



FAIRFAX COUNTY

DEPARTMENT OF PLANNING AND ZONING

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509

(703) 324-1290

Fax (703) 324-3924

V I R G I N I A

October 21, 2003

Mr. Frank McDermott
Hunton & Williams
1751 Pinnacle Drive, Suite 1700
McLean, Virginia 22102

Re: RZ/FDP 2001-SP-041; Dix-Cen-Gato

Dear Mr. McDermott:

I am in receipt of your letter of October 1, 2003, (attached) requesting an interpretation of the Conceptual/Final Development Plan (CDP/FDP), proffers and conditions accepted by the Board of Supervisors in conjunction with the approval of RZ 2001-SP-041 and the Final Development Plan (FDP) and conditions approved by the Planning Commission in conjunction with the approval of FDP 2001-SP-041. Attached to your letter was plans entitled: "Dix-Cen-Gato Properties" prepared by William H. Gordon Associates, Inc., which is dated July 3, 2003.

In the letter you state, and the drawings depict, that the area of the Manassas Gap Railroad (MGRR) is 15,000 square feet larger than that depicted on the Conceptual/Final Development Plan proffered pursuant to the approved rezoning. The July 3, 2003, interpretation plans indicate that the aforementioned area is "claimed by the Southern Region Industrial Realty". At the time of the rezoning, it was represented to us that all such land was excluded from the rezoning, and in fact the application was amended to delete such land from the rezoning. However, the plans submitted with your letter indicate that the additional 15,000 square foot area was included in the area rezoned to the PDH-12 District pursuant to RZ 2001-SP-041. Southern Region Industrial Realty did not concur in the rezoning, was not listed on the affidavit and did not sign the proffers. Please provide me with your views on this matter so that a determination can be made as to whether there is a problem, and, if so, the extent of the problem and what steps would need to be taken to rectify it.

Sincerely,

Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

Attachments: A/S

cc: Elaine McConnell, Supervisor, Springfield District
Peter Murphy, Planning Commissioner, Springfield District
Bill Shoup, Zoning Administrator, ZAD, DPZ
Pat Taves, Deputy County Attorney, OCA
Michelle Brickner, Director, Office of Site Development Services, DPWES
Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES
File: RZ/FDP 2001-SP-041, PI 0303 038, Imaging



HUNTON & WILLIAMS
1751 PINNACLE DRIVE
SUITE 1700
MCLEAN, VIRGINIA 22102

TEL 703 • 714 • 7400
FAX 703 • 714 • 7410

FRANCIS A. MCDERMOTT
DIRECT DIAL: 703-714-7422
EMAIL: fmcdermott@hunton.com

October 1, 2003

FILE NO: 64281.2

BY HAND DELIVERY

Ms. Barbara A. Byron, Director
Zoning Evaluation Division
12055 Government Center Parkway
Suite 800
Fairfax, VA 22035
Attention: William C. Mayland

RECEIVED
Department of Planning & Zoning
OCT 01 2003
Zoning Evaluation Division

Re: Minor Modification Request for Fairfield Development, LLCs "Courtyard" Multi-Family Section at Dix-Cen-Gato (RZ 2001-SP-041)
WHGA File No. 1964-0101

Dear Ms. Byron:

On behalf of Fairfield Development, LLC ("Fairfield") please accept this letter and attachments as Fairfield's request to re-activate the minor modification request initially submitted to your office by Steve Gleason at William H. Gordon Associates ("WHGA") on February 25, 2003, amended on July 9, 2003, and deferred by letter dated July 25, 2003. Fairfield is requesting your determination that changes to the site layout, design and vehicular circulation for the Courtyard (garage) style apartments, arising solely out of the Fire Marshall's determination that fire access must be modified and the inconsistency of that requirement with an increase in the Manassas Gap Railroad (MGRR) preservation area, results in minor modifications consistent with the proffered CDP/FDP in the referenced rezoning. Fairfield has asked that I assist WHGA in this effort because of my firsthand familiarity with this subject rezoning review, approval and proffers.

Fairfield is committed to developing a quality project. The applicant has undertaken extensive deed research, reviewed title records and has conducted a field survey of the site to establish the limits of the MGRR, resulting in a 15,000 square foot increase in the MGRR preservation area. The Fairfield site plan design both enhances and protects the MGRR area. The number of units has been reduced by approximately 161, from 533 approved to 392 shown on site plan. The proposed plan includes less parking and more open space (See Exhibit 1).

Ms. Barbara A. Byron

October 1, 2003

Page 2

The attached eight-sheet site plan set (Exhibit 2), as well as Exhibits 1 and 3, are provided in order to respond to several outstanding issues, as we understand them, based upon our most recent discussions with Bill Mayland:

- July 16, 2002 Meeting Memo (Exhibit 3) with Richard Derrickson of Fairfax Fire and Rescue Department, Fairfield, LP and representatives from William H. Gordon Associates. In this meeting, Mr. Derrickson stated four (4) reasons the Fire Department requires access to within 100 feet of the most remote unit in a building. The memo mentions specific recommendations to accommodate fire lane access and emergency access, and Derrickson's requirement that "Building Number 1" located adjacent to the MGRR easement be redesigned to accommodate fire lane access to its most remote unit. This necessitated relocating the eastern portion of the building because the expansion of the MGRR dedication area significantly to the south would not allow for sufficient extension of the fire lane.

The building (#1) lacking adequate fire access is the only building a portion of whose location and general orientation has changed. That change is driven solely by the Fire Marshall's requirement for increased access, and the southward expansion of the MGRR dedication area which consumes fire lane access capability. But for Fairfield's expansion of the MGRR dedication area beyond that contemplated in the proffer and CDP/FDP, the Fire Marshall's requirement could have been met. Fortunately, the requested relocation and reorientation further enhanced the overall design of the project by extending to this land bay the same street frontage design concept achieved on other portions of Legato Road, and by causing the fronts of these units rather than their ends to face the fronts of the garden apartment units on the opposite side of Legato Road.

Building Setbacks Along Legato Road—Sheet 6 of 8 is provided to illustrate the actual building setbacks and bulk plane angles to the property line. The bulk plane calculations are based on Fairfield's proposed architectural elevations and the finished floor elevations derived from grading plans for the project. The bulk plane ranges from 21.2 degrees at its closet point to Legato Road to 38.3 degrees at the farthest point from Legato Road. The CDP/FDP did not specifically call out any dimensions from the edge of the buildings to the street right of way line. Sheet 3 of 18 on the CDP/FDP requires a 25-degree angle of bulk plan for the "Site Peripheral Boundary" only, i.e., the external boundaries of the rezoned assemblage.

Proposed Architectural Elevations—Sheet 7 of 8 depicts Fairfield's proposed building elevations. The building materials will utilize brick and siding for color accent and architectural interest. The buildings feature outdoor patios at the lower level and covered

HUNTON WILLIAMS

Ms. Barbara A. Byron

October 1, 2003

Page 3

balconies. The building facades are absolutely consistent with the architectural elevations represented on sheet 10 of 18 of the CDP/FDP.

Legato Road Streetscape—The proposed streetscape plan will exceed the proffered plans in terms of plant quantities, qualities and design composition. Sheet 2 of 8 compares the types and quantities of the proffered and proposed plan; a minimum of 14 more trees will be provided with the new plan. Sheet 8 of 8 is provided to illustrate the details of the streetscape plan, featuring enhanced landscaping with evergreen hedgerows massed for effect. The shade trees, evergreen trees and ornamental trees will be visually tied together with layers of evergreen ground cover mixed with spring bulbs and seasonal annuals for color. The design composition has taken into consideration the proposed public utilities and easements that would otherwise impact the streetscape. Lastly, a streetscape elevation is provided on sheet 7 of 8 to depict the deliberate pattern and plant massing we believe was the intent of the approved plan. While the building in question has shifted toward the street, the architecture and streetscape designs will result in an enhanced Legato Road frontage. The applicant is providing landscaping that will exceed the proffered streetscape plan, and that will be more consistent with the streetscape/urban design concept throughout Legato Road frontage.

Retaining Wall Location--Sheets 2, 3, 4 and 5 depict the wall locations and clearing and grading limits shown on the CDP/FDP. Sheet 4 of 8 depicts the proposed retaining wall along the structured parking garage, set back approximately eight (8) feet from the clearing limits. On the western end of the property another retaining wall is proposed parallel to the relocated fire access lane as, shown on sheet 3 of 8. This proposed retaining wall has been set back approximately four (4) feet from the clearing limits

Retaining Wall Construction- The Fairfield construction managers have confirmed that the walls can be constructed without impacts to the clearing limits. The walls will be designed so that the footers and/or deadmen will not encroach on the clearing limits.

Fairfield would appreciate your consideration of this matter. Please call Steve Gleason (703-263-1900) or me (703-714-7422) if you have any questions, or if you require additional information. Thank you for your assistance.

Very truly yours,



Francis A. McDermott



Ms. Barbara A. Byron

October 1, 2003

Page 4

Enclosure

cc: The Honorable Peter F. Murphy, Jr. - Chairman Planning Commission
Steve Gleason - William H. Gordon Associates
David Wright - Fairfield Development LLC



William H. Gordon Associates, Inc.

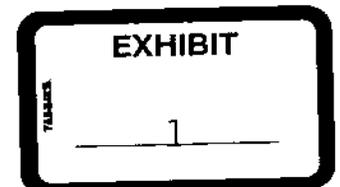
The Gordon Building
4501 Daly Drive
Chantilly, Virginia 20151
703-263-1900
(fax) 703-263-0766

REVISED SEPTEMBER 30, 2003
MINOR MODIFICATION
FAIRFIELD/DIX-CEN-GATO
Courtyard Apartments

Item	Approved	Proposed	Difference	Percent
Number of Units				
Courtyard Style Apartments	Not Listed (1)	404 DU		
Total (includes all multi-family)	755 DU	606 DU	-149 DU	-19.7%
Number of Parking Spaces				
Courtyard Style Apartments	Not Listed	750 SP		
Total Spaces (includes all multi-family)	1208 SP	1104 SP	-104 SP	-8.6%
Total Ratio	1.6	1.8		0.0%
Perimeter Setbacks (5)				
Legato Road (2)	21 Ft.	19 Ft.	-2	-9.5%
Dixe Hills (Ruffin) Road (2)	10 Ft.	17 Ft.	7	70.0%
Adjacent to MGR Esmt - Garage (3) (4)	30 Ft.	27 Ft.	-3 Ft.	-10.0%
Adjacent to MGR Esmt - Apartment (3) (4)	40 Ft.	41 Ft. &	1 Ft.	2.5%
	40 Ft.	27 FT.	-13	-32.5%
Open Space				
Courtyard Style Apartments	176,210 SF	186,870 SF	10,660 SF	6.0%

Notes

- 1 The number of Multi-family (Apartment) units is not listed separately in the Approved plan for the Courtyard and Garden Apartments. Only the combined multi-family number is given.
- 2 Distances shown above are scaled measurements. The CDP/FDP did not list any specific dimensions from the buildings to Legato Road and Ruffin Road; however, in accordance with the front yard setback diagram for multifamily units (sheet 3 of 18 of the CDP/FDP) the units were adjusted to a minimum setback of 20 ft.
- 3 The proposed distances to the rear yard line are less than dimensioned on the CDP/FDP however they are located 25 ft. from the zoning district line as noted in the Staff Report (See page 30 of report attached).
- 4 The dimensions shown are to the zoning district line (i.e., the CDP/FDP boundary) and not to the actual property line that presently includes a portion of the Manassas Gap Railroad (MGR) Easement. The MGR Easement will be quit claimed to the County in accordance with the proffers; therefore, the final setback to the property line will be less.
- 5 The perimeter setbacks are noted as +/- dimensions on the CDP/FDP



DIX-CEN-GATO
FAIRFIELD RESIDENTIAL (GARDEN AND GARAGE APARTMENT SITES)

1964-0101

MEETING MINUTES 7/16/02 AT FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT

ATTENDEES: RICHARD DERRICKSON	FIRE
DAVID WRIGHT	FAIRFIELD
KYLE BURCHARD	WHGA
HARRY HIGMAN	WHGA

GARDEN APARTMENT SITE

ON-SITE TRAVEL WAYS WILL BE SUFFICIENT TO PROVIDE FIRE DEPARTMENT VEHICULAR ACCESS.

DEAD END TRAVEL WAYS WHICH CAN BE USED FOR FIRE DEPARTMENT VEHICULAR ACCESS ARE REQUIRED TO HAVE APPROPRIATE TURN AROUND FOR TRAVEL WAYS OVER 100' FEET IN LENGTH.

MR. DERRICKSON STATED, THAT FOR THE PROPOSED TWO DEAD END TRAVEL WAYS ON THE GARDEN APARTMENT SITE HE WOULD ALLOW THE DEAD TRAVEL WAY TO BE UP TO 130' IN LENGTH WITH NO TURN AROUND.

GARAGE APARTMENT SITE

MR. DERRICKSON STATED SEVERAL REASONS FOR NEEDING FIRE DEPARTMENT VEHICULAR ACCESS TO WITHIN 100' OF THE REMOTE BUILDING WALL.

- 1) NEED TO BE ABLE TO FIGHT THE STRUCTURE FIRE AND NOT JUST ACCESS THE MAIN ENTRY POINTS.
- 2) WITH NO FIRE LANE, ADDITIONAL TIME IS REQUIRED TO HAUL HOSES AND SETUP
- 3) TYPE OF APARTMENT BUILDINGS (DEPTH/LENGTH OF MOST REMOTE UNIT INCREASING WITH NEW APARTMENT COMPLEX PRODUCT) WITH GARAGE STRUCTURE AND NO SURFACE PARKING OR TRAVEL WAYS.
- 4) SAFETY

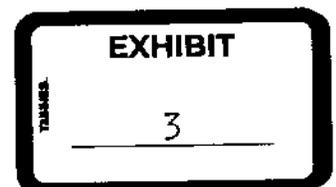
BUILDING #3

FIRE LANE AS SHOWN ON WHGA'S FIRE LANE EXHIBIT IS APPROPRIATE FOR BUILDING #3

BUILDING #2

COURT YARD (@BUILDING "U") FIRE LANE AS SHOWN ON WHGA'S FIRE LANE EXHIBIT IS APPROPRIATE. PREFERRED MAXIMUM SLOPE FOR FIRE LANES IS 8%.

MAIN TRAVEL WAYS TO GARAGE STRUCTURE, ALTHOUGH OVER 100' IN LENGTH, ARE ACCEPTABLE WITH NO TURN AROUND REQUIRED (PER MR. DERRICKSON). PREFERRED MAXIMUM SLOPE FOR FIRE LANES IS 8%



BUILDING #1

TRAVEL WAYS IN FRONT OF COMMUNITY CENTER/POOL IS ADEQUATE FOR FIRE LANE. (FIRE TRUCK WOULD BACK UP USING INTERSECTION AS TURN AROUND POINT).

EMERGENCY ACCESS TO POOL WOULD BE OVER POOL DECKING.

COURT YARD (@BUILDING "L" AND "U") FIRE LANE AS SHOWN ON WHGA'S FIRE LANE EXHIBIT IS APPROPRIATE. PREFERRED MAXIMUM SLOPE FOR FIRE LANES IS 8%.

FIRE LANE IN BETWEEN THE MGRR AND BUILDING #1 IS REQUIRED TO WITHIN 100' OF THE MOST REMOTE UNIT. AS THE CURRENT LAYOUT STANDS THIS FIRE LANE SHOWN ON THE FIRE LANE EXHIBIT IS NOT POSSIBLE. THE LAYOUT WILL NEED TO BE REVISED TO ACCOMMODATE FIRE LANE ACCESS FOR THIS SECTION OF THE BUILDING.

BIKE/PEDESTRIAN TRAIL COULD CONNECT TO THE FIRE LANE.

ADDITIONAL INFORMATION

LOOPING OF PROPOSED WATER MAIN MAY BE REQUIRED PER FCWA, SO DEAD END FIRE HYDRANTS ARE NOT EXCESSIVE IN LENGTH. DEPENDS ON FIRE FLOW PRESSURE.

THE 15' REQUIRED SEPARATION FROM THE BUILDING TO THE EDGE OF THE 18' FIRE LANE CAN BE FROM THE MAIN BUILDING WALL AND NOT THE DECK/PATIO'S. THE 15' SEPARATION CAN BE REDUCED SOME WHAT IN PLACES AND AS LONG AS THE 15' SEPARATION IS HELD WHERE EVER POSSIBLE.

MR. DERRICKSON WOULD LIKE A CHART SHOWN ON THE PLANS INDICATING SQUARE FOOTAGE, BUILDING HEIGHT, GROSS, CONSTRUCTION TYPE, FIRE WALL RATING, ETC FOR EACH BUILDING. FOR EASE AT THE SITE PLAN REVIEW PROCESS STAGE.

SIAMESE CONNECTION FOR BUILDINGS AND GARAGE STRUCTURES WITH APPROPRIATE FIRE HYDRANT COVERAGE REQUIRED

GARAGE OVER 30' IN HEIGHT REQUIRE STANDPIPE AND SIAMESE CONNECTION.

FIRE LANE OFF MAIN ROADWAY, INSTALL BOLLARD AND CHAIN. FIRE DEPARTMENT PERSONNEL WOULD CUT CHAIN WITH BOLT CUTTERS TO ACCESS FIRE LANE.

FIRE LANE TO BE HARD SURFACED (ASPHALT OR CONCRETE) MAY ALSO USE GRASS CRETE OR EQUAL FIRE LANE DELINEATION-PAINT OR LANDSCAPING OR COLORED BRICK/PAVERS IS ACCEPTABLE. FIRE LANE SIGNAGE ONLY REQUIRED AT ENTRANCE.

SNOW REMOVAL AND MAINTENANCE OF FIRE LANES NEEDS TO BE CONSIDERED.

ARCHITECTURAL BUILDING REVIEW DEPARTMENT SHOULD BE COORDINATED WITH FOR FIRE WALL LOCATIONS AND FIRE WALL RATING, ACCESS, ETC.