, to the rear of Lots 9-11. The second part of Parcel A is located at the northern and western boundaries of the site, to the rear of Lots 1-8. Both parts of Parcel A are designated as conservation easement areas on the CDP/FDP.

RESIDENTIAL DEVELOPMENT CRITERIA

Fairfax County expects new residential development to enhance the community by fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing, and being responsive to the unique site specific considerations of the property. For the complete Residential Development Criteria text, see Appendix 15.

Site Design (Development Criterion #1)

This Criterion requires that the development proposal address consolidation goals in the Comprehensive Plan, further the integration of the development with adjacent parcels and not preclude adjacent properties from developing according to the recommendations of the Plan. In staff's opinion, the development of eleven (11) new single family detached dwellings would integrate the subject property with the Winstead Manor Subdivision to the north and east which was previously rezoned from the R-1 District to the PDH-2 District. The proposed density of 1.47 dwelling units per acre is in conformance with the planned density for the subject site and all abutting properties, which are 1-2 dwelling units per acre.

The development proposal should provide a logical and functional design with appropriate relationships within the development, including appropriately oriented

dwelling units and usable yard areas within the individual lots. Convenient access to transit facilities should be provided where available, and all aspects pertaining to utilities shall be identified. All of the proposed 11 lots on the site will front onto the proposed public street and privately maintained pipestem driveway. The applicant has proffered that all lots will have a minimum rear yard setback of 25 feet, a minimum side yard setback of 7 feet and a minimum front yard setback of 18 feet, which staff believes results in usable yards. Staff believes that this portion of this Criterion has been satisfied.

Open space should be usable, accessible, and integrated. Appropriate landscaping and amenities should be provided. The CDP/FDP indicates that approximately 50% of the site will remain as open space, which exceeds the requirements for the PDH-2 District (20%). The majority of the open space will be contained within the two open space areas designated as Parcel A, which buffer the site from abutting properties. Both of these areas, totaling 168,619 SF in size, will be covered by a conservation easement and as such, will not be usable for active recreation. However, the site is within walking distance of the existing Lavelle Dupelle Park and the applicant has proffered to contribute \$5,000 to the maintenance and expansion of this park. As such, staff believes that this portion of the Criterion has been satisfied.

Neighborhood Context (Development Criterion #2)

While developments are not expected to be identical with the existing development within which they are to be located, this Criterion states that they should fit into the fabric of the community. The subject site abuts the single-family detached neighborhood of Winstead Manor (zoned PDH-2) to the north and east. Single-family detached dwellings are also located to the south and west of the site, on property zoned R-1. For that reason, staff believes that the development of eleven (11) new single-family detached dwellings complements the surrounding properties. Furthermore, through the use of a shared access point from Telegraph Road, the proposed site layout integrates with the abutting Winstead Manor development, located to the north and east of the subject site. The preservation of existing trees on the site and the establishment of conservation easement areas along the southern portion of the property preserve the character and profile of the property, as well as screen the view of the proposed development from Telegraph Road and adjacent properties. The proposed dwelling units are shown to be set back a minimum of 50 feet from the northern property line (abutting Winstead Manor) and a minimum of 60 feet from the western property line (abutting Hunter Estates). Staff believes that this Criterion has been satisfied.

Environment (Development Criterion #3) (Appendix 5)

This Criterion requires that developments respect the natural environment by conserving natural environmental resources, account for soil and topographic conditions and protect current and future residents from the impacts of noise and light. Developments should minimize off-site impacts from stormwater runoff and adverse water quality impacts. The Fairfax County Soils Maps have indicated the

presence of problem soils on the subject property, which may be prone to slippage when saturated, but no presence of marine clay soils. The applicant has proffered to provide a geotechnical report for the review and approval of DPWES prior to subdivision plan approval.

As stated earlier in this report, in order to provide water quality, the development proposes 168,619 SF of perpetually undisturbed open space to be covered in conservation easements. In addition to the open space, the development will address SWM/BMP via the installation of an extended detention dry pond located in the southern portion of the property.

Staff had raised concerns regarding potential noise impacts created by Telegraph Road on portions of the proposed development and as such, requested that a noise study be prepared to determine the level and extent of any impacts on the proposed development. To date, no noise study has been submitted by the applicant. Instead, the applicant has proffered that all units shall achieve interior noise levels of approximately 45 dBA Ldn. In order to interior noise levels shall not exceed 45 dBA Ldn, the proffer also provides a commitment on the acoustical attributes which will be provided in the units within the area of the property identified as having levels between 65-70 dBA Ldn. Additionally, the proffer states that exterior noise levels shall not exceed 65 dBA Ldn for all units adjacent to Telegraph Road, though no specific measures are identified on the CDP/FDP. In staff's opinion, the proposed proffer does not adequately address staff's concern. For that reason, staff recommends a development condition which would require the applicant to submit a noise study for the review and approval of the Department of Planning and Zoning (DPZ) prior to subdivision approval. Should the study result in any modifications to the site design which are not in substantial conformance with the FDP, then the applicant will be required to amend the proffers and CDP/FDP to reflect those changes. Specifically, should the applicant determine later that a noise wall is needed to attenuate noise levels, then the applicant will be required to amend the proffers and CDP/FDP to reflect that wall.

Tree Preservation and Tree Cover Requirements (Development Criterion #4) (Appendix 6)

This Criterion states that all developments should be designed to take advantage of existing tree cover and developed appropriately to disturb as little existing tree cover as possible, including the extension of utility improvements to the site.

The subject property contains numerous high quality trees some of which could be considered specimen or potential champion trees of that species. The Urban Forestry Management Division (UFMD) has identified a number of trees desirable for preservation, including a 37-inch dbh American sweet gum. UFMD specifically recommended that the applicant commit to undertake certain construction, design, and tree care practices in order to preserve this tree. Based on the current CDP/FDP, the trees which UFMD recommended for preservation, including the 37-inch American sweet gum, are not proposed to be preserved. While staff believes that it would be highly desirable to preserve more of the specimen trees on the site, the layout will preserve a number of mature trees along the periphery of the site, located the open space areas which will be placed within the conservation easements areas. In this way, these trees will help to maintain a buffer area between

the subject site and the adjacent properties to the north and west. With the implementation of the proposed proffers and the proposed development conditions, staff believes that this criterion has been addressed.

Transportation (Development Criterion #5) (Appendix 7)

Criterion 5 requires that development provide safe and adequate access to the surrounding road network, and that transit and pedestrian travel and interconnection of streets should be encouraged. In addition, alternative street designs may be appropriate where conditions merit.

The proposed development is laid out along a 28-foot wide public street with a cul-de-sac. A single entrance to the site is provided by a public street connecting to Winstead Manor Lane at the northeastern boundary of the site and ending in a cul-de-sac near the western portion of the subject site. A privately maintained pipestem extending south from the cul-de-sac will provide access to proposed Lots 6 through 9. There is a single entrance to the site proposed on Winstead Manor Lane at the location of an existing right-of-way, which stubs into the subject property.

The applicant has requested a modification of Public Facilities Manual (PFM) standard for a typical section for undivided streets. Specifically, the applicant seeks a modification to allow a 47-foot wide right-of-way to taper to 44 feet in width in order to align the proposed public street with the existing right-of-way, which stubs into the subject property. The Fairfax County Department of Transportation (FCDOT) and the Virginia Department of Transportation (VDOT) have reviewed the proposal and have raised no objections to the modification request. However, a final determination will be made by the Director of the Department of Public Works and Environmental Services (DPWES) at the time of subdivision plan review for the subject property.

Three parking spaces will be provided for each unit utilizing garages and driveways. Five (5) foot wide concrete sidewalks will be provided on both sides of the internal public street. The applicant has proffered that the proposed pipestem driveway will be privately maintained by the future homeowners association (HOA) and that these maintenance responsibilities will be disclosed to initial prospective purchaser prior to entering into contract for a sale, as well as within the HOA documents.

Public Facilities (Development Criterion #6)

Criterion 6 states that residential developments should offset their impacts upon public facility systems (i.e. schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). Impacts may be offset by the dedication of land, construction of public facilities, contribution of in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. (Specific Public Facilities issues are discussed in detail in Appendices 8 – 13).

As previously discussed, SWM/BMP requirements are proposed to be satisfied with the installation of an extended detention dry pond and perpetually undisturbed open space proposed within Parcel A. The applicant has proffered to provide \$1,500 per lot (\$16,500) plus an additional \$5,000 (for a total of \$21,500) to the Fairfax County Park Authority (FCPA) at the time of subdivision plan approval for recreation facilities, expansion, and/or maintenance of Lavelle Dupelle Park, which is located near the subject property. Additionally, the applicant has proffered to provide a \$23,260 contribution for capital improvements to Fairfax County schools.

Fairfax County Public Schools (Appendix 8)

The proposed development would be served by Island Creek Elementary School and Hayfield Secondary School. Island Creek Elementary School and Hayfield Secondary School are projected to be below capacity by the 2011-2012 school year. The total number of students generated by this development is anticipated to be a total of four students, including two elementary school students and two high school students, which represents an increase of two students above that which would be generated by the existing zoning district. The applicant has proffered to provide a \$23,260 contribution for capital improvements to Fairfax County schools.

Fairfax County Park Authority (Appendix 9)

The proposed development would add approximately 37 residents to the current population of the Mount Vernon District. The applicant proposes no on-site recreational amenities for the future residents. In order to offset the impact this development will have on FCPA resources, FCPA has requested \$11,460 (\$955 per unit) per the P-District Zoning Ordinance requirement, for recreation facilities, expansion, and/or maintenance of Lavelle Dupelle Park, which is located near the subject property plus an additional \$9,805 for recreational facilities for a total of \$21,265.

As noted earlier in this report, the applicant has proffered to provide a total of \$21,500 to FCPA at the time of subdivision plan approval for recreation facilities, expansion, and/or maintenance of Lavelle Dupelle Park.

Fire and Rescue (Appendix 10)

The subject property would be serviced by the Fairfax County Fire and Rescue Department Station #437, Kingstowne. The requested rezoning currently meets fire protection guidelines.

Sanitary Sewer Analysis (Appendix 11)

The subject property is located within the Accotink Creek (M6) watershed and would be sewered into the Norman M. Cole Jr. Pollution Control Plant.

Fairfax County Water Authority (Appendix 12)

The subject property is located within the Fairfax County Water Authority service area. Adequate domestic water service is available to the site from existing thirty inch and eight inch water mains located at the property.

Utilities Planning and Design, DPWES (Appendix 13)

The applicant proposes to meet the water quality and water quantity control requirements through the installation of an extended detention dry pond in the southern portion of the property and perpetually undisturbed open space, designated as Parcel A on the CDP/FDP. The extended dry pond will be provided in the southern portion of the property.

A preliminary review by DPWES indicates that the proposed grading will divert surface stormwater to the proposed pond (measured at the site boundary), which is considered a diversion of the drainage divide in accordance with the revised drainage divide provisions of PFM 6-0202.2A and therefore, requires the approval of the Director of DPWES. Based on the preliminary design, the proposed drainage area diversion appears to meet the criteria listed in the PFM to justify approval of the diversion and therefore, is likely to be approved at the time of subdivision review. A final determination will be made at the time of subdivision plan review. In the event the proposed diversion is denied, approval of a PCA may be required.

Affordable Housing (Development Criterion #7)

This Criterion states that ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of Fairfax County. This Criterion may be satisfied by the construction of units, dedication of land, or by a contribution to the Housing Trust Fund. Although the property is not subject to the Affordable Dwelling Unit Ordinance requirements, the applicant has proffered to contribute one half of one percent (0.5%) of the projected sales price of the houses to the Housing Trust Fund, in accordance with Fairfax County policy. Staff believes that this portion of the Criterion has been satisfied.

Heritage Resources (Development Criterion #8) (Appendix 14)

This Criterion requires that developments address potential impacts on historical and/or archaeological resources through research, protection, preservation, or recordation.

The FCPA Cultural Resource Management and Protection Section (CRMPS) conducted an archival review of the property. The review indicated that the property contains landforms that have a moderate to high potential for prehistoric and historic sites. As such, FCPA recommended that a Phase I Archeological Survey be conducted on the subject site.

The applicant has proffered to conduct a Phase I Archeological study of the site prior to any land disturbing activities on the application property and to provide the results of the study shall be provided to CRMPS for review and approval. If any archeological resources are found by the Phase I study and determined to be potentially significant, then the applicant shall conduct a Phase II archeological study. The Phase II study data recovery shall be performed in accordance with a scope provided by CRMPS. With the provision of this proffer, staff believes that this portion of the Criterion has been satisfied.

ZONING ORDINANCE PROVISIONS (Appendix 15)

In the PDH-2 District, there are no minimum lot size requirements or minimum yard requirements for single-family detached dwellings, except that the application is subject to the standards set forth in Part 1 of Article 16, as described further below. However, to provide some perspective, staff has compared the setbacks and lot sizes provided under the application with the requirements for the R-2 Cluster District:

Bulk Standards R-2 Cluster <i>(most similar zoning district to PDH-2)</i>		
Standard	Required	Proposed
District Size (PDH-2)	2 acres	7.46 acres
Lot Size (R-2 Cluster)	Minimum - 13,000 SF Average - N/A	Minimum - 10,813 SF Average - 12,133SF
Building Height (R-2 Cluster)	35 feet	35 feet
Front Yard (R-2 Cluster)	25 feet	18 feet
Side Yard (R-2 Cluster)	8 feet, but a total minimum of 24 feet	7 feet
Rear Yard (R-2 Cluster)	25 feet	25 feet
Density (PDH-2)	2.0 du/ac	1.47 du/ac
Open Space (PDH-2)	20%	40 %
Parking Spaces	3 spaces/unit (3 x 11) = 33	3 spaces/unit (3 x 11) = 33

Waivers and Modifications

The applicant has requested a modification of PFM standard for a typical section for undivided streets. Specifically, the applicant seeks a modification to allow a 47-foot wide right-of-way to taper to 44 feet in width in order to align the proposed public street with the existing right-of-way stubbed into the subject property. FCDOT and VDOT have reviewed the proposal and raised no objections to the modification request. As such, staff supports the requested modification.

The applicant has also requested that a modification of Sect. 2-0103.2 of the PFM to allow more than 20% of the proposed lots to be pipestem lots. Under the proposed site layout, four of the 11 proposed lots would be pipestem lots (36%). Staff believes that the use of pipestem lots in this instance helps to protect and preserve the existing trees along the periphery of the site. Therefore, staff supports the requested modification.

OTHER ZONING ORDINANCE REQUIREMENTS

P-District Standards

The requested rezoning of the 7.46 acre site to the PDH-2 District must comply with, among others, the Zoning Ordinance provisions found in Article 6, Planned Development District Regulations and Article 16, Development Plans, among others.

Article 6

Sect. 6-101 Purpose and Intent

This section states that the PDH District is established to encourage innovative and creative design, to ensure ample provision and efficient use of open space; to promote balanced development of mixed housing types and to encourage the provision of affordable dwelling units. The proposed site layout for the subject property is clustered as to reduce the limits of clearing and grading and maintain buffer areas between the subject site and the adjacent properties to the north and west. The CDP/FDP indicates that approximately 50% open space will be provided which exceeds the requirements for the PDH-2 District (20%), the majority of which will be contained within Parcel A and remain as perpetually undisturbed open space. As such, staff believes that this proposal constitutes an appropriate use of the P District, and therefore, meets the purpose and intent of the PDH District.

Sect. 6-107 Lot Size Requirements

This section states that a minimum of two acres is required for approval of a PDH District. The area of this rezoning application is 7.46 acres; therefore, this standard has been satisfied.

Sect. 6-109 Maximum Density

This section states that the maximum density for the PDH-2 District is 2 dwelling units per acre (du/ac). The applicant proposes a density of 1.47 du/ac; therefore, this standard has been satisfied.

Sect 6-110 Open Space

Par. 1 of this section requires a minimum of 20% of the gross area as open space in the PDH-2 District. Par. 2 of this section requires that recreational amenities be provided in the amount of \$1,500/du. The applicant proposes 50% open space; however, because the majority of this open space will be designated as perpetually undisturbed open space, no active recreational open space is provided within the development. The applicant has proffered to provide a maximum total of \$21,500 to the FCPA at the time of subdivision plan approval for recreation facilities, expansion, and/or maintenance of Lavelle Dupelle Park, which is located near the subject property. Therefore, staff believes that this standard has been satisfied.

Article 16Section 16-101 General Standards

General Standard 1 states that the planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions. The applicant proposes to develop the property with 11 single-family detached dwellings at an overall density of 1.47 du/ac, which meets the Plan recommendation of 1-2 du/ac. Therefore, this standard has been satisfied.

General Standard 2 states that the planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district. As previously stated, staff believes that the applicant's proposal satisfies the stated purpose and intent of the planned development district. The development of 11 new single family detached dwellings would integrate the subject property with the Winstead Manor neighborhood to the north and east, which was previously rezoned from the R-1 District to the PDH-2 District. The proposed density of 1.47 dwelling units per acre is in conformance with the planned density for the subject site and all abutting properties, which are 1-2 dwelling units per acre. The proposed site layout for the subject property is clustered so as to maintain buffer areas of existing mature trees between the subject site and the adjacent properties to the north and west. Therefore, in staff's opinion, this standard has been satisfied.

General Standard 3 states that the planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features. The CDP/FDP indicates that approximately 50% open space will be provided, which exceeds the requirements for the PDH-2 District (20%). The proposed development has been laid out in order to maintain a buffer of existing mature trees between the proposed new homes and the existing homes to the north and west. In this way, staff believes that this standard has been satisfied.

Standard 4 states that the planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted Comprehensive Plan. The subject site abuts single-family detached dwellings to the north, east and west. The proposed development would contain lots which would be similar in size to the abutting Winstead Manor development (whose lots average 11,000 SF in size), which helps to integrate the two neighborhoods. Where the proposed development abuts R-1 zoned property to the west (Hunter Estates), the applicant has proposed a buffer of existing and proposed trees. A conservation easement is proposed over this buffer of existing trees in order to ensure that the buffer remain perpetually undisturbed. Therefore, staff believes that this standard has been satisfied.

Standard 5 states that the planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently developed. Staff's analysis has determined that the above listed facilities and services are available and adequate for use.

Standard 6 states that the planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development. As previously discussed, a single entrance to the site is provided by a 28-foot wide public street connecting to Winstead Manor Lane. Winstead Manor Lane provides access to Telegraph Road. In addition, five (5) foot wide sidewalks will be provided on both sides of the internal public street, connecting to the sidewalk along Winstead Manor Lane and the trail along Telegraph Road. These sidewalk connections will provide the future residents with pedestrian access to the Lavelle Dupelle Park and services at the corner of Telegraph Road and Beulah Street. Staff believes that these proposed pedestrian paths are appropriate to the scale of the development.

Section 16-102 Design Standards

Design Standard 1 states that in order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration. The zoning district which most closely characterizes the proposed development is the R-2 Cluster District, which requires minimum yards of 25 feet (front), 8 feet (side), and 25 feet (rear). As noted earlier in this report, the proposed dwelling units are shown to be set back a minimum of 50 feet from the northern property line (abutting Winstead Manor) and a minimum of 60 feet from the western property line (abutting Hunter Estates). Therefore, this standard has been satisfied. There are no transitional screening or barrier requirements between this use (single-family detached dwellings) and the surrounding uses.

Design Standard 2 states that other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments. As previously stated, the proposed development will provide 50% open space (exceeding the 20% requirement of the PDH-2 District). Each unit will have a two car garage and driveway parking, which meets the off-street parking requirement.

Design Standard 3 states that streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities. The proposed development will have both vehicular and pedestrian access to Telegraph Road. A trail along Telegraph Road will provide the future residents with the opportunity to walk or bike to existing services at the corner of Telegraph Road and Beulah Street. Furthermore, the future residents will be able to walk to the abutting Lavelle Dupelle Park via the Winstead Manor development.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

As proposed, staff believes that the proposed PDH-2 development satisfies the P-District General Standards and meets the intent of the Comprehensive Plan Residential Development Criteria. However, staff would continue to recommend that the applicant provide information regarding the proposed exterior noise mitigation for Lots 8 through 11.

Recommendation

Staff recommends approval of RZ 2007-MV-011 and the associated Conceptual Development Plan, subject to proffers consistent with those contained in Appendix 1 of this staff report.

Staff recommends approval of FDP 2007-MV-011, subject to the proposed development conditions contained in Appendix 2 of this staff report.

Staff recommends that PFM standard for a typical section for undivided streets be modified to permit the 47-foot wide right-of-way to taper to 44 feet in width in order to align the proposed public street with the existing right-of-way as depicted on the CDP/FDP.

Finally, staff recommends that Sect. 2-0103.2 of the PFM be modified to allow four of the 11 proposed lots (or 36%) to be pipestem lots.

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

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

APPENDICES

1. Draft Proffers
2. Proposed FDP Conditions
3. Affidavit
4. Statement of Justification
5. Environmental Analysis
6. Urban Forestry Analysis
7. Transportation Analysis
8. Fairfax County Public Schools
9. Fairfax County Park Authority
10. Fire and Rescue
11. Sanitary Sewer Analysis
12. Fairfax County Water Authority
13. Utilities Planning and Design, DPWES
14. Zoning Ordinance Provisions
15. Residential Development Criteria
16. Glossary

DRAFT PROFFERS

Carrhomes, LLC

RZ 2007-MV-011

December 27, 2007

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Carrhomes, LLC (hereinafter referred to as the Applicant"), for itself, successors and assigns in RZ 2007-MV-011, filed for property identified as Tax Map 99-4 ((1)) 32 and 33, (hereinafter referred to as the "Application Property") hereby proffers the following, provided that the Board of Supervisors approves a rezoning of the Application Property to the PDH-2 District in conjunction with a Conceptual/Final Development Plan (CDP/FDP) for residential development. These proffers shall replace and supersede any previous proffers approved on the Application Property.

1. CONCEPTUAL/FINAL DEVELOPMENT PLAN -

- a. Subject to the provisions of Section 16-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the CDP/FDP, consisting of seven (7) sheets prepared by Charles P. Johnson & Associates, Inc. dated January 18, 2007 and revised through January 2, 2008.
- b. Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the CDP/FDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to make minor adjustments to the layout, internal lot lines, and lot sizes (we need a commitment that the minimum and average lots sizes cannot decrease) of the proposed subdivision at time of subdivision plan submission based on final house locations, building footprints, and utility locations, provided that there is no decrease to the amount and location of open space, tree save, limits of clearing and grading, or distances to peripheral lot lines as dimensioned on the CDP/FDP. (We need a commitment that you will also maintain the setbacks on individual lots, especially given Newington's concerns about the proximity of this development to Hunter Estates.)

2. TRANSPORTATION -

- a. Subject to Virginia Department of Transportation (VDOT) and Department of Public Works and Environmental Services (DPWES) approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way for a public street to serve the residential community as shown on the CDP/FDP. Dedication shall be made at time of recordation of the final subdivision plat.
- b. Subject to VDOT and DPWES approval, the Applicant shall construct a public street to serve the residential community within the dedicated right-of-way, as shown on

the CDP/FDP. Pipestem driveways shall be maintained by the homeowners association established for the Application Property. Said maintenance responsibilities and public pedestrian easements as applicable shall be disclosed to initial prospective purchasers prior to entering into a contract of sale, and shall be disclosed in the homeowners association documents.

- c. The Applicant shall construct a five (5) foot wide concrete sidewalk on both sides of the street within the dedicated right-of-way as shown on the CDP/FDP. The width of the sidewalk may vary as necessary to transition to an existing four (4) foot sidewalk located in the adjacent community.
- d. All construction traffic shall use Winstead Manor Drive to access the Application Property and not Telegraph Road. All construction personnel, including contractors, shall be informed of this restriction.
- e. Wash racks shall be installed at the access point to the Application Property to clean construction vehicles of dirt and debris prior to exiting the Application Property. Applicant shall clean the street at the access point on a weekly basis, or more frequently if reasonably required, to remove accumulated dirt and debris. Further, Applicant shall clean Telegraph Road in proximity to the Application Property as reasonably required to remove accumulated dirt and debris, subject to receipt of any necessary permission from VDOT.
- f. Rights-of-way adjacent to the Application Property shall not be used for the storage of construction materials. Any vehicles or construction equipment temporarily parked on rights-of-way adjacent to the Application Property, which shall only occur prior to the installation of the access to the Application Property, shall be delineated with traffic cones or other similar safety measures.
- g. Once the access to the Application Property has been installed, the Applicant shall not stage construction vehicles on adjacent rights-of-way, and construction personnel shall be directed to park on the Application Property. In all events, a travelway shall remain open to ensure safe passage of vehicles. All deliveries to the Application Property shall be conducted on-site.
- h. The Applicant shall provide written notification to all subcontractors under contract to perform construction work on the Application Property that states: "School bus stops are located in proximity to the property under construction. Drive slowly and stay alert to protect children."
- i. The Applicant shall use best efforts, as demonstrated to DPWES at time of subdivision plan approval, to temporarily relocate the existing school bus stop on Telegraph Road to the intersection of Winstead Manor Lane and Winstead Manor Court during construction on the Application Property.

- j. During development of the Application Property, the telephone number and e-mail address of the site superintendent who will be present on-site during construction shall be provided to the President of the Winstead Manor Homeowners Association, and the President of the Newington Civic Association.
- k. Applicant reserves density credit as may be permitted by the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance for all dedications described herein or as may be reasonably required by Fairfax County or VDOT whether such dedications occur prior to or at time of subdivision plat approval.

3. LANDSCAPING AND OPEN SPACE -

- a. Applicant shall provide landscaping on the Application Property as generally shown on the CDP/FDP. Said landscaping shall incorporate native species to the extent feasible.
- b. In addition to the landscaping shown on the CDP/FDP, the Applicant shall plant ornamental grasses and shrubs between the proposed stormwater management pond and Telegraph Road. Said plantings shall be provided to the extent possible as permitted by the regulations of DPWES and the restrictions of existing easements.
- c. The tree save areas shown on the CDP/FDP shall remain as undisturbed open space, subject to a recorded conservation easement as shown on the CDP/FDP running to the benefit of Fairfax County, in a form approved by the County Attorney, which prohibits removal of trees except those which are dead, diseased, noxious or hazardous. Parcel A shall be owned and maintained by the homeowners' association established for the development. The homeowners' association covenants shall contain clear language delineating the tree save areas subject to a conservation easement, the restrictions within those areas, and the responsibility of individual homeowners.
- d. The subdivision plan submitted by the Applicant shall provide for the management and treatment of harmful or invasive plants that occur in the areas to be left undisturbed. The management plan shall be submitted for review and approved by the Urban Forest Management Division (UFM), and shall incorporate generally accepted industry standards for removal and management of invasive plants.

4. TREE DESIGNATION -

A tree preservation plan shall be submitted as part of the first and all subsequent subdivision submissions as follows:

- a. Tree Designation Plan. The tree designation plan shall be prepared by a professional

with experience in the preparation of tree designation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of UFM. The tree designation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 12 inches in diameter and greater, and 15 feet to either side of the limits of clearing and grading shown on the CDP/FDP. The tree designation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the CDP/FDP, and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of trees identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan. The use of motorized equipment in the forested portion that is protected by the limits of clearing and grading for each phase of the project shall be limited to hand-operated equipment such as chainsaws, wheel barrows, rakes, and shovels. Any work that requires the use of motorized equipment, such as tree transplanting spades, skid loaders, tractors, trucks, stump-grinders, etc., or any accessory or attachment connected to this type of equipment shall not occur unless previously approved by UFM.

- b. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with a UFM representative to discuss where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified specifically by UFM in writing as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees and associated understory vegetation and soil conditions.
- c. Tree Protection Fencing. All trees shown to be preserved on the tree designation plan shall be protected by a tree protection fencing in the form of 4 foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart, or other forms of tree protection fencing approved by UFM. Tree protection fencing shall be erected at the limits of clearing and grading as shown on the CDP/FDP. Trenching for the fence shall not sever or wound compression roots which can lead to structural failure and/or uprooting of trees.

All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. Nothing contained in these Proffers shall preclude approval of a grading plan to allow demolition of the existing structure prior to subdivision plan approval. The installation of all tree protection fence types shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three days prior to the commencement of any clearing, grading, or demolition activities, but subsequent to the installation of the tree protection devices, UFM and the Mount Vernon District Supervisors office, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFM.

- d. Demolition of Existing Structures. The demolition of existing structures on the Application Property shall be conducted in a manner approved in writing by UFM, that minimizes impact on individual trees and/or groups of trees that are required to be saved. The Applicant shall gain written approval from UFM prior to seeking a demolition permit from Fairfax County.

A pre-demolition meeting shall be conducted with UFM, the Applicant and its contractor, which shall occur prior to any demolition work. A Project Arborist representing the Applicant shall be on-site during all demolition activities.

5. PARKS AND RECREATION -

- a. Pursuant to Paragraph 2 of Section 6-110 and Paragraph 2 of Section 16-404 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall contribute the sum of One Thousand Five Hundred Dollars (\$1,500.00) per approved lot to the Fairfax County Park Authority at time of subdivision plan approval for recreation facilities, expansion and/or maintenance of Lavelle Dupelle Park, which is located in the vicinity of the Application Property.
- b. At time of subdivision plan approval, the Applicant shall contribute the sum of five thousand dollars (\$5,000.00) to the Fairfax County Park Authority, in addition to the amount described in Proffer 5.a., for recreation facilities, expansion, and/or maintenance of Lavelle Dupelle Park, which is located in the vicinity of the Application Property.

6. SCHOOL CONTRIBUTION -

Applicant shall contribute the sum of twenty-three thousand, two hundred sixty dollars (\$23,260.00) to the Fairfax County Board of Supervisors for capital improvements to Fairfax

County Schools serving this development. Said contribution shall be payable at time of subdivision plan approval for the Application Property.

7. STORMWATER MANAGEMENT - BEST MANAGEMENT PRACTICES

- a. The Applicant shall provide stormwater management (SWM) and Best Management Practices (BMP) in a location as generally shown on the CDP/FDP and in accordance with the requirements of the Public Facilities Manual and Chesapeake Bay Preservation Ordinance, unless modified by DPWES. In the event that on-site stormwater management or BMPs are modified by DPWES, modification of the SWM/BMP pond shown on the CDP/FDP shall not require the approval of a proffered condition amendment or an amendment to the CDP/FDP. Any open space resulting from any modification shall remain as open space. Said modifications shall not substantially alter the lot layout configuration or the location of the retaining wall and landscaping as shown on the CDP/FDP.
- b. A landscape plan shall be submitted as part of the first and subsequent submissions of the subdivision plans and shall provide additional landscaping around and within the SWM facility in accordance with the planting policies of DPWES.

8. EROSION AND SEDIMENTATION CONTROL -

- a. Subject to the approval of DPWES, Applicant shall design, as an integral part (phase I) of the initial erosion and sediment control plan, a sediment basin located at the site of the proposed permanent SWM pond. All clearing and earthwork necessary for the construction of this basin shall be included in the initial phase I construction and shall not exceed the limits of clearing and grading as shown on the CDP/FDP. No other clearing and grading operations, other than those required for other sediment and erosion control practices on-site shall be permitted until basin is operational for sediment control purposes.
- b. Subject to the approval of DPWES, Applicant shall direct as much on-site disturbed areas to the sediment basin during all phases of construction as is reasonably possible and shall show such drainage areas on the phase I erosion and sediment control plans.
- c. Once rough grade has been achieved on any portion of the Application Property, that area shall be hydroseeded to meet or exceed the Fairfax County standards for critical slope areas as set forth in the Public Facilities Manual (PFM) with an appropriate seed mixture and mulched to prevent erosion during storms.

9. AFFORDABLE HOUSING -

At the time of final subdivision plat approval for the Application Property, the Applicant shall contribute to the Fairfax County Housing Trust Fund one-half of one percent (1/2%) of

the estimated sales price of each new dwelling for the provision of affordable housing. The estimated sales price shall be determined by the Applicant in consultation with the staff of the Fairfax County Department of Housing and Community Development (HCD) and the DPWES. The timing and amount of this contribution may be modified at the Applicant's sole option based on the adoption of a future amendment to the formula adopted by the Board of Supervisors.

10. DESIGN -

- a. Applicant shall construct the residential dwellings as conceptually shown on the CDP/FDP. The fronts of the residential dwelling units shall include a majority of brick, masonry, stone or other comparable materials. Architectural features may include dormers, gables, bay windows and porches.
- b. A minimum front yard of eighteen (18) feet, a minimum side yard of seven (7) feet, and a minimum rear yard of twenty-five (25) feet shall be provided for all proposed residential dwelling units, exclusive of Zoning Ordinance extensions permitted in Article 2 for bay windows, chimneys, decks, stairs, stoops and similar features.
- c. A minimum driveway length of eighteen (18) feet from the property line to the garage door shall be provided for all proposed residential dwelling units.
- d. All residential dwellings constructed on the Application Property shall meet the thermal standards of the CABO Model Energy Program for energy efficient homes, or its equivalent, as determined by DPWES for either electric or gas energy systems. This shall include the use of energy star appliances.
- e. All residential dwellings shall be constructed with low volatile organic compound paint and carpet.
- f. All proposed residential dwelling units shall have a maximum height of thirty-five (35) feet as defined by the Zoning Ordinance

11. GEOTECHNICAL -

- a. Prior to subdivision plan approval, the Applicant shall submit a Geotechnical Report to DPWES for the Application Property as required by DPWES, for review and approval, and shall implement the recommendations outlined in the approved study, including additional measures recommended by DPWES.
- b. Applicant shall strictly adhere within five feet to the limits of clearing and grading as shown on the CDP/FDP as amended by the tree designation plan, except for the installation of utilities, including water, as determined by final engineering. In order to preserve these limits, the Applicant shall implement a variety of techniques as

reviewed and approved by DPWES. The design and placement of all utilities shall consider the tree designation plan and protection of forested open space conservation easements, to the greatest extent possible. Retaining walls, if constructed, shall have a facade of stone or masonry as shown on the CDP/FDP. Retaining walls may be terraced and shall be landscaped. Retaining walls in excess of four (4) feet shall include handrails and guardrails as required by DPWES.

12. NOISE ATTENUATION -

Applicant shall achieve an interior noise level of approximately 45 dBA Ldn in all units located within 190 feet from the centerline of Telegraph Road in the area identified as having levels between 65 through 70 dBA Ldn. All units within this impacted area will have the following acoustical attributes as determined by DPWES:

- a. Exterior walls shall have a laboratory Sound Transmission Classification (STC) of at least 39.
- b. Doors and windows shall have an STC of at least 28. If glazing constitutes more than 20 percent of any façade, they shall have the same laboratory STC ratings specified for exterior walls.
- c. Adequate measures to seal and caulk between surfaces shall be provided.

Applicant shall achieve an exterior noise level of approximately 65 dBA Ldn for all units adjacent to Telegraph Road.

Nothing herein shall be construed to restrict or otherwise limit the use of balconies, patios or decks on residential units.

The Applicant reserves the right to pursue additional methods of mitigating highway noise impacts that can be demonstrated, through an independent noise study as reviewed and approved by DPWES, that these methods will be effective in reducing interior noise levels to 45 dBA Ldn or less, and exterior noise levels to 65 dBA Ldn or less.

13. HERITAGE RESOURCES -

Prior to any land disturbing activities on the Application Property, Applicant shall conduct a Phase I archaeological study of the Application Property, and provide the results of such study to the Park Authority Cultural Resources Management and Protection Section (CRMPS). The study shall be conducted by a qualified archaeological professional approved by CRMPS, and shall be reviewed and approved by CRMPS within a reasonable time period so as to not delay construction. The Phase I study shall be performed in accordance with a scope provided by CRMPS. The study shall be completed prior to subdivision plat recordation.

There shall be no land disturbing activities on the Application Property until the Phase I study has been reviewed and approved by CRMPS. If any archeological resources are found by the Phase I study and determined to be potentially significant, then the Applicant shall conduct a Phase II archeological study. The Phase II study data recovery shall be performed in accordance with a scope provided by CRMPS. Archeological reports produced as a result of the Phase I and/or Phase II studies shall be submitted for approval to CRMPS. Said approval process shall be completed within a reasonable time period so as to not delay construction.

14. MISCELLANEOUS -

- a. Applicant shall install three (3) purple martin houses on the Application Property in proximity to the SWM pond. The location and design of said houses shall be coordinated with appropriate representatives of the Fairfax County Park Authority.
- b. Applicant shall notify the Mount Vernon District Supervisor's Office in writing of any interpretation requests submitted to the Zoning Administrator when said interpretation is submitted, any waivers or PFM modifications requested under Chapter 101 of Fairfax County Code or the PFM when said waivers or modifications are submitted to DPWES, and of any major subdivision plan revisions when submitted to DPWES.
- c. These proffers shall bind and inure to the benefit of the Applicant and his or her successors and assigns.
- d. These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one and the same instrument.
- e. All of the improvements described herein shall be constructed concurrent with development of the Application Property.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

APPLICANT/CONTRACT PURCHASER OF TAX MAP
99-4 ((1)) 32 AND 33

CARRHOMES, LLC

By: Carr Management, Inc., its Manager

By: Thomas E. Jordan
Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP 99-4 ((1)) 32 AND 33

THE TRUST COMPANY OF VIRGINIA,
SUCCESSOR TRUSTEE OF THE MARY ANN
G. LEATHERLAND FAMILY TRUST

By: Thomas R. Harrison
Its: Senior Vice President

[SIGNATURES END]

FINAL DEVELOPMENT PLAN CONDITIONS**FDP 2007-MV-011****January 9, 2008**

If it is the intent of the Planning Commission to approve Final Development Plan Application FDP 2007-MV-011 for residential development located at Tax Map 99-4 ((1)) 32 and 33, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions.

1. Minor adjustments may be made to the layout, internal lot lines, and lot sizes so long as the minimum and average lot sizes are not decreased.
2. Setbacks on individual lots, as depicted on the FDP, shall not be decreased.
3. The rear facades of Lots 9 through 11 shall include a majority of brick, masonry, stone or other comparable materials and may include architectural features such as dormers, gables, and bay windows.
4. Prior to approval of the subdivision plan, a noise study shall be submitted for the review and approval of the Department of Planning and Zoning (DPZ) regarding current and future noise impacts on the site from Telegraph Road. This study shall be conducted with the attached guidelines and demonstrate to the satisfaction of DPZ that none of proposed residential units will be located in any areas, which are impacted by future noise levels 75 dBA or greater. Should the study result in any modifications to the site design which are not in substantial conformance with the FDP, then a PCA/FDPA shall be required.
5. A replacement value shall be determined for those trees within the tree save areas, as designated on the FDP. These trees and their value shall be identified on the tree preservation plan at the time of the first submission of the subdivision plan. The replacement value shall take into consideration the age and size of these trees and shall be determined according to the methods contained in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture, subject to review and approval by Urban Forest Management, DPWES.

At the time of subdivision plan approval, a cash bond or letter of credit payable to the County of Fairfax shall be posted to ensure replacement of the designated trees that die or are dying due to normal construction

activities permitted on the approved plan. Any trees shown to be preserved on the Tree Preservation Plan that die or are dying due to construction activities NOT permitted on the approved plan shall be replaced with trees of equivalent species and size and the bond monies for said trees shall not be refunded. The terms of the letter of credit shall be subject to approval by the County Attorney. The total amount of the cash bond or letter of credit shall be in the amount of the sum of the assigned replacement values of the designated trees.

If, at the time of final bond release, trees are found to be dead or dying despite adherence to approved construction activities by Urban Forest Management, DPWES, the cash bond or letter of credit shall be used as necessary to plant similar size and species, or species appropriate to the site, in consultation with Urban Forest Management, DPWES, and the developer's certified arborist. The cash bond or letter of credit shall not be used for the removal of the dead/dying trees normally required by the PFM and the Conservation Agreement.

Any funds remaining in the letter of credit or cash bond will be released two years from the date of release of the project's conservation escrow, or sooner, if approved by Urban Forest Management, DPWES.

GENERAL INFORMATION FOR NOISE STUDY SUBMISSIONS**INTRODUCTION**

On July 24, 2000, the Board of Supervisors adopted Zoning Ordinance Amendment ZO 00-330, which permits noise barriers, in excess of the Zoning Ordinance fence/wall height limitations, to reduce adverse impacts of highway noise on properties located adjacent to major thoroughfares, or to reduce adverse noise impacts of commercial and industrial uses on adjacent properties. Such barriers may be approved by the Board of Supervisors in conjunction with the approval of a proffered rezoning for any zoning district, including P districts, or in conjunction with the approval of a special exception application, or by the Board of Zoning Appeals as a special permit use. Pursuant to Par. 1 of Sect. 8-919 or Par. 3F of Sect. 10-104 of the Zoning Ordinance, a noise impact study is required to demonstrate the need for the noise barrier and the proposed height and the level of mitigation to be achieved by the noise barrier.

In conjunction with the adoption of ZO 00-330, the Planning Commission and Board of Supervisors requested staff to develop standardized noise study submission guidelines which would be submitted to the Planning Commission for review and comment prior to their implementation. On March 14, 2002, the Planning Commission Environment Committee reviewed and endorsed the attached noise study submission guidelines and on March 20, 2002, the Planning Commission endorsed the attached guidelines.

In order to have standardized information to be provided in conjunction with requests for noise barriers, the attached forms must be completed and submitted by applicants with their noise study submissions. The purpose of this form is to assist the review of the information contained in the noise analysis and to ensure that the information provided on all noise studies is generally consistent. However, it is not the intent for this form to replace the submission of an individual noise study.

INSTRUCTIONS

The form entitled "Noise Study Summary Information" must be completed and provided with any noise study which is used to satisfy the requirements of Par. 1 of Sect. 8-919 or Par. 3F of Sect. 10-104 of the Zoning Ordinance, except for noise barriers on a single residential lot. The form entitled "Noise Study Summary Information for Individual Residential Lots" may be used in conjunction with a noise study submission on a single residential lot. It is ultimately the responsibility of the applicant to provide all of the requested information.

The requested information which is contained on the Noise Study Information Summary form is the basic information which is required to run most noise models which have been deemed acceptable by the County. However, any noise model may be used in the projection of future noise levels, provided that such model can project noise levels both before and after mitigation. At a minimum, any noise model must project both unmitigated and mitigated noise levels on the property and must account for topographic variations on the site, the impacts of noise on the second or higher levels of a building, different vehicle types, and the impact of wrap around noise

March 21, 2002

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(1)

at the edge of the barrier. In addition, the noise model must have its results validated against measurements based on current conditions. If the noise model that is used does not require all of the information contained on the form and the guidelines provided below, a narrative must be provided that (1) provides a detailed description of and justifications for the methodologies and assumptions used; and (2) includes a statement as to why the County should accept the use of these methods. The Federal Highway Administration's Stamina 2.0/Optima and Traffic Noise Model (TNM) are acceptable models to the County and no further justification is required if these models are used.

In order to clearly delineate the projected noise impacts on the property, a map or plat of the property is required in conjunction with the Noise Study Summary Information form which shows both the projected unmitigated and mitigated DNL 65, 70 and 75 dBA noise contours at both the ground and above ground levels. The unmitigated noise contours are those contours which exist on the property prior to construction of the barrier. The above ground level is defined at the second story as approximately 15 feet above ground. If the proposed building(s) has more than two stories, the contours for all of the upper stories must also be provided, or documentation must be provided that demonstrates that there will be no change in noise levels above a certain elevation. The above ground level at the third story is approximately 27 feet above ground, with 12 feet being added for each additional story.

It is noted that there may be instances where the projected unmitigated noise contours may be difficult to determine and/or depict given the presence of existing structures or other features on the site. In addition, there may also be situations where the projected mitigated noise contours may be difficult to determine and/or depict given the future barrier(s) and other structures or features on the site. In such circumstances, it may be appropriate to provide noise data points for the critical areas on the site before construction of the barrier on the site and/or after construction on the site (including barrier construction) in lieu of providing the projected unmitigated and/or projected mitigated noise contours. A critical area is defined as an area that may be used for outdoor recreational activity, such as side and rear yards on residential lots, play areas, outdoor swimming pools and usable open space areas, which are not fully shielded by structures. If critical data point information is provided, a narrative must be provided that provides a detailed description of and justification for the methodologies and assumptions used. In addition, verifiable quantitative data which shows that the results are met must also be provided, such as the Stamina 2.0/Optima or TNM output.

The following guidelines should be considered when completing the forms:

- 1) Current Average Daily Traffic (ADT) and/or Peak Hour Traffic may be obtained from either actual traffic counts, the Virginia Department of Transportation (VDOT) or from other sources which are deemed acceptable by the Fairfax County Department of Transportation (DOT). The traffic counts must be deemed acceptable by DOT and based on the worst case scenario, which is generally the AM or PM peak period and not within a week of a major holiday. If actual traffic counts are used, the date and time of such counts should be noted under the "data source(s) for current and projected

traffic and justification for projected traffic". It should be noted that current ADT and Peak Hour Traffic are only required when a growth rate, as discussed below, is used.

- 2) Projected ADT and/or peak hour traffic may be obtained from the most recent VDOT projections or an alternative source which is acceptable to DOT. The Comprehensive Plan recommendations for future road improvements must be taken into consideration when projecting traffic. It may be appropriate in some circumstances, such as the absence of up-to-date traffic projections, to project future traffic levels based on a compounded growth rate which is acceptable to DOT. The typical formula for determining a compounded growth rate is: $P = C(1+r)^n$ where P is projected traffic, C is current traffic, r is rate of growth and n is number of years. If the traffic projection is based on a compounded growth rate, this should be noted on the form under "data source(s) for current and projected traffic and justification for projected traffic". Unless another date is deemed acceptable by DOT, the traffic projection should be for a time frame that is at least 20 years into the future. The time frame for the traffic projection must be specified.
- 3) Information pertaining to the percentage of medium and heavy trucks of the ADT or peak hour traffic may not always be known for a particular location. In instances where such information is unavailable, the following breakdown may be used: 95% passenger cars; 3% medium trucks and 2% heavy trucks. This percentage breakdown cannot be used for any highway segment that is listed in VDOT's publication "Average Daily Traffic Volumes with Vehicle Classification Data on Interstate, Arterial and Primary Routes". For highway segments listed in VDOT's publication, the listed traffic mix must be used.
- 4) The on-site measurement of noise levels from several locations throughout the site over a period of time is generally necessary in order to obtain an accurate representation of the existing noise levels. Noise monitoring over a 24-hour period may be necessary to provide an accurate representation of existing noise levels particularly with respect to the weighted day and night average described by the DNL noise metric. A map which clearly shows the on-site location(s) and height(s) of all monitoring sites is required. The location(s) and height(s) of the on-site monitoring sites needed to provide an accurate representation of the existing on-site noise levels depend on a number of factors, including the size of the property, the amount of highway frontage, topography and the location(s) and height(s) of existing buildings or structures. It is recommended that a written statement which provides justification regarding the location(s) and height(s) of on-site monitoring sites and the time period that such monitoring occurred, if less than 24 hours, be provided.
- 5) Once existing noise levels are known, the noise model should be run using the existing conditions and that information should be used to calibrate the model for future projections. This calibration will generally improve the accuracy of the modeling effort, in that it will adjust model results to fit site specific, measured conditions. At

a minimum, the noise model should be capable of the following: considers the effects of a noise barrier; considers noise from the edge of the barrier; accounts for 2nd and 3rd story impacts (where applicable); and, accounts for topography and different vehicle types.

It should be noted that no proposed barrier should be located in an area which is needed for future road improvements. To obtain information regarding the Comprehensive Plan recommendations for future road improvements and the timing of such improvements, please contact DOT. In addition, the location of any barrier within VDOT right-of-way must be approved by VDOT. VDOT must be contacted and permission obtained prior to construction of a barrier within future or proposed right-of-way.

It should also be noted that construction of a wall with a footing system requires a Building Permit. Walls made entirely of stone, brick and masonry block require a footing system. A wall constructed of wood with intermittent pillars or a wrought iron fence with intermittent pillars will also require a footing system. Although a wooden fence may have some footings for support, it is not deemed a footing system and, thus, a Building Permit would not usually be required for such a fence. However, there may be some instances where a Building Permit may be required for a wooden fence because of structural/safety concerns. Information pertaining to Building Permits should be obtained from the Office of Building Code Services of the Department of Public Works and Environmental Services (DPWES).

CONTACTS

- 1) For information on the Fairfax County Comprehensive Plan's transportation recommendations, the timing of planned road improvements and traffic growth rates:

Fairfax County Department of Transportation
12055 Government Center Parkway, Suite 1034
Fairfax, Virginia 22035
(703) 324-1145

- 2) For information on growth rates and current or projected ADT and Peak Hour Traffic:

VDOT, Northern Virginia District Office
Transportation Planning Section
14685 Avion Parkway
Chantilly, Virginia 20151-1104
(703) 383-2200

- 3) For information on acceptable noise models, critical noise areas and on-site noise monitoring activities:

Environment and Development Review Branch, DPZ
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035
(703) 324-1210 or (703) 324-1380

- 4) For information on the rezoning, special exception or special permit approval process:

Zoning Evaluation Division
Department of Planning and Zoning (DPZ)
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035
(703) 324-1290

- 5) For information on Building Permits:

Office of Building Code Services, DPWES
12055 Government Center Parkway, Suite 444
Fairfax, Virginia 22035
(703) 324-1980

Noise Study Summary Information

The following form must be completed and provided with any noise study which is used to satisfy the requirements of Par. 1 of Sect. 8-919 or Par. 3F of Sect. 10-104 of the Zoning Ordinance, except for noise barriers on a single residential lot.

Tax Map Number and/or Address of Property _____

Proposed Use of the Property _____

Name(s) and Route Number(s) of Road(s) for which Noise Barrier is Proposed _____

Comprehensive Plan Recommendation for Portion of Road(s) which Abut(s) the Property and for which Noise Barrier is Proposed (i.e. improve to six lanes, service road, future right-of-way width, etc.) _____

Current Average Daily Traffic (ADT) and/or Peak Hour Traffic (please specify which) per road _____

Projected ADT and/or Peak Hour Traffic (please note time horizon, i.e. 20 years into the future) per road _____

Data source(s) for current and projected traffic and justification for projected traffic _____

Posted Speed Limit (mph) _____

Passenger Vehicles as a % of the ADT and/or Peak Hour _____

Medium Trucks as a % of the ADT and/or Peak Hour _____

Heavy Trucks as a % of the ADT and/or Peak Hour _____

Source of Vehicle Mix Information _____

Characteristics of Traffic Flow during on-site monitoring (i.e. free flowing at posted speed, moving below posted speed, stand still) _____

Weather and road conditions during on-site monitoring (i.e. wet pavement, dry pavement, snow cover, wind speed) _____

Dates and times (including duration) of on-site monitoring _____

Provide a map showing the locations of all on-site monitoring sites.

Noise Model Used _____

Run noise model using existing conditions and discuss how that information was used to calibrate future predictions.

Provide a map or plat of the property which delineates the projected unmitigated DNL 65, 70 and 75 dba noise contours at both the ground and above ground levels. The above ground level is defined as the noise levels at the second story (approximately 15 feet above ground). If the proposed building(s) has more than two stories, the contours for the upper levels must also be provided, or documentation provided that demonstrates that there will be no change in noise levels above a certain elevation. The above ground level at the third story is approximately 27 feet above ground, with 12 feet being added for each additional story. It is noted that there may be instances where the projected unmitigated noise contours may be difficult to determine and/or depict given the presence of existing structures or other features on the site. In such circumstances, it may be appropriate to provide noise data points for the critical areas on the site before construction on the site in lieu of providing the projected unmitigated noise contours.

Provide a map or plat of the property which delineates the projected mitigated DNL 65, 70 and 75 dBA noise contours at both the ground and above ground levels. The above ground level is defined as the noise levels at the second story (approximately 15 feet above ground). If the proposed building(s) has more than two stories, the contours for the upper levels must also be provided, or documentation provided that demonstrates that there will be no change in noise levels above a certain elevation. The above ground level at the third story is approximately 27 feet above ground, with 12 feet being added for each additional story. It is noted that there may be instances where the projected mitigated noise contours may be difficult to determine and/or depict given the future barrier(s) and other structures or features on the site. In such circumstances, it may be appropriate to provide noise data points for the critical areas on the site after construction on the

site (including barrier construction) in lieu of providing the projected mitigated noise contours. Note: The projected mitigated and unmitigated noise contours may be depicted on the same map or plat provided that it can be done in such a manner which is clear and legible.

Description and Illustration of the Proposed Noise Barrier. This discussion and illustration must include the height of the proposed barrier, the proposed location of the barrier on the property, the acoustical design and structural features of the barrier, building materials to be used in the construction of the barrier and any connections to an adjacent barrier(s). This description must also include a discussion of any future road improvements as recommended by the Comprehensive Plan and whether the proposed barrier location is impacted by such recommendations. Additional sheets and illustrations may be attached if necessary.

Discuss How the Proposed Development Supports the Attainment of Exterior Noise Mitigation Recommendations of the Comprehensive Plan. The Comprehensive Plan recommends that new development should not expose people to an exterior noise level in excess of DNL 65 dBA for outdoor activity areas including outdoor recreation areas of homes. In addition, new residential development should not occur in areas with projected highway noise exposure exceeding DNL 75 dBA. As such, please describe how the proposed noise barrier addresses the Plan's recommendations for exterior noise mitigation. Additional sheets may be attached if necessary.

Description and Illustration of Efforts to Mitigate the Visual Impacts of the Noise Barrier on Adjacent Properties. This description and illustration must describe/show the visual impacts on adjacent properties to include the location and design of the barrier, use of berms and landscaping. Additional sheets may be attached if necessary.

Noise Study Summary Information for Individual Residential Lots

The following form must be completed and provided with any noise study which is used to satisfy the requirements of Par. 1 of Sect. 8-919 or Par. 3F of Sect. 10-104 of the Zoning Ordinance for noise barriers on a single residential lot. When appropriate, additional information may be requested by staff in order to complete their evaluation.

Tax Map Number and/or Address of Property

Name(s) and Route Number(s) of Roads for which Noise Barrier is Proposed

Justification for Noise Barrier. Provide written justification as to the reasons why the proposed noise barrier is needed at this location. Information pertaining to the existing on-site noise levels is highly desirable, but not required. Additional sheets may be attached if necessary.

Description and Illustration of the Proposed Noise Barrier. This description and illustration must include the proposed height of the barrier, the proposed location of the barrier on the property, the acoustical design and structural features of the barrier, building materials to be used in the construction of the barrier and any connections to an adjacent barrier(s). Additional sheets and illustrations may be attached if necessary.

Describe Efforts to Mitigate the Visual Impacts of the Noise Barrier on Adjacent Properties. This description must include a discussion of the visual impacts on adjacent properties to include the location and design of the barrier, use of berms and landscaping. Additional sheets and illustrations may be attached if necessary.

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REZONING AFFIDAVIT

DATE: December 11, 2007
(enter date affidavit is notarized)

I, Lynne J. Strobel, attorney/agent, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) ☐ applicant
☒ applicant's authorized agent listed in Par. 1(a) below

954856

in Application No.(s): RZ/FDP 2007-MV-011
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Carrhomes, LLC	3110 Fairview Park Drive, Suite 1150 Falls Church, VA 22042	Applicant/Contract Purchaser of Tax Map 99-4 ((1)) 32 and 33
Agents: Thomas E. Jordan Tara M. Craven P. Olen All		
The Trust Company of Virginia, Successor Trustee of the Mary Ann G. Leatherland Family Trust dated September 25, 2000 for the benefit of Jeffrey Paul Leatherland, Susan Kim Hellen, William Allen Leatherland, Patricia Ann Leatherland Agent: Thomas R. Harrison	8212 Telegraph Road Lorton, VA 22079	Title Owner of Tax Map 99-4 ((1)) 32 and 33

(check if applicable)

☒ There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Rezoning Attachment to Par. 1(a)DATE: December 11, 2007
(enter date affidavit is notarized)

954854

for Application No. (s): RZ/FDP 2007-MV-011
(enter County-assigned application number (s))

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent
Agents:		
Martin D. Walsh		
Lynne J. Strobel		
Timothy S. Sampson		
M. Catharine Puskar		
Jason B. Heinberg (former)		
Abby C. Denham		
Tara E. Wiedeman		
Sara V. Mariska		
Blair A. Lonergan (former)		
G. Evan Pritchard		
Elizabeth D. Baker		
Susan K. Yantis		
Inda E. Stagg		
Kara M. Whisler		
Megan C. Shilling		
Elizabeth A. McKeeby		
Wetland Studies and Solutions, Inc.	14088-M Sullyfield Circle Chantilly, Virginia 20151	Environmental Consultant/Agent
Agents:		
Michael S. Rolband		
Mark W. Headley		
Geotechnical Consulting & Testing, Inc.	8551 Sudley Road Manassas, Virginia 22110	Geotechnical Engineer/Agent
Agents:		
Emad E. Saadeh		
Mark S. Hood		
Geoforestry, Inc.	4031 University Drive, Suite 200 Fairfax, VA 22030	Arborist/Agent
Agent:		
Samuel W. Doan		

✓ check if applicable)

[✓]

There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

Rezoning Attachment to Par. 1(a)

DATE: December 11, 2007
(enter date affidavit is notarized)

954856

for Application No. (s): RZ/FDP 2007-MV-011
(enter County-assigned application number (s))

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Charles P. Johnson & Associates, Inc. Agents: Allan D. Baken Henry M. Fox, Jr. Paul B. Johnson	3959 Pender Drive, Suite 210 Fairfax, VA 22030	Engineers/Agents

☒ (check if applicable)

☐ There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: December 11, 2007
(enter date affidavit is notarized)

954856

for Application No. (s): RZ/FDP 2007-MV-011
(enter County-assigned application number(s))

- 1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Carrhomes, LLC
3110 Fairview Park Drive, Suite 1150
Falls Church, VA 22042

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

Carr Management, Inc., Manager
Thomas E. Jordan, Member
Christopher B. Rupp, Member

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer, etc.**)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.*

Rezoning Attachment to Par. 1(b)DATE: December 11, 2007
(enter date affidavit is notarized)

954856

for Application No. (s): RZ/FDP 2007-MV-011
(enter County-assigned application number (s))**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)Carr Management, Inc.,
3110 Fairview Park Drive, Suite 1150
Falls Church, VA 22042**DESCRIPTION OF CORPORATION:** (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)Thomas E. Jordan
Christopher B. Rupp**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g.**President, Vice-President, Secretary, Treasurer, etc.)**

Thomas E. Jordan, President; Christopher B. Rupp, VP, Secretary, Treasurer; Lee Steinmeyer (nmi), Vice President; Bess H. Price, Assistant Secretary

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201**DESCRIPTION OF CORPORATION:** (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☒ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Peter M. Dolan, Jr., Jay du Von, Jerry K. Emrich, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskas, John E. Rinaldi, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.**President, Vice-President, Secretary, Treasurer, etc.)**(check if applicable) ☒ There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)

DATE: December 11, 2007
(enter date affidavit is notarized)

954850

for Application No. (s): RZ/FDP 2007-MV-011
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Geotechnical Consulting & Testing, Inc.
8551 Sudley Road
Massasas, Virginia 22110

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

Emad E. Saadeh

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Wetland Studies and Solutions, Inc.
14088-M Sullyfield Circle
Chantilly, Virginia 20151

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Michael S. Rolband, Sole Shareholder

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable)

☐

There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)DATE: December 11, 2007

(enter date affidavit is notarized)

95485

for Application No. (s): RZ/FDP 2007-MV-011

(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

GeoForestry, Inc.
4031 University Drive, Suite 200
Fairfax, VA 22030

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

Samuel W. Doan

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

The Trust Company of Virginia
8000 Towers Crescent Drive, Suite 1080
Tysons Corner, Virginia 22182

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☒ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

Thomas R. Harrison, SVP; Susan C. Stafford, VP; Richard D. Gates, Managing Director, EVP; William A. Keyes, Chief Investment Officer; Douglas A. Nunn, Managing Director, President, CEO; Beth P. Bartlett, VP; Sara S. Battin, Donna S. Chapman, VP; Charles C. Conway, Jr, SVP; William M. Hutchins, VP; Samuel W. Jenkins, SVP; Wayne Olson (nmi), VP; P. Parton Peters, VP; David W. Robinson, VP; Elizabeth D. Swartz, SVP; Richard I. Ware, VP; Samuel F. Bryant, SVP; Donald G. Murfee, SVP; Robert L. Bradshaw, SVP

(check if applicable) ☒ There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)

DATE: December 11, 2007

(enter date affidavit is notarized)

954856

for Application No. (s): RZ/FDP 2007-MV-011

(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Charles P. Johnson & Associates, Inc.
3959 Pender Drive, Suite 210
Fairfax, VA 22030

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☒ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

Charles P. Johnson
Paul B. Johnson

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)**DESCRIPTION OF CORPORATION:** (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

T

(check if applicable)

☐

There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: December 11, 2007
(enter date affidavit is notarized)

954856

for Application No. (s): RZ/FDP 2007-MV-011
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)
None

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.*

REZONING AFFIDAVIT

DATE: December 11, 2007
(enter date affidavit is notarized)

95485-6

for Application No. (s): RZ/FDP 2007-MV-011
(enter County-assigned application number(s))

1(d). One of the following boxes must be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

None

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: December 11, 2007
(enter date affidavit is notarized)

954856

for Application No. (s): RZ/FDP 2007-MV-011
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

☐ Applicant

☒ Applicant's Authorized Agent

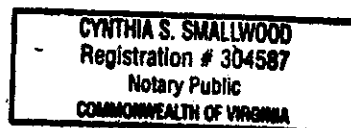
Lynne J. Strobel, attorney/agent

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 11 day of December, 2007, in the State/Comm. of Virginia, County/City of Arlington.

My commission expires: December 31, 2009

Cynthia S. Smallwood
Notary Public





Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@arl.thelandlawyers.com

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC
January 22, 2007

RECEIVED
Department of Planning & Zoning

JAN 23 2007

Zoning Evaluation Division

Barbara A. Byron, Director
Zoning Evaluation Division
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: Proposed Rezoning
Applicant: Carrhomes, LLC

Dear Ms. Byron:

Please accept the following as a statement of justification for the rezoning of approximately 7.459 acres from the R-1 District to the PDH-2 District.

The Applicant is the contract purchaser of approximately 7.459 acres in the Mount Vernon Magisterial District, which are identified among the Fairfax County tax map records as 99-4 ((1)) 32 and 33 (the "Subject Property"). The Subject Property is located on the west side of Telegraph Road and is bordered on the north by a single-family detached community known as Winstead Manor, and on the west by a single-family detached community known as Hunter Estates. The surrounding area includes properties zoned and developed to the PDH-2, R-1 and R-2 Districts. The property on the opposite side of Telegraph Road is a part of the Fort Belvoir Military Reservation. The Applicant proposes a rezoning for residential development that will be compatible with the surrounding area.

The Subject Property is located within the Springfield Planning District of the Area IV Comprehensive Plan (the "Plan"); specifically, within the S6 Newington Community Planning Sector. The applicable land use recommendation for the Subject Property states that it is planned for clustered, single-family detached residential use at a density of one to two dwelling units per acre. The Applicant is proposing a rezoning of the Subject Property to the PDH-2 District in accordance with the Plan recommendation.

The Applicant proposes a residential community in harmony with the Plan recommendation of one to two dwelling units per acre and compatible with surrounding development. The Applicant has prepared and submitted a conceptual/final development plan (CDP/FDP), that illustrates thirteen single-family detached residential dwelling units at a density of 1.74 dwelling units per acre. The proposed residential community will be integrated into Winstead Manor, the single-family detached residential community to its north, with access to Telegraph Road by way of Winstead Manor Lane.

The P District designation provides the flexibility to reduce impervious surface and setbacks, thereby maximizing open space. The proposed residential layout results in approximately 30 percent open space on the Subject Property. At 1.74 dwelling units per acre,

PHONE 703 528 4700 • FAX 703 525 3197 • WWW.THELANDLAWYERS.COM
COURTHOUSE PLAZA • 2200 CLARENDON BLVD., THIRTEENTH FLOOR • ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 • PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

the proposed density is within the recommendations of the Plan. The proposed density is also an appropriate transition between the existing single-family detached community located to the west that is zoned to the R-1 District, and the existing single-family detached community to the north that is zoned to the PDH-2 District.

The Applicant's proposed residential layout is compatible in density and scale with surrounding development. Surrounding properties are developed with similar use, type, and intensity to the Applicant's proposal. In addition, the Applicant meets the Plan's residential development criteria as follows:

Site Design

A rezoning of the Subject Property to the PDH-2 District will complete the parcel consolidation envisioned by the Plan with the property to the north that is known as Winstead Manor and zoned PDH-2. Surrounding properties are already zoned and developed residentially in accordance with Plan recommendations. The proposed layout integrates the elements of open space, tree preservation, landscaping, and functional quality design in a residential development that conforms to the Plan recommendations. Approximately thirty percent of the Subject Property will be preserved as open space, which is well above the Fairfax County Zoning Ordinance (the "Ordinance") requirement of twenty percent. In addition, residents of the proposed development will have access to open space owned by the Fairfax County Park Authority in proximity to the Subject Property. An eight-foot-wide asphalt trail is located along Telegraph Road, adjacent to the Subject Property, to facilitate pedestrian access. Landscaping will be provided on individual lots, as well as within Parcel A. Landscape details have been provided on the CDP/FDP to illustrate the quality and quantity of the proposed vegetation.

Neighborhood Context

The Applicant proposes a residential development that will complete an existing and established residential development pattern. Properties to the west and south are zoned to the R-1 and R-2 Districts, and are developed with single-family detached homes. The proposed residential development will be incorporated into the existing Winstead Manor development to the north, zoned to the PDH-2 District, and developed with single-family detached homes. This is consistent with the Plan's recommendations. Appropriate setbacks are provided to the adjacent community. A minimum fifty-foot setback is provided adjacent to the Winstead Manor community, and a minimum forty-foot setback is provided adjacent to the Hunter Estates community. Adequate yards are provided for all proposed residential dwelling units, including a minimum front yard of eighteen (18) feet. Sidewalks within the proposed community will be connected to the existing Winstead Manor sidewalk network. In addition, an asphalt trail is provided along Telegraph Road. The combination of on- and off-site pedestrian connections will facilitate non-motorized vehicle access to other properties in the area. The Applicant's proposal is compatible with existing surrounding uses.

Environment

The Subject Property includes environmentally sensitive features that require preservation. The Applicant has delineated the limits of existing wetlands on the CDP/FDP in accordance with Fairfax County regulations. There is no 100-year floodplain on the Subject Property or Resource Protection Area. Additionally, the Applicant's proposed residential development includes a stormwater management dry pond on the southern portion of the Subject Property, so as to properly manage runoff from the new development by providing one-year 24-hour detention. Issues such as potential noise impacts, lighting, and the use of energy conservation materials shall be addressed in proffers submitted during the processing of the rezoning application.

Tree Preservation and Tree Cover Requirements

The Subject Property does include mature trees and efforts have been taken to preserve as many trees as possible. Trees that will be preserved are located within Parcel A. As shown on the CDP/FDP, the proposed development will meet most of its tree cover requirements by preserving approximately 45,000 square feet of existing trees on the Subject Property. In addition, the Applicant will submit proffers during the processing of the rezoning application to ensure appropriate tree preservation measures that will increase survivability. The remainder of the proposed development's tree cover requirements will be satisfied by plantings, as depicted on the CDP/FDP.

Transportation

The Applicant proposes safe and adequate access to the adjacent road network. A single access to Telegraph Road will be provided by way of Winstead Manor Lane. A public street that ends in a cul-de-sac will serve the proposed residential community. This configuration will prevent any cut-through traffic. The existing driveway on the Subject Property to Telegraph Road will be removed, and the associated ingress/egress easement will be vacated. The proposed residential development includes five-foot concrete sidewalks on both sides of the interior street, which will be connected to the existing Winstead Manor sidewalk network. These sidewalks also connect to an asphalt trail along Telegraph Road to facilitate pedestrian and non-motorized vehicle access to the surrounding areas. A minimum driveway length of eighteen feet is provided for each single-family home to ensure adequate parking on site.

Public Facilities

The proposed residential community may be classified as infill development that will be served by existing adequate public facilities. The Applicant's proposal of thirteen single-family detached homes will not have a measurable impact on public facilities. The Applicant will address the issue of a contribution to public schools in accordance with formulas adopted by the Board of Supervisors in the proffers that will be submitted during the processing of the rezoning application.

January 22, 2007

Page 4

Affordable Housing

The requirements of the Affordable Dwelling Unit Ordinance do not apply to the Applicant's proposal, as it is less than fifty residential dwelling units. The Applicant will address the issue of a contribution to the Fairfax County Housing Trust Fund in accordance with policies adopted by the Board of Supervisors in the proffers that will be submitted during the processing of the rezoning application.

Heritage Resources

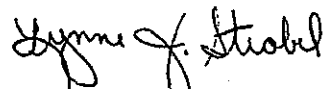
The Applicant is unaware of any heritage resources that may be located on the Subject Property.

The Applicant's proposal meets the objectives of the Plan, which recommend residential development at a density of one to two dwelling units per acre. Further, the Applicant's proposal may be characterized as infill development that is compatible in use, type, and intensity with the surrounding area. The Applicant's proposal will complete an existing and established residential development pattern. Further, the layout and design of the proposed residential development satisfies the residential development criteria as outlined herein. Lastly, the proposed development may be supported by existing transportation and public facilities.

Should you have any questions regarding this submission, or require additional information, please do not hesitate to give me a call. I would appreciate the acceptance of this application and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience. As always, I appreciate your cooperation and assistance.

Very truly yours,

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



Lynne J. Strobel

LJS/bal

cc: Tara Craven
Allan Baken
Hank Fox
Martin D. Walsh

{A0106045.DOC / 1 Draft Stmt of Justification 000003 000061}



County of Fairfax, Virginia

MEMORANDUM

DATE: August 16, 2007

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief *PNN*
Environment and Development Review Branch, DPZ

SUBJECT: ENVIRONMENTAL ASSESSMENT for: RZ/FDP 2007-MV-011
Leatherland Property

This memorandum, prepared by John R. Bell, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the final development plans dated January 18, 2007, as revised through July 19, 2007 and proffers dated July 9, 2007, as revised through July 30, 2007. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

In the Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through November 15, 2004, on page 5, the Plan states:

“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County....

Policy d. Preserve the integrity and the scenic and recreational value of stream valley EQCs when locating and designing storm water detention and BMP facilities. In general, such facilities should not be provided within stream valley EQCs unless they are designed to provide regional benefit or unless the EQCs have been significantly degraded. When facilities within the EQC

are appropriate, encourage the construction of facilities that minimize clearing and grading, such as embankment-only ponds, or facilities that are otherwise designed to maximize pollutant removal while protecting, enhancing, and/or restoring the ecological integrity of the EQC. . . .

Policy k: For new development and redevelopment, apply better site design and low impact development techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created. . . .

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations."

In the Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through November 15, 2004, on page 10, the Plan states:

"Objective 6: Ensure that new development either avoids problem soil areas, or implements appropriate engineering measures to protect existing and new structures from unstable soils.

Policy a: Limit densities on slippage soils, and cluster development away from slopes and potential problem areas.

Policy b: Require new development on problem soils to provide appropriate engineering measures to ensure against geotechnical hazards."

In the Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through November 15, 2004, on page 14, the Plan states:

"Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way."

In the Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through November 15, 2004, on pages 8 and 9, the Plan states:

"Objective 4: Minimize human exposure to unhealthful levels of transportation generated noise.

Policy a: Regulate new development to ensure that people are protected from unhealthful levels of transportation noise. . . .

New development should not expose people in their homes, or other noise sensitive environments, to noise in excess of DNL 45 dBA, or to noise in excess of DNL 65 dBA in the outdoor recreation areas of homes. To achieve these standards new residential development in areas impacted by highway noise between DNL 65 and 75 dBA will require mitigation. New residential development should not occur in areas with projected highway noise exposures exceeding DNL 75 dBA. Because recreation areas cannot be screened from aircraft noise and because adverse noise impacts can occur at levels below DNL 65 dBA, in order to avoid exacerbating noise and land use conflicts and to further the public health, safety and welfare, new residential development should not occur in areas with projected aircraft noise exposures exceeding DNL 60 dBA. Where new residential development does occur near Washington Dulles International Airport, disclosure measures should be provided."

ENVIRONMENTAL ANALYSIS:

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the County's remaining natural amenities.

Problem Soils

Issue:

The Fairfax County Soils Maps indicate an area of problem class soils on the subject property. Most notably these soils may be prone to slippage when saturated. Given the limited slope areas of the subject property and adjacent property these soils may not pose a significant hazard for onsite and offsite structures in this area. However, staff feels that the applicants should be aware that they may be required to provide additional measures to ensure that no damage occurs for structures both onsite and offsite as deemed necessary by staff in the the Department of Public Works and Environmental Services (DPWES).

Resolution:

The applicants should acknowledge the presence of the problem class soils as part of their proffers and their intent to submit a geotechnical study at the time of site-plan submission for the proposed development. Staff within DPWES can determine if it is appropriate or necessary to require the applicants to perform inspections of offsite structures, provide liability insurance for onsite and offsite structures and any other assurances which might be required to ensure that no structures offsite are damaged as a result of any destabilization which might occur during or after construction is completed.

Tree Preservation

Issue:

The subject property contains numerous high quality trees some of which could be considered specimen or potential champion trees of that species. The Urban Forestry Management Branch (UFM) has identified a number of trees desirable for preservation. In particular an American Sweetgum was identified in an area that would likely be lost as a result of the original layout for the proposed development.

Resolution:

The development plans have been revised to recognize the need to preserve the sweetgum as well as a number of other trees on the subject property. The applicants are strongly encouraged to continue working with the UFM in order to ensure that adequate tree preservation measures are in-place throughout the development process for the subject property.

Transportation Generated Noise

Issue:

Staff had raised concerns regarding potential noise impacts to portions of the proposed development from traffic on Telegraph Road. Staff had requested that a noise study be prepared to determine the level and extent of any impacts on the proposed development. To date, no noise study has been submitted by the applicants.

Resolution:

If the applicants do not submit a noise study prior to the completion of the staff evaluation for the rezoning portion of the application review process, then they should provide a proffer which notes that a noise study will be submitted with their subdivision plan to determine the level and extent of noise impacting the subject property as well as any measures which might be employed to reduce interior and exterior noise levels. While the applicants have provided proffers to address the potential noise impacts to the proposed development it should be noted that no specific measures for exterior noise mitigation are mentioned in the proffers. Staff

feels that if a barrier is required to provide exterior noise mitigation for traffic noise from Telegraph Road then the applicants should construct a solid barrier with a minimum height of 6-feet with no gaps or breaks. The proffers should be revised to reflect this and should note that a revised acoustical analysis will be provided to determine the level and extent of noise impacts to the proposed development.

PGN: JRB



County of Fairfax, Virginia

MEMORANDU

DATE: November 21, 2007

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Jessica Strother, Urban Forester II
Forest Conservation Section, UFM, DPWES

SUBJECT: Leatherland Property, RZ/FDP 2007-MV-011

RE: Your Request for Comments and Recommendations

This review is based on the Conceptual/Final Development Plan (CDP/FDP) stamped as received by the Department of Planning and Zoning on November 8, 2007. Revised draft proffers were not included. Initial comments, recommendations and a detailed site description were provided to you on June 28, 2007. cursory recommendations for draft proffers were provided to you in August 2007. Several site visits were conducted in May and June 2007.

The layout and configuration of the lots and infrastructure on the CDP/FDP has been revised substantially. The limits of clearing and grading have been reduced along the western and northwestern boundaries of the site and expanded in the far northeastern segment of the site. The limits of clearing and grading in the vicinity of the existing residence building in the eastern portion of the property have been expanded. The overall result is additional open space and tree preservation in the western and northwestern portions of the site, and less in the eastern and northeastern portions of the site.

- A copy of the June 28, 2007 comments and recommendations to DPZ that include a site description and broad based considerations is attached for history and background purposes.
- 1. **Comment:** There are substantial trees in the two eastern portions of the site that are proposed for removal and mostly substantially lower quality and younger trees proposed for preservation adjacent to the Newington Woods community (lots 68, and 71 through 75) in the western portion of the site. There are two large diameter American holly, one very large 37 inch diameter sweet gum, some native understory vegetation and several mature hardwoods and oaks proposed to be removed. The Existing Vegetation Map (EVM) included in this CDP/FDP includes a revised tree survey of the western portion of the site.
The County Comprehensive Plan, Policy Plan, Objective 10, Sub-Policy A states: "Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned use and good silvicultural practices." Sub-Policy C states:

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes



"Use open space/conservation easements as appropriate to preserve woodlands, monarch trees, and/or rare or otherwise significant stands of trees, as identified by the County." The current proposal reflects a design that further fragments the tree and forest canopy on the site, rather than maintaining a larger area that is undisturbed. While there is an increase in tree and forest cover provided, the environmental benefits specific to air quality, climate moderation, and water quality from larger, more mature and different forest species is less than the original proposal.

Recommendation: The Applicant should make a commitment to preserving the best tree and forest cover on the site and revise the CDP/FDP to preserve trees as reflected on an earlier proposal, in the eastern portion of the site adjacent to the existing residence building. This would necessitate revising the limits of clearing and grading and re-positioning the two proposed utilities. Additionally, a design consideration for buffering could be to provide a 6 foot in height barrier of either board on board fence, architectural fencing, an architectural block wall or brick wall along the shared property line with the Newington Woods community noted in comment one above. This would contribute to providing some screening and privacy for all residents, old and new.

The original EVM should be included or revised to include the most recent survey information.

2. **Comment:** When the site has been redesigned to address the noted recommendations, the Applicant should provide a commitment to tree preservation through the provision of a tree/designation and preservation plan.

Recommendation: The most recent and recommended proffer template addressing tree designation/preservation and landscaping should be addressed through the provision of proffers and provided to the Forest Conservation Section of the Urban Forest Management Division, for review.

attachment

JGS/

UFMIQ #: 127104

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: August 6, 2007

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Jessica G. Strother, Urban Forester II
Forest Conservation Branch, UFM, LDS, DPWES

SUBJECT: Leatherland Property, RZ/FDP 2007-MV-011 (Carrhomes, LLC)

This review is based on the submitted draft proffers dated July 30, 2007. Recommendations regarding draft proffers dated July 9, 2007, were provided to you earlier.

In order to address tree designation and open space conservation area issues, the following changes to draft proffers and recommendations for new draft proffers are provided.

- All draft proffers: Revise reference to tree save and tree preservation to "designation" and references to UFM to first Urban Forest Management Division and then (UFM), afterwards.
 - Draft proffer # 3.: Add new proffer "C." to address removal of invasive plants: "The site/subdivision plan shall provide for the management and treatment of harmful or invasive plants that occur in the areas to be left undisturbed. The management plan shall be submitted for review and approval by the Urban Forest Management Division and shall incorporate accepted government and industry practices and methods for removal and management of invasive plants."
 - Draft proffer 4.: Revise heading - Tree Preservation to Tree Designation. Substitute all references to tree preservation to designation. 4a: Revise the reference to trees at 15 inches in diameter to be surveyed, to 6 inches in diameter.
- Additional changes to draft proffer 4a: Add at the end of this paragraph:
"The tree designation plan shall be submitted reviewed and approved by Urban Forest Management."
- Delete draft proffers 4b, c and f. This information should be addressed and provided at the time of the submission of the tree designation plan to Fairfax County.
 - Draft proffer 4e: Add: "The type of fencing shall be determined by the Urban Forest Management and reflected on the tree designation plan."

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
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Fairfax, Virginia 22035-5503
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www.fairfaxcounty.gov/dpwes



- Draft proffer "4g", Revise language completely to: "Demolition of Existing Structures. The demolition of existing structures shall be conducted in a manner approved in writing by Urban Forest Management, that does not impact on individual trees and or groups of trees that are required to be saved. The property owner and or Applicant shall gain written approval from Urban Forest Management prior to seeking a demolition permit from Fairfax County."
Due to the close proximity of the existing residence to the sweet gum tree shown to be preserved on the CDP/FDP; a pre-demolition meeting shall be conducted with Urban Forest Management, the property owner and or Applicant and their contractor, prior to conducting any demolition work. A Project Arborist representing the property owner and or Applicant shall be on-site during all demolition activities. All demolition work around the sweet gum tree and holly trees shall be done with the greatest care possible. Once demolition materials have been removed from the site, the disturbed area shall be carefully backfilled with topsoil, mulched and stabilized, using hand-tools only."
- In lieu of draft proffer 4h: New Draft Proffer: "Preservation of Large Sweet Gum Tree and Adjacent Holly Trees. In order to effectively preserve and protect the 37-40 inch diameter sweet gum tree, appropriate tree care and construction practices based on government and industry practices, prior, during and after construction work, shall be provided on the tree designation plan and implemented. Techniques to minimize and reduce construction impacts to the sweet gum tree, and holly trees including techniques that address the installation of utilities near the tree, shall be included on the tree designation plan, all site/subdivision plans and plan revisions."
- Revise draft proffer 10b: Add new sentence, beginning after the end of the second sentence in paragraph: "The design and placement of all utilities shall consider the tree designation plan and protection of forested open space and conservation easements, to the greatest extent possible."

JGS/

UFMIQ #: 127104

cc: RA File
DPZ File



Leatherland Property (Carrhomes LLC)

RZ/FDP 2007-MV-011

Page 2

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
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www.fairfaxcounty.gov/dpwes





County of Fairfax, Virginia

MEMORANDUM

DATE: July 31, 2007

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Jessica G. Strother, Urban Forester II
Forest Conservation Branch, UFM, LDS, DPWES

SUBJECT: Leatherland Property, RZ/FDP 2007-MV-011 (Carrhomes, LLC)

This review is based on the Conceptual/Final Development Plan (CDP/FDP) stamped as received by the Department of Planning and Zoning on July 23, 2007, and draft proffers dated July 9, 2007. Earlier recommendations and a site description were forwarded to you on June 28, 2007. I attended several meetings with you and the Applicant in June and July 2007. A number of the recommendations provided to you previously have been addressed by the Applicant.

1. **Comment:** The 37-40 inch diameter sweet gum tree proposed to be preserved has been evaluated by the Applicant's-Project Arborist and the Urban Forest Management Division (UFMD). The sweet gum is recommended for preservation only if certain construction, design and tree care practices are undertaken and committed to by the Applicant. The design recommendations are noted below and the construction and care practices are addressed in the "draft proffers" section of this document.

Recommendation: The limits of clearing and grading for the removal of the existing residence are reflected as shown on the CDP/FDP because the building will be demolished and removed. However, once the building is removed the limits of clearing and grading should be re-located to a point approximately 15 feet past the dripline of the tree. Additionally, the area reflected as Parcel "A" should be re-delineated to the location of the shifted limits of clearing and grading. The tree should be labeled; "To Be Preserved". The CDP/FDP should be revised to address these changes.

2. **Comment:** The existing holly trees under and close to the dripline of the sweet gum tree and noted on the Existing Vegetation Map, should be shown on sheet 3 of the CDP/FDP. They should be shown as "save if possible", and a note added that the holly trees will be preserved to the greatest extent possible.

Recommendation: The CDP/FDP should be revised to address these issues.



Draft Proffer Recommendations (July 9, 2007 Proffers)

In order to address tree and open space conservation area issues, the following changes to draft proffers and recommendations for new draft proffers are provided.

- Draft proffer # 3.: Add "C." to address removal of invasive plants; "The site/subdivision plan shall provide for the management and treatment of harmful or invasive plants that occur in the areas to be left undisturbed. The management plan shall be submitted for review and approval by the Urban Forest Management Division and shall incorporate accepted government and industry practices and methods for removal and management of invasive plants."
- Draft proffer 4.; Revise heading - Tree Preservation to Tree Designation. Substitute all references to tree preservation to designation. 4a: Revise the reference to trees at 15 inches in diameter to be surveyed, to 6 inches in diameter.
- Delete draft proffers 4b, c and f. This information should be addressed and provided at the time of the submission of the tree designation plan to Fairfax County.
- Draft proffer e: Add: "The type of fencing shall be determined by the Urban Forest Management Division and reflected on the tree designation plan."
- Draft proffer "h", Revise to: "Demolition of Existing Structures. The demolition of existing structures on the site shall be conducted in a manner approved in writing by Urban Forest Management, that does not impact on individual trees and or groups of trees that are required to be saved. The property owner and or Applicant shall gain written approval from Urban Forest Management prior to seeking a demolition permit from Fairfax County."

Due to the close proximity of the existing residence to the sweet gum tree shown to be preserved on the CDP/FDP; a pre-demolition meeting shall be conducted with Urban Forest Management, the property owner and or Applicant and their contractor, prior to conducting any demolition work. A Project Arborist representing the property owner and or Applicant shall be on-site during all demolition activities. All demolition work around the sweet gum tree and holly trees shall be done with the greatest care possible. Once demolition materials have been removed from the site, the disturbed area shall be carefully backfilled with topsoil, mulched and stabilized, using hand-tools only."



- New Draft Proffer: "In order to effectively preserve and protect the 37-40 inch diameter sweet gum tree, tree care and appropriate construction practices prior, during and after construction work shall be provided and included in the tree designation plan. Techniques to minimize and reduce construction impacts to the sweet gum tree, and holly trees (if preserved) including techniques that address the installation of utilities near the tree, shall be included on the to be submitted tree designation and all site/subdivision plans."

JGS/

UFMIQ #: 127104

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Jessica Strother, Urban Forester II
Forest Conservation Branch, UFM, DPWES

SUBJECT: Leatherland Property, RZ/FDP 2007-MV-011

DATE: June 28, 2007

This review is based on the Conceptual/Final Development Plan stamped as received by the Department of Planning and Zoning on June 18, 2007. Draft proffers were included. Draft Comments and recommendations were forwarded to you on June 21, 2007. Several site visits were conducted in June 2007, the most recent on June 12, 2007, with you, the Applicant, myself, Planning Commissioner Flanagan and several other interested parties.

Site Description: The subject property is a heavily forested 7.46 acre tract located in the Accotink Creek Watershed and adjacent to the Kernan Creek Resource Protection Area (RPA). A continuously flowing headwater wetland/seepage area exists in the far north eastern segment of the site, on and off the property. This water flow connects to and outfalls into the RPA that skirts the edge of the property and then flows through a culvert and under Telegraph Road to Kernan Creek. The area on and off the property that contains the wetland/seepage area consists of a high quality, mature riparian forest, portions of which are within a conservation easement. A large existing and vacant residence with a nearby garage and gravel entrance drive are located in the southeastern portion of the site.

The property outside of the riparian area consists of average to steep slopes with mature high quality sub-climax and climax stage hardwoods. Some of the species on site consist of medium to large diameter (20-40 inch diameter) oak species, hickory, yellow poplar, sweetgum and beech. The understory consists of American holly, flowering dogwood, native shrubs and in some places large quantities of invasive-alien vines. Additionally, the soils throughout the property noted on the CDP/FDP as mostly loamy and gravelly sediment, are extremely poor and may be subject to slippage.

1. **Comment:** The submitted Existing Vegetation Map (EVM) is missing some information regarding the existence of other notable and significant trees. There are some large diameter beech, American holly and a 40 inch diameter sweet gum, all located in the areas reflected as "4" and mostly in a portion of the nearby "1" on the EVM. The riparian forest species and understory located adjacent to the wetland/seepage area have not been included. Lastly, it is noted there are a number of other healthy and significant trees found on the property, but not included in the list of significant trees on the EVM.



Recommendation: The EVM should be revised to include:

- a general description of the riparian tree and plant species in the wetland/seepage area, include description and sizes
- species information regarding the large diameter trees in the "4" and adjacent "1" areas on the EVM
- a general narrative that references that there are other significant trees on site, as well as general information about the extent and nature of invasive-alien vines on the property

2. **Comment:** The proposed design on the CDP/FDP for stormwater management, impacts the preservation of trees, a riparian area and necessitates the clearing of a large area for a stormwater management pond in the far southwestern portion of the site. The Comprehensive Plan for the Springfield Planning District, Major Objectives, bullet nine states: "Protect wetlands and Environmental Quality Corridors." The Policy Plan, Environment Section, Policy K, bullet nine states: "Encourage the use of innovative BMP's and infiltration techniques of stormwater management where site conditions are appropriate."

Recommendation: The CDP/FDP should be revised, to include innovative design for the culvert/outfall area within the off-site existing conservation easement area. This can also be addressed through the use of specific proffers to address this issue. Additionally, as discussed with the Applicant, the large stormwater management pond may not be necessary as designed, if the adjacent facility can either be used and or retrofitted to accommodate the subject property's stormwater. Lastly, other innovative techniques should be considered such as bio-retention filters and basins. These recommendations should be addressed either through revisions to the CDP/FDP and or with appropriate proffers.

3. **Comment:** The EVM and site description note the existence of significant trees and trees of large diameter, some of which were not included on the EVM. The Policy Plan, Objective 10, sub-Policy A states: "Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned use and good silvicultural practices." Sub- Policy C states: "Use open space/conservation easements as appropriate to preserve woodlands, monarch trees, and/or rare or otherwise significant stands of trees, as identified by the County."

Recommendation: The CDP/FDP should be revised to preserve additional forest cover on the property. In some cases, re-locating of utility lines may be necessary. Tree and forest cover preservation efforts should be concentrated around the following:



- A grouping of several large American holly trees, a large diameter American beech and an uncommon for its size; 40 inch diameter sweetgum, should be evaluated and analyzed for potential preservation. A tree condition analysis should be conducted for all these trees at this time and provided to the Staff Coordinator with DPZ. These trees are located in the vicinity of where proposed lots 9,10 and Parcel A are generally connected and come together.
- The limits of clearing and grading proposed on the north and east side of the 40 inch diameter sweet gum are positioned for future demolition work of the existing house. At this time, the limits of clearing and grading should be re-located to the rear lot line of lots 11, 12 and to the open space area close to the edge of the cul-de-sac roadway. It is unclear at this time, the points of access that will be used for demolishing the existing building. Additionally, the sanitary and storm sewer lines proposed near the sweet gum should be re-positioned as noted:
 - Both utilities should be co-located together as closely as possible and be angled from the side and rear of proposed lot 12 westward to the rear of lots 11, 10 and 9, rather than as shown currently on the CDP/FDP. The CDP/FDP should be revised to reflect this or something very similar in order to avoid impacts to the sweet gum's critical root zone.
- The clearing limits for the existing driveway should not be shown as reflected, due to the need to minimize damage to adjacent trees and forest cover to be preserved. Revise the limits of clearing and grading on the CDP/FDP to not show this area cleared or accessed.

The limits of clearing and grading on the CDP/FDP should be revised where applicable, to address all these comments and recommendations.

4. **Comment:** The CDP/FDP does not include a detailed landscape plan. Additionally, the tree cover calculations on sheet 3 of the CDP/FDP are not completely valid because the sizes and species of the proposed trees were not included on the CDP/FDP or a landscape plan. The credit shown for tree planting cannot be determined unless this information is provided.

Recommendation: Provide a detailed landscape plan that includes specifications and information to support the proposed tree cover canopy credit shown in the cover calculations.



5. **Comment:** When the site has been redesigned to include additional tree preservation and the noted design changes, the Applicant should provide a commitment to a tree preservation through the provision of a tree survey and tree designation/preservation plan.

Recommendation: Due to time constraints, detailed recommendations for proffer language and revisions to the Applicant's draft proffers dated June 15, 2007 will be forth coming in a separate document, and will address all tree-related proffers.

The following cursory recommendations are provided:

- (Draft proffers 4a through f) Some and or a portion of the proffers should be condensed. Many of these requirements and practices will be addressed on the future site and subdivision plans and the associated tree designation and preservation plan that will eventually be reviewed and approved by the Urban Forest Management Division.
- A proffer is recommended for demolition of buildings and structures adjacent to tree preservation areas.
- Draft proffer 10 references the potential revision of the limits of clearing and grading to install utilities and trails. Trails have not been located on the CDP/FDP and should be shown at this time. A suggested revision for proffer 10 will be provided.
- The following proffer to address removal of invasive plants on the property is suggested: "The site/subdivision plan shall provide for the management and treatment of harmful or invasive plants that occur in the areas to be left undisturbed. The management plan shall be submitted for review and approval by the Urban Forest Management Division and shall incorporate recommended government and industry practices and methods for the removal and management of invasive plants."

JGS/
UFMIQ #: 127104

cc: John Bell, Environmental Planner, E&DRB, DPZ





County of Fairfax, Virginia

MEMORANDUM

DATE: November 27, 2007

TO: Barbara A. Byron, Director
Zoning Evaluation Division
Department of Comprehensive Planning

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section
Department of Transportation

FILE: 3-4 (RZ 2007-MV-011)

SUBJECT: Transportation Impact Addendum

REFERENCE: RZ 2007-MV-011; Carr Homes, LLC (LeatherLand Property)
Traffic Zone: 1571
Land Identification Map: 99-4 ((01)) 32, 33

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised plan dated November 5, 2007.

The applicant proposes to rezone approximately 7.46 acres from the R-1 to the PDH-2 district to permit the development of eleven single family detached homes.

This department has reviewed the subject application and does not object to its approval.

AKR/ak cc: Michele Brickner, Director, Design Review, DPW & ES

Fairfax County Public Schools
Office of Facilities Planning Services

TO: Fairfax County Department of Planning & Zoning
Zoning Evaluation Division

FROM: Gary Chevalier, Director
Office of Facilities Planning Services

SUBJECT: Schools Impact Analysis
RZ 2007-MV-011, Carrhomes, LLC

DATE: April 27, 2007

MAP: 99-4 ((1)) 32 and 33

PLANNING UNIT: 1810 – Cluster V

ACREAGE: 7.46 acres

REQUEST: The application requests rezoning from R-1 to PDH-2 in order to develop 13 single family detached homes.

Schools that currently serve this property, their current total memberships, net operating capacities, and five year projections are as follows:

School Name and Number	Grade Level	9/30/06 Capacity	9/30/06 Membership	2007-2008* Membership	Memb/Cap Difference 2007-2007	2011-2012 Membership	Memb/Cap Difference 2011-2012
Island Creek ES	K-6	764	746	791	-27	754	10
Hayfield SS	7-8	1100	819	996	104	840	260
Hayfield SS	9-12	2125	1486	1562	563	1604	521

*2007-2008 Membership based on spring projection updates, Facilities Planning Services

Approval of the proposed application could increase projected student membership as shown in the following analysis:

School Level	Proposed Zoning PDH-2			Existing Zoning R-1			Student Increase
	Units	Ratio	Students	Units	Ratio	Students	
K-6	13	x .239		7	x .239	2	
7-8	13	x .070		7	x .070	0	
9-12	13	x .170		7	x .170	1	
		Total		Total			

Comments:

The proposed rezoning for townhouse development could result in 3 additional students over what might be anticipated under the present R-1 zoning for single family housing. Based on the approved proffer guidelines, the students generated by this application would justify a proffered contribution of \$34,890 (\$11,630 x 3). It is further recommended that all proffered contributions be directed to the school pyramid and/or to Cluster V schools which encompasses this area. The foregoing information does not take into account the potential impact of other pending or future proposals that could impact the same schools.

Fairfax County Public Schools
Office of Facilities Planning Services

cc: Daniel G. Storck, School Board Member, Mt. Vernon District
Illyong Moon, School Board Member, At-Large
Stephen A. Hunt, School Board Member, At-Large
Janet S. Oleszek, School Board Member, At-Large
Dean Tistadt, Chief Operating Officer FCPS
Betsy Fenske, Cluster V, Assistant Superintendent
Susan Owner, Principal, Island Creek Elementary School
Bill Oehrlein, Principal, Hayfield Secondary School

Source: FY 2008-2012, Facilities Planning Services Office, Enrollment Projections, FY2008-12 CIP
Note: Five-year projections are those currently available and will be updated yearly. School attendance areas are subject to yearly review.



FAIRFAX COUNTY PARK AUTHORITY

MEMORANDUM



TO: Barbara A. Byron, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sandy Stallman, Manager
Park Planning Branch *SS*

DATE: May 31, 2007

SUBJECT: RZ/FDP 2007-MV-011, Leatherland Property
Tax Map Number(s): 99-4 ((1)) 32 and 33

BACKGROUND

The Park Authority staff has reviewed the proposed Development Plan dated January 22, 2007 for the above referenced application. The Development Plan shows 13 new single-family homes on a 7.46-acre parcel to be rezoned from R-1 to PDH-2 with proffers. Based on an average household size of 3.09 in the Springfield Planning District, the development could add 40 new residents to the Springfield Supervisory District.

1. Park Services and New Development (The Policy Plan, Parks and Recreation Objective 6, p. 8)

“Objective 6: Ensure the mitigation of adverse impacts to park and recreation facilities and service levels caused by growth and land development through the provision of proffers, conditions, contributions, commitments, and land dedication.”

“Policy a: Offset residential development impacts to parks and recreation resources, facilities and service levels based on the adopted facility service level standards (Appendix 2). The provision of suitable new park and recreational lands and facilities will be considered in the review of land development proposals in accordance with Residential Development Criteria - Appendix 9 of the Land Use element of the Countywide Policy Plan.”

“Policy b: To implement Policy a. above, residential land development should include provisions for contributions, or dedication, to the Park Authority of usable parkland and facilities, public trails, development of recreational facilities on private open space, and/or provision of improvements at existing nearby park facilities.”

2. Park Services and New Development (Area IV, Springfield Planning District, Overview, Parks and Recreation, p.14)

“Major park and recreation objectives for the Springfield Planning District include:

- Expand existing parks and upgrade existing facilities;”

3. Heritage Resources (The Policy Plan, Heritage Resources, Objective 1, p. 3)

“Objective 1: Identify heritage resources representing all time periods and in all areas of the County.

Policy a: Identify heritage resources well in advance of potential damage or destruction.”

4. Heritage Resources (The Policy Plan, Heritage Resources Objective 3, page 4)

“Objective 3: Protect significant historical resources from degradation or damage and destruction by public or private action.”

4. Heritage Resources (Area IV, Springfield Planning District, Overview, p.10)

“The major heritage resource preservation guidelines for the Springfield Planning District are:

- Consider heritage resources at the earliest planning stages of development;
- Investigate sensitive areas for heritage resources; and
- Preserve significant heritage resources.”

ANALYSIS AND RECOMMENDATIONS

Recreational Impact:

The residents of this development will need access to outdoor recreational facilities. Typical recreational needs include playground/tot lots, basketball, tennis and volleyball courts and athletic fields. Based on the Zoning Ordinance Sections 6-110 and 16-404, the applicant shall provide \$955 (unit contribution will increase to \$1,500 if rezoning approval occurs after December 31, 2007) per non-ADU (affordable dwelling unit) residential unit for outdoor recreational facilities to serve the development population. With 13 non-ADUs proposed, the Ordinance-required contribution is \$12,415.

The P-district funds required by Ordinance offset only a portion of the impact to provide recreational facilities for the new residents generated by this development. Typically, a large

portion if not all of the Ordinance-required funds are used for outdoor recreational amenities onsite (such as an outdoor pool and tot lots). As a result, the Park Authority is not compensated for the increased demands caused by residential development for other recreational facilities that the Park Authority must provide (such as picnic areas, ballfields, and basketball courts).

In order to offset the additional impact caused by the proposed development, the applicant should provide an additional \$10,600 (\$265 per estimated resident) to the Park Authority for recreational facility development at one or more of our sites located within the service area of this development.

The Development Plan currently does not show any proposed recreational facilities for the residents. Parcels A and D do not provide usable open space for recreation since Parcel D is protected under a conservation easement to protect the wetland, Parcel A is sloped, and both parcels are located near the heavily traveled Telegraph Road. The Park Authority recommends that the applicant consider reducing the number of houses by one unit to provide some usable open space and building a tot lot or playground within this open area. If no qualifying outdoor recreational amenities are provided, the applicant should dedicate \$23,015 to the Park Authority.

Cultural Resources Impact:

The Park Authority Cultural Resource Management and Protection Section (CRMPS) conducted an archival review of the property. The review indicated that the property possesses landforms that have a moderate to high potential for prehistoric and historic sites.

The Park Authority recommends that the property be subject to a Phase I archaeological survey, using a scope of work provided by the CRMPS. If any archaeological resources are found by the Phase I survey and determined to be potentially significant then a Phase II assessment should be done. If any sites are determined to be significant then either they should be avoided or Phase III data recoveries should be performed in accordance with a scope provided by the CRMPS. Any Phase III scopes will provide for public interpretation of the results. Draft and final archaeological reports produced as a result of Phase I, II and/or III studies should be submitted for approval to the CRMPS (Attention: Liz Crowell).

cc: Cindy Walsh, Acting Director, Resource Management Division
Liz Crowell, Manager, CRMPS
Chron Binder
File Copy



County of Fairfax, Virginia

MEMORANDUM

DATE: April 25, 2007

TO: Barbara Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning

FROM: Ralph Dulaney (246-3868)
Information Technology Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Rezoning Application RZ 2007-MV-011 and Final Development Plan FDP 2007-MV-011

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #437, Kingstowne.
2. After construction programmed _____ this property will be serviced by the fire station _____
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - ☒ a. currently meets fire protection guidelines.
 - ☐ b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - ☐ c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - ☐ d. does not meet current fire protection guidelines without an additional facility. The application property is _____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.



FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator
Zoning Evaluation Division, OCP

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025)
System Engineering & Monitoring Division
Office of Waste Management, DPW&ES

DATE: September 6, 2007

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ/FDP 2007-MV-011

Tax Map No. 099-4-((01))-0032, 0033

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

1. The application property is located in the ACCOTINK CREEK (M6) watershed. It would be sewered into the Noman M. Cole, Jr. Pollution Control Plant.
2. Based upon current and committed flow, there is excess capacity in the Lower Potomac Pollution Control Plant at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8 inch line located in TELEGRAPH ROAD and APPROX. 80 FEET FROM the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

Sewer Network	Existing Use + Application		Existing Use + Application Previous Rezonings		Existing Use + Application + Comp Plan	
	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>
Collector	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Submain	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Main/Trunk	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Interceptor	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Outfall	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

5. Other pertinent information or comments:

Fairfax Water

FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

**PLANNING AND ENGINEERING
DIVISION**

JAMIE BAIN HEDGES, P.E.
DIRECTOR
(703) 289-6325
Fax (703) 289-6398

May 2, 2007

Ms. Barbara A. Byron, Director
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: RZ 07-MV-011
FDP 07-MV-011
Leatherland Property

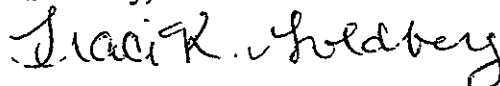
Dear Ms. Byron:

The following information is submitted in response to your request for a water service analysis for the above application:

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available at the site from existing 30-inch and 8-inch water mains located at the property. See the enclosed water system map. The Generalized Development Plan has been forwarded to Plan Control for distribution to the Engineering Firm, with comments pertaining to the proposed water system layout.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.
4. Due to the limited detail of these plans, Fairfax Water will provide comprehensive comments regarding water facilities design upon submittal of final site plan.

If you have any questions regarding this information please contact Samantha Kearney at (703) 289-6313.

Sincerely,



Traci K. Goldberg, P.E.
Manager, Planning

Enclosure

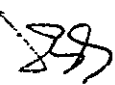


County of Fairfax, Virginia

MEMORANDUM

DATE: November 14, 2007

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM:  Jeremiah Stonefield, Chief Stormwater Engineer
Site Review East, Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Rezoning Application, RZ 2007-MV-011, Leatherland Property, Conceptual/Final Development Plan, dated November 5, 2007 (CDP/FDP), and Proffers dated July 30, 2007, Tax Map #099-4-01-0032, and 0033 (Site), Mount Vernon District.

We have reviewed the referenced submission and offer the following comments:

Chesapeake Bay Preservation Ordinance

There is Resource Protection Areas (RPA) in the vicinity of the Site designated on the stream located on the easterly side of Telegraph Road.

The applicant is required to incorporate best management practices (BMPs) into the development plan which would achieve a 40% phosphorus removal, as the proposed site improvements qualify as 'development' under the CBPO. The applicant indicates that BMP requirements will be met by the installation of an extended detention dry pond and perpetually undisturbed open space. The conservation easement cannot overlap any required storm drainage easements. The applicant indicates that the pond will provide water quality control of the small off-site area that drains to the pond.

Floodplain

There are no regulated floodplains on the Site.

Downstream Drainage Complaints

There are no relevant downstream complaints on file along the outfall for this Site.

Department of Public Works and Environmental Services
Land Development Services, Environmental and Site Review Division
12055 Government Center Parkway, Suite 535
Fairfax, Virginia 22035-5503
Phone 703-324-1720 • TTY 703-324-1877 • FAX 703-324-8359



Stormwater Detention

The applicant indicates that, in addition to the standard water quantity requirements, control of the 1-year and a proportional reduction of the 2- and 10-year discharge below the "good-forested" run-off, in accordance with the Detention Method of the PFM, will be met by the installation of an extended detention dry pond.

Site Outfall

The applicant must provide an adequate description of each of the outfalls to the point where the drainage area is at least 100 times the contributing site area or at least one square mile per ZO 16-502. The applicant has indicated that the pond will be sized in accordance with the Detention Method to comply with the PFM regarding adequate outfall. The ZO requires description(s) of the condition(s) of the outfall(s) in excess of the PFM. Each outfall must be analyzed independently for adequacy. The CDP/FDP shows a culvert under the proposed public road near the intersection with Winstead Manor Lane. The subdivision plan must show the uncontrolled, concentrated runoff discharges into an adequate watercourse channel and meets the requirements of an adequate outfall as defined by the PFM.

Additional Comments

The proposed grading diverts surface stormwater to the proposed pond. A change in drainage area, measured at the site boundary, is considered a diversion of the drainage divides in accordance with the revised drainage divide provisions of PFM 6-0202.2A. Based on the preliminary design, the proposed drainage area diversion appears to meet the criteria listed in the amended PFM to justify the approval of the diversion by the Director.

Please Note: The Board of Supervisors amended the PFM, ZO and Subdivision Ordinance effective February 7, 2006, concerning stormwater management, outfalls, drainage divides and notices. The construction plans for the project will be subject to the amended requirements.

Please contact me at 4-1720 if you have any questions or require further clarification.

cc: Steve Aitcheson, Director, Stormwater Planning Division, DPWES
Valerie Tucker, Chief Stormwater Engineer, Site Review East, DPWES
Zoning Application file (24883-ZONAV-001-A-1)

ARTICLE 6**PLANNED DEVELOPMENT DISTRICT REGULATIONS****PART 1 6-100 PDH PLANNED DEVELOPMENT HOUSING DISTRICT****6-101 Purpose and Intent**

The PDH District is established to encourage innovative and creative design and to facilitate use of the most advantageous construction techniques in the development of land for residential and other selected secondary uses. The district regulations are designed to insure ample provision and efficient use of open space; to promote high standards in the layout, design and construction of residential development; to promote balanced developments of mixed housing types; to encourage the provision of dwellings within the means of families of low and moderate income; and otherwise to implement the stated purpose and intent of this Ordinance.

To these ends, rezoning to and development under this district will be permitted only in accordance with a development plan prepared and approved in accordance with the provisions of Article 16.

6-107 Lot Size Requirements

1. Minimum district size: Land shall be classified in the PDH District only on a parcel of two (2) acres or larger and only when the purpose and intent and all of the standards and requirements of the PDH District can be satisfied.
2. Minimum lot area: No requirement for each use or building, provided that a privacy yard, having a minimum area of 200 square feet, shall be provided on each single family attached dwelling unit lot, unless waived by the Board in conjunction with the approval of a development plan.
3. Minimum lot width: No requirement for each use or building

6-109 Maximum Density

1. For purposes of computing density, the PDH District is divided into sub districts in which the residential density is limited as set forth below, except that the maximum density limitations may be increased in accordance with the requirements for affordable dwelling units set forth in Part 8 of Article 2.

Subdistrict Density

PDH-1 1 dwelling unit per acre
 PDH-2 2 dwelling units per acre
 PDH-3 3 dwelling units per acre
 PDH-4 4 dwelling units per acre
 PDH-5 5 dwelling units per acre
 PDH-8 8 dwelling units per acre
 PDH-12 12 dwelling units per acre
 PDH-16 16 dwelling units per acre
 PDH-20 20 dwelling units per acre
 PDH-30 30 dwelling units per acre
 PDH-40 40 dwelling units per acre

2. The Board may, in its sole discretion, increase the maximum number of dwelling units in a PDH District in accordance with and when the conceptual and the final development plans

include one or more of the following; but in no event shall such increase be permitted when such features were used to meet the development criteria in the adopted comprehensive plan and in no event shall the total number of dwellings exceed 125% of the number permitted in Par. 1 above.

A. Design features, amenities, open space and/or recreational facilities in the planned development which in the opinion of the Board are features which achieve an exceptional and high quality development - As determined by the Board, but not to exceed 5%.

B. Preservation and restoration of buildings, structures, or premises which have historic or architectural significance - As determined by the Board, but not to exceed 5%.

C. Development of the subject property in conformance with the comprehensive plan with a less intense use or density than permitted by the current zoning district - As determined by the Board in each instance, but not to exceed 10%.

6-110 Open Space

1. The following minimum amount of open space shall be provided in each PDH sub district:

Subdistrict	Open Space	Affordable Dwelling Unit Development Open Space
PDH-1	25% of the gross area	Not Applicable
PDH-2	20% of the gross area	18% of the gross area
PDH-3	20% of the gross area	18% of the gross area
PDH-4	20% of the gross area	18% of the gross area
PDH-5	35% of the gross area	31% of the gross area
PDH-8	25% of the gross area	22% of the gross area
PDH-12	30% of the gross area	27% of the gross area
PDH-16	35% of the gross area	31% of the gross area
PDH-20	35% of the gross area	31% of the gross area
PDH-30	45% of the gross area	40% of the gross area
PDH-40	35% of the gross area	31% of the gross area

P-District Standards

The requested proposal must comply with, among others, the Zoning Ordinance provisions found in Section 16-101, General Standards, and Section 16-102, Design Standards.

Section 16-101- General Standards

General Standard 1 states that the planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.

General Standard 2 states that the design should result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district. Development under the ___ zoning district permits a greater level of flexibility for development of a planned community for the purpose of preserving natural features and providing a greater level of quality design and amenities than might be provided with a conventional zoning district.

General Standard 3 states that the planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.

General Standard 4 states that the planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.

General Standard 5 states that the planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.

General Standard 6 states that the planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

Section 16-102 Design Standards

Design Standard 1 states that in order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration.

Design Standard 2 states that other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.

Design Standard 3 states that streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling the same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

RESIDENTIAL DEVELOPMENT CRITERIA

Fairfax County expects new residential development to enhance the community by: fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on other public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing and, being responsive to the unique site specific considerations of the property. To that end, the following criteria are to be used in evaluating zoning requests for new residential development. The resolution of issues identified during the evaluation of a specific development proposal is critical if the proposal is to receive favorable consideration.

Where the Plan recommends a possible increase in density above the existing zoning of the property, achievement of the requested density will be based, in substantial part, on whether development related issues are satisfactorily addressed as determined by application of these development criteria. Most, if not all, of the criteria will be applicable in every application; however, due to the differing nature of specific development proposals and their impacts, the development criteria need not be equally weighted. If there are extraordinary circumstances, a single criterion or several criteria may be overriding in evaluating the merits of a particular proposal. Use of these criteria as an evaluation tool is not intended to be limiting in regard to review of the application with respect to other guidance found in the Plan or other aspects that the applicant incorporates into the development proposal. Applicants are encouraged to submit the best possible development proposals. In applying the Residential Development Criteria to specific projects and in determining whether a criterion has been satisfied, factors such as the following may be considered:

- the size of the project
- site specific issues that affect the applicant's ability to address in a meaningful way relevant development issues
- whether the proposal is advancing the guidance found in the area plans or other planning and policy goals (e.g. revitalization).

When there has been an identified need or problem, credit toward satisfying the criteria will be awarded based upon whether proposed commitments by the applicant will significantly advance problem resolution. In all cases, the responsibility for demonstrating satisfaction of the criteria rests with the applicant.

1. Site Design:

All rezoning applications for residential development should be characterized by high quality site design. Rezoning proposals for residential development, regardless of the proposed density, will be evaluated based upon the following principles, although not all of the principles may be applicable for all developments.

- a) *Consolidation:* Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.
- b) *Layout:* The layout should:
 - provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences);
 - provide dwelling units that are oriented appropriately to adjacent streets and homes;

- include usable yard areas within the individual lots that accommodate the future construction of decks, sunrooms, porches, and/or accessory structures in the layout of the lots, and that provide space for landscaping to thrive and for maintenance activities;
 - provide logical and appropriate relationships among the proposed lots including the relationships of yards, the orientation of the dwelling units, and the use of pipestem lots;
 - provide convenient access to transit facilities;
 - Identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; encourage utility collocation where feasible.
- c) *Open Space:* Developments should provide usable, accessible, and well-integrated open space. This principle is applicable to all projects where open space is required by the Zoning Ordinance and should be considered, where appropriate, in other circumstances.
- d) *Landscaping:* Developments should provide appropriate landscaping: for example, in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots.
- e) *Amenities:* Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

2. Neighborhood Context

All rezoning applications for residential development, regardless of the proposed density, should be designed to fit into the community within which the development is to be located. Developments should fit into the fabric of their adjacent neighborhoods, as evidenced by an evaluation of:

- transitions to abutting and adjacent uses;
- lot sizes, particularly along the periphery;
- bulk/mass of the proposed dwelling units;
- setbacks (front, side and rear);
- orientation of the proposed dwelling units to adjacent streets and homes;
- architectural elevations and materials;
- pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses;
- existing topography and vegetative cover and proposed changes to them as a result of clearing and grading.

It is not expected that developments will be identical to their neighbors, but that the development fit into the fabric of the community. In evaluating this criterion, the individual circumstances of the property will be considered: such as, the nature of existing and planned development surrounding and/or adjacent to the property; whether the property provides a transition between different uses or densities; whether access to an infill development is through an existing neighborhood; or, whether the property is within an area that is planned for redevelopment.

3. Environment:

All rezoning applications for residential development should respect the environment. Rezoning proposals for residential development, regardless of the proposed density, should be consistent with the policies and objectives of the environmental element of the Policy Plan, and will also be evaluated on the following principles, where applicable.

- a) *Preservation:* Developments should conserve natural environmental resources by protecting, enhancing, and/or restoring the habitat value and pollution reduction potential of floodplains, stream valleys, EQCs, RPAs, woodlands, wetlands and other environmentally sensitive areas.
- b) *Slopes and Soils:* The design of developments should take existing topographic conditions and soil characteristics into consideration.
- c) *Water Quality:* Developments should minimize off-site impacts on water quality by commitments to state of the art best management practices for stormwater management and low-impact site design techniques.
- d) *Drainage:* The volume and velocity of stormwater runoff from new development should be managed in order to avoid impacts on downstream properties. Where drainage is a particular concern, the applicant should demonstrate that off-site drainage impacts will be mitigated and that stormwater management facilities are designed and sized appropriately. Adequate drainage outfall should be verified, and the location of drainage outfall (onsite or offsite) should be shown on development plans.
- e) *Noise:* Developments should protect future and current residents and others from the adverse impacts of transportation generated noise.
- f) *Lighting:* Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.
- g) *Energy:* Developments should use site design techniques such as solar orientation and landscaping to achieve energy savings, and should be designed to encourage and facilitate walking and bicycling.

4. Tree Preservation and Tree Cover Requirements:

All rezoning applications for residential development, regardless of the proposed density, should be designed to take advantage of the existing quality tree cover. If quality tree cover exists on site as determined by the County, it is highly desirable that developments meet most or all of their tree cover requirement by preserving and, where feasible and appropriate, transplanting existing trees. Tree cover in excess of ordinance requirements is highly desirable. Proposed utilities, including stormwater management and outfall facilities and sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas.

5. Transportation:

All rezoning applications for residential development should implement measures to address planned transportation improvements. Applicants should offset their impacts to the transportation network. Accepted techniques should be utilized for analysis of the development's impact on the network. Residential development considered under these criteria will range widely in density and, therefore, will result in differing impacts to the transportation network. Some criteria will have universal applicability while others will apply only under specific circumstances. Regardless of the proposed density, applications will be evaluated based upon the following principles, although not all of the principles may be applicable.

- a) *Transportation Improvements:* Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:

- Capacity enhancements to nearby arterial and collector streets;
 - Street design features that improve safety and mobility for non-motorized forms of transportation;
 - Signals and other traffic control measures;
 - Development phasing to coincide with identified transportation improvements;
 - Right-of-way dedication;
 - Construction of other improvements beyond ordinance requirements;
 - Monetary contributions for improvements in the vicinity of the development.
- b) *Transit/Transportation Management:* Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:
- Provision of bus shelters;
 - Implementation and/or participation in a shuttle bus service;
 - Participation in programs designed to reduce vehicular trips;
 - Incorporation of transit facilities within the development and integration of transit with adjacent areas;
 - Provision of trails and facilities that increase safety and mobility for non-motorized travel.
- c) *Interconnection of the Street Network:* Vehicular connections between neighborhoods should be provided, as follows:
- Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
 - When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;
 - Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
 - Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;
 - The number and length of long, single-ended roadways should be minimized;
 - Sufficient access for public safety vehicles should be ensured.
- d) *Streets:* Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.
- e) *Non-motorized Facilities:* Non-motorized facilities, such as those listed below, should be provided:
- Connections to transit facilities;
 - Connections between adjoining neighborhoods;
 - Connections to existing non-motorized facilities;
 - Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;
 - An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;
 - Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
 - Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;

- Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.
- f) *Alternative Street Designs:* Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

6. Public Facilities:

Residential development impacts public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). These impacts will be identified and evaluated during the development review process. For schools, a methodology approved by the Board of Supervisors, after input and recommendation by the School Board, will be used as a guideline for determining the impact of additional students generated by the new development.

Given the variety of public facility needs throughout the County, on a case-by-case basis, public facility needs will be evaluated so that local concerns may be addressed.

All rezoning applications for residential development are expected to offset their public facility impact and to first address public facility needs in the vicinity of the proposed development. Impact offset may be accomplished through the dedication of land suitable for the construction of an identified public facility need, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. Selection of the appropriate offset mechanism should maximize the public benefit of the contribution.

Furthermore, phasing of development may be required to ensure mitigation of impacts.

7. Affordable Housing:

Ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County. Part 8 of Article 2 of the Zoning Ordinance requires the provision of Affordable Dwelling Units (ADUs) in certain circumstances. Criterion #7 is applicable to all rezoning applications and/or portions thereof that are not required to provide any Affordable Dwelling Units, regardless of the planned density range for the site.

- a) *Dedication of Units or Land:* If the applicant elects to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance: a maximum density of 20% above the upper limit of the Plan range could be achieved if 12.5% of the total number of single family detached and attached units are provided pursuant to the Affordable Dwelling Unit Program; and, a maximum density of 10% or 20% above the upper limit of the Plan range could be achieved if 6.25% or 12.5%, respectively of the total number of multifamily units are provided to the Affordable Dwelling Unit Program. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board.
- b) *Housing Trust Fund Contributions:* Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs. This contribution shall be payable prior to the issuance of the first

building permit. For for-sale projects, the percentage set forth above is based upon the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. For rental projects, the amount of the contribution is based upon the total development cost of the portion of the project subject to the contribution for all elements necessary to bring the project to market, including land, financing, soft costs and construction. The sales price or development cost will be determined by the Department of Housing and Community Development, in consultation with the Applicant and the Department of Public Works and Environmental Services. If this criterion is fulfilled by a contribution as set forth in this paragraph, the density bonus permitted in a) above does not apply.

8. Heritage Resources:

Heritage resources are those sites or structures, including their landscape settings, that exemplify the cultural, architectural, economic, social, political, or historic heritage of the County or its communities. Such sites or structures have been 1) listed on, or determined eligible for listing on, the National Register of Historic Places or the Virginia Landmarks Register; 2) determined to be a contributing structure within a district so listed or eligible for listing; 3) located within and considered as a contributing structure within a Fairfax County Historic Overlay District; or 4) listed on, or having a reasonable potential as determined by the County, for meeting the criteria for listing on, the Fairfax County Inventories of Historic or Archaeological Sites.

In reviewing rezoning applications for properties on which known or potential heritage resources are located, some or all of the following shall apply:

- a) Protect heritage resources from deterioration or destruction until they can be documented, evaluated, and/or preserved;
- b) Conduct archaeological, architectural, and/or historical research to determine the presence, extent, and significance of heritage resources;
- c) Submit proposals for archaeological work to the County for review and approval and, unless otherwise agreed, conduct such work in accordance with state standards;
- d) Preserve and rehabilitate heritage resources for continued or adaptive use where feasible;
- e) Submit proposals to change the exterior appearance of, relocate, or demolish historic structures to the Fairfax County Architectural Review Board for review and approval;
- f) Document heritage resources to be demolished or relocated;
- g) Design new structures and site improvements, including clearing and grading, to enhance rather than harm heritage resources;
- h) Establish easements that will assure continued preservation of heritage resources with an appropriate entity such as the County's Open Space and Historic Preservation Easement Program; and
- i) Provide a Fairfax County Historical Marker or Virginia Historical Highway Marker on or near the site of a heritage resource, if recommended and approved by the Fairfax County History Commission.

ROLE OF DENSITY RANGES IN AREA PLANS

Density ranges for property planned for residential development, expressed generally in terms of dwelling units per acre, are recommended in the Area Plans and are shown on the Comprehensive Plan Map. Where the Plan text and map differ, the text governs. In defining the density range:

- the "base level" of the range is defined as the lowest density recommended in the Plan range, i.e., 5 dwelling units per acre in the 5-8 dwelling unit per acre range;
- the "high end" of the range is defined as the base level plus 60% of the density range in a particular Plan category, which in the residential density range of 5-8 dwelling units per acre would be considered as 6.8 dwelling units per acre and above; and,
- the upper limit is defined as the maximum density called for in any Plan range, which, in the 5-8 dwelling unit per acre range would be 8 dwelling units per acre.
- In instances where a range is not specified in the Plan, for example where the Plan calls for residential density up to 30 dwelling units per acre, the density cited in the Plan shall be construed to equate to the upper limit of the Plan range, and the base level shall be the upper limit of the next lower Plan range, in this instance, 20 dwelling units per acre.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets, trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. -See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code; includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		

