



APPLICATION FILED: December 16, 2004
PLANNING COMMISSION: September 28, 2006
BOARD OF SUPERVISORS: Not Scheduled

County of Fairfax, Virginia

September 14, 2006

STAFF REPORT

APPLICATION RZ/FDP 2004-LE-043

LEE DISTRICT

APPLICANT:	Eastwood Properties, Inc.
PRESENT ZONING:	R-1
REQUESTED ZONING:	PDH-8
PARCEL(S):	91-1 ((1)) 12, 18, 19, 20
ACREAGE:	2.32
DENSITY:	7.8 du/ac (with off-site SWM/BMP) 6.5 du/ac (with on-site SWM/BMP)
OPEN SPACE:	0.81 acres (35%)
PLAN MAP:	5-8 du/ac
PROPOSAL:	To permit development of a maximum of 18 single- family attached dwelling units.

STAFF RECOMMENDATIONS:

Staff recommends that RZ 2004-LE-043 and the associated Conceptual Development Plan be approved subject to the draft proffers in Appendix 1.

Staff further recommends that FDP 2004-LE-043 be approved subject to the development conditions in Appendix 2 and the Board of Supervisors approval of RZ 2004-LE-043 and the Conceptual Development Plan.

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Department of Planning and Zoning

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
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Staff further recommends that the transitional screening yard requirement be modified along the northern and southern boundaries and that the barrier requirement be waived along the northern and southern boundaries in favor of that shown on the Conceptual/Final Development Plan and referenced in the proffers.

Staff recommends that the trail requirement along the northern boundary of the property be waived subject to the provision of funding to construct an eight foot wide asphalt trail along the site's frontage on the Franconia – Springfield Parkway.

Staff recommends that the Board of Supervisors approve the requested variance to allow an eight foot tall fence along the northern property line.

Staff further recommends that the Board of Supervisors deny the requested variance to allow an eight foot tall fence along the southern property line.

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

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).

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

DESCRIPTION OF THE APPLICATION

The applicant and contract purchaser of the property, Eastwood Properties, Inc., is proposing to rezone 2.32 acres of land from the R-1 (Residential – One Dwelling Unit per Acre) District to the PDH-8 (Planned Development Housing District – Eight Dwelling Units per Acre) District. The applicant proposes to develop a maximum of eighteen (18) single family attached dwelling units in a townhouse configuration. The density of the proposed development would be 7.8 dwelling units to the acre. Thirty-eight (35) percent of the property (approximately 0.81 +/- acres) is proposed to be open space. The applicant is also seeking approval of the final development plan concurrently with the rezoning application.

The application proposes that stormwater management/best management practices requirements will be achieved by upgrading the existing pond constructed for the adjacent Devonshire Townhomes subdivision located off the subject site. As an option if the site plan for the off-site pond improvements is not approved, the applicant has provided an alternative layout with an on-site pond to provide detention. The alternative plan would allow development of a maximum of 15 single-family attached dwellings at a density of 6.5 dwelling units per acre with 45% open space.

The application includes requests to modify transitional screening yard requirements, a modification of the barrier requirement and a waiver of the trail requirement along the Franconia – Springfield Parkway. The applicant is also requesting approval of a P-District variance to allow an eight foot fence along the southern boundary and to allow an eight foot tall noise wall along the Franconia – Springfield Parkway. The applicant also intends to request a modification to allow a reduced width cul-de-sac at the time of Site Plan review.

A reduced copy of the proposed combined Conceptual/Final Development Plan (CDP/FDP) is included in the front of this report. The applicant's draft proffers are included as Appendix 1. The applicant's affidavit is Appendix 3 and the applicant's statements regarding the application are included as Appendix 4. An application for a rezoning to a Planned Development District is required to meet the General and Design Standards contained in Part 1 of Article 16, Development Plans. The most relevant standards are contained in the Excerpts from the Zoning Ordinance found in Appendix 16.

LOCATION AND CHARACTER

The four parcels included in the application are located at 6303, 6311, 6312 and 6316 Alforth Avenue. These properties are currently accessed through the adjacent townhouse community, Devonshire. The access connects to Beulah Street to the south

via a right-in and right-out intersection. Three of the parcels are developed with single family detached dwelling units, which are proposed to be demolished. The fourth parcel is vacant and is owned by the Board of Supervisors; it is a remnant of a parcel acquired as part of the right-of-way acquisition for the Franconia – Springfield Parkway. The transfer to this property is subject to a separate public hearing and action by the Board of Supervisors. Currently, Barbara Road terminates just south of the application property.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan Map
North	Franconia – Springfield Parkway Single Family Detached (Lewin Park) ¹	R-1	Road 1-2 du/ac ²
South	Single Family Detached (Windsor Estates)	R-1	1-2 du/ac
East	Single Family Attached (Devonshire Townhomes)	R-8 ³	5-8 du/ac
West	Fairfax County Park (undeveloped)	PDC ⁴	Mixed Use

1. Lewin Park is located across the Franconia – Springfield Parkway, a six-lane divided facility, from the application property.
2. The Comprehensive Plan text for Lewin Park provides an option for mixed use development.
3. Devonshire Townhomes was rezoned to the R-8 District subject to the approval of RZ 77-L-088 subject to proffers. See the comments under background below.
4. Tax Map Parcel 91-1 (91) 1C was dedicated to the County as a park pursuant to the proffers accepted in conjunction with the approval of RZ 1998-LE-048, which established the Metro Park office park located to the north and across the Franconia – Springfield Parkway.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: IV
Planning District: Springfield Planning District
Planning Sector: Beulah Community Planning Sector (S9)

There is not any site specific plan text that is applicable to this property. The Comprehensive Plan Map shows this property to be planned for 5-8 du/ac.

BACKGROUND

Tax Map Parcel 91-1 ((1)) 20

This property is owned by the Board of Supervisors. On November 15, 2004, the Board of Supervisors authorized the filing of this rezoning application to include this property. The transfer to this property is subject to a separate public hearing and action by the Board of Supervisors. An Indemnification Agreement is required to address this property. The approval of a proffered condition amendment is required if the land owned by the Board is not transferred to the applicant to be part of this development prior to Board action on this application.

RZ 2005-LE-010

RZ 2005-LE-010, which has been filed by the same applicant on property located to the east of this application property, is currently scheduled to be heard by the Planning Commission on September 28, 2006. RZ 2005-LE-010 is located on Tax Map Parcel 91-3 ((1)) 14, 15, 16 and 17 and is proposed to be developed with 15 single family attached dwelling units at a density of 7.8 dwelling units per acre.

Devonshire Townhomes, with 57 single-family attached dwelling units at a density of 8.0 du/ac, was zoned to the R-8 District pursuant to the approval of RZ 77-L-088, and is located between the two application properties. The applicant proposes to reconstruct an existing stormwater management facility serving Devonshire Townhomes to serve both of these proposed developments and Devonshire Townhomes. A copy of the proffered development plan for Devonshire Townhomes is contained in Appendix 5 along with a copy of a proffer interpretation regarding the proposed expansion of the stormwater management pond at Devonshire Townhomes. The interpretation dated, January 5, 2006, notes that the proffered generalized development plan for Devonshire Townhomes did not show a stormwater management facility and that the proffers required that stormwater management be provided on site. The interpretation further states that the proposed expanded stormwater management pond is in substantial conformance with the proffers accepted in conjunction with the approval of RZ 77-L-088.

ANALYSIS

Conceptual/Final Development Plan (Reduction at front of staff report)

Title of CDP/FDP:	Beulah Gorham
Prepared By:	CPJ Associates
Original and Revision Dates:	December 10, 2004 as revised through April 21, 2006

Conceptual/Final Development Plan (Beulah Gorham)	
Sheet #	Description of Sheet
1 of 9	Cover Sheet with Notes, Tabulations, Soils Map, Vicinity Map and Typical Lot Layout and Landscaping
2 of 9	Conceptual/Final Development Plan
3 of 9	Landscape Plan
4 of 9	Architectural Elevations
5 of 9	Existing Vegetation Map
6 of 9	Outfall/Drainage Analysis
7 of 9	Offsite Outfall Drainage Divide Map and Overall Offsite Drainage Divide Map
8 of 9	Context Map including Beulah Taylor Layout
9 of 9	Alternate Layout with onsite SWM/BMP Pond

The following features are depicted on the proposed combined CDP/FDP:

- Vehicular Access.** The CDP/FDP proposes to change the access to this property; it will no longer connect through Devonshire Townhomes to Beulah Street at a right-in and right-out intersection which provides access for the three existing dwellings. Vehicular access to the project will be via Barbara Road through Windsor Estates; Barbara Road is shown to be terminated in a cul-de-sac just inside the southern boundary of the property. The proposed dwelling units will be accessed via private streets from that cul-de-sac. Three units (Lots 16, 17 and 18) are proposed immediately east of the new cul-de-sac. The remainder of the units will be accessed from a private street that runs north from the cul-de-sac. A reduced width cul-de-sac is proposed.
- Site Layout.** The site is irregularly shaped. The property is proposed to be developed with single family attached dwellings. There are nine units in one group (Lots 1 – 9) proposed along the western boundary; the rear yards of these lots will face toward the adjacent County parkland. This row is 215 feet long. A second group (Lots 10 – 15) is located across the private road from Lots 1 – 9. The remaining three units (Lots 16-18) are located on the eastern side of the new cul-de-sac at the end of Barbara Lane. A children's play area and a gazebo in an open space area is proposed in the northeast quadrant of the cul-de-sac.
- Periphery of the Property.** A twenty-five foot transitional screening yard is proposed between these units and the Franconia – Springfield Parkway along the northern boundary. A separate eight foot tall noise barrier is proposed along the northern edge of the transitional screening yard, adjacent to the parkway. The western boundary abuts open space that is

owned by the County; along this boundary the lots are to be located fifteen feet from that property line. The southern boundary abuts Windsor Estates with Barbara Lane abutting the southwestern corner of the property. Lot 39 of Windsor Estates abuts most of the southern boundary. An eight foot tall fence is proposed along that boundary. Devonshire Townhomes is located along the remaining boundaries. Behind all of the lots along this boundary, an area of common open space that varies from ten to forty feet in depth is proposed.

- *Pedestrian Access.* Four foot wide sidewalks are proposed in front of all of the units and on both sides of the private road going east from the main north to south private street. A five foot wide walkway connection from the sidewalks in Devonshire Townhomes to the five foot wide sidewalk around the cul-de-sac is shown. The sidewalks around the cul-de-sac will not connect to off-site pedestrian pathways because Barbara Road is a ditch section without sidewalks, as are most of the roads within Windsor Estates.
- *Lot Layout.* A detail of the individual lots is included on Sheet 1 and architectural elevations are included on Sheet 4. The end units are shown as 22 feet wide and the interior units are shown to be 24 feet wide. The front entrance to the interior units is shown as a second story access at the top of an exterior stairway located between the driveways for each unit. The end units are shown with either a ground level entrance or a second level entrance. The rear yards are shown to be fifteen feet deep. The driveways are eighteen feet deep from the sidewalk to the front of the garage. Where it is not precluded by utility easements, large deciduous trees are proposed at each of the end units. The interior lots will have evergreen shrubs and groundcover placed in the area between the steps to the entrance and the driveways. The lot typical does not show a deck, however, any decks that are provided must be in accordance with Sect. 2-412 of the Zoning Ordinance.
- *Parking.* The tabulation indicates that four parking spaces will be provided on all lots, with two spaces in the driveway and two spaces in the garage. Nine visitor parking spaces are provided, three at the northern end of the main private road, four are located just outside the Barbara Road cul-de-sac, and two more are located adjacent to the three southernmost units. A total of 73 parking spaces are to be provided, 4.05 spaces per unit.
- *Tree Preservation.* All of the existing tree cover is proposed to be removed, except a 24 inch red maple located in the northeast corner of the property. The CDP/FDP also provides tree protection measures for two off-site white oak trees located on the adjacent Board of Supervisors property, along the western boundary and near the cul-de-sac.

- Landscaping: The landscaping plan is included as Sheet 2. Eight large deciduous trees are shown to be planted along the main private street. A row of evergreen trees is shown between the children's play area and the adjacent dwelling unit, Lot 15, along with three large deciduous trees around the periphery of the play area. The gazebo is shown to have landscaping consisting of large deciduous trees and ornamental trees in two rings on three sides of that structure. On the southern boundary, transitional screening is shown on either side of a large 20 inch white oak located off-site and adjacent to the southern boundary that is to be preserved. The screening along the Franconia – Springfield Parkway is proposed to be a double row of evergreen and large deciduous trees. As noted above, the noise wall is to be located on the outer edge of this screening.
- Open Space. Thirty-eight percent (38%) open space is proposed. The open space is located behind the sticks of units and in the proposed children's play area and around the cul-de-sac. As an option if the site plan for the off-site pond improvements is not approved, the applicant has provided an alternative layout with an on-site pond to provide detention. The alternative plan proposes 45% open space.
- Stormwater Management. The application proposes that SWM/BMP requirements will be achieved by upgrading the existing pond constructed for the adjacent Devonshire Townhomes development, located off the subject site. As an option if the site plan for the off-site pond improvements is not approved, the applicant has provided an alternative layout with an on-site pond in the southeast portion of the property, to provide detention.

Land Use Analysis

The application proposes to develop this property at 7.8 dwelling units per acre, which is within the recommended density range of 5-8 dwelling units per acre. As an option if the site plan for off-site pond improvements proposed with this application is not approved, the applicant has provided an alternative layout with an on-site pond to provide detention. The alternative plan proposes development of a maximum of 15 single-family attached dwellings at a density of 6.5 dwelling units per acre with 45% open space.

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 Board of Supervisors adopted the Residential Development Criteria, which are contained in Appendix 9 of the

Land Use Section in the Policy Plan to be used in evaluating zoning requests for new residential development. A copy of the Residential Development Criteria is included in Appendix 17.

Site Design:

Residential Development Criterion Number 1, entitled 'Site Design,' recommends that developments address the consolidation goals in the Comprehensive Plan, and further the integration of the proposed development with adjacent planned and existing development. The criterion further recommends that the proposed site layout provide for a logical design with appropriate relationships within the development with regard to unit orientation and the juxtaposition of yards, and include usable yard areas that can accommodate future decks and sunrooms. Development shall provide convenient access to transit facilities; all existing utilities should be identified, proposed utilities and stormwater outfalls should be shown and utility collocation should be encouraged. Further, it states that open space should be usable, accessible, and integrated with the proposed development and that appropriate landscaping and amenities be provided.

Lot Consolidation

This application includes all to the land between Devonshire Townhomes to the east, the County Parkland to the west, the Franconia – Springfield Parkway to the north and Windsor Estates to the south that is planned for development at 5-8 du/ac. Staff considers this to be appropriate consolidation.

Unit Orientation and Juxtaposition of Yards

The proposed units are generally appropriately located with regard to the other units with, fronts facing fronts and sides of units. The three units (Lots 16 – 18) in the southeast corner of the site are set back off a short segment of a private street, with visitor parking and a turn-around resulting is a large expanse of pavement extending across the cul-de-sac through the private street to the 17 foot wide driveway in front of the units. The CDP/FDP includes a paving treatment to distinguish this area from the cul-de-sac and to give the appearance that this space is associated with those units.

Access to Transit

See the comments under this topic under the Transportation Criterion.

Utilities

The CDP/FDP includes the proposed locations for the sanitary sewer service and water service for the property; connections for these services are available in Barbara Road and Alforth Avenue and these lines are shown to be located generally within the private streets. Shared utility easements are shown along the rear property lines of most of the lots.

Open Space

The proposed CDP/FDP states that 38 percent of the application property will be open space. Most of the open space is located behind and adjacent to the townhouse units. There are two areas of usable open space: one, a children's play area is located north of proposed Lot 13. The use of the play area is restricted by a grass paver emergency access shown to be provided if required. The Fairfax County Fire Marshall's Office has reviewed the CDP/FDP and determined that the emergency access lane behind lots 10-12 does not appear to be necessary as emergency vehicles can exit this development the way they came in to it (Barbara Road). A copy of the Fire Marshall comments is on file in the Zoning Evaluation Division of the Department of Planning and Zoning. A second area is where the gazebo is proposed near the future cul-de-sac. The utility easements also impact the use of the open space strip located behind Lots 1 through 9 and Lots 13 and 14. The alternative layout with an on-site swm/bmp pond proposes 45 percent open space, as a result of lots 15-18 being replaced with the dry pond and a twenty five foot (25') transitional screening are being provided between the dry pond and the southern boundary of the application property.

Neighborhood Context

Residential Development Criterion Number 2, entitled 'Neighborhood Context,' recommends that all applications for residential development, regardless of the proposed density, be designed to fit into the community within which the development is to be located as evidenced by an evaluation of: transitions to abutting and adjacent uses; lot sizes, particularly along the periphery; bulk and mass of the proposed dwelling units; setbacks; orientation of the proposed dwelling with regard to the adjacent streets and homes; architectural elevations; connections to non-motorized transportation facilities and the existing topography and vegetative cover. It is noted in this criterion that it is not expected that developments will be identical to their neighbors and that the individual circumstances of the property will be considered.

This property is planned at 5-8 dwelling units and is adjacent to Windsor Estates on the south, County Parkland to the west, the Franconia – Springfield Parkway to the north and Devonshire Townhomes to the east. The fifteen foot separation between lots 1-9 and the undeveloped parkland is appropriate.

With regard to the parcel east of Barbara Road in Windsor Estates, the CDP/FDP includes a transitional screen yard of varying width located on either side of a large white oak located near the property line, but off-site. However, staff believes that the eight foot fence shown on the CDP/FDP along the southern boundary of the property will serve to isolate the two abutting developments and should be deleted from the plan; a more typical six foot tall barrier that tapers to four foot tall in the front yard would be sufficient to provide a transition between the two differing types of single family dwellings. An eight foot tall wall is typically inappropriate in an area of single family dwelling units. The parcel on the western side of Barbara Lane has a narrow strip of the County Parkland that

intervenes between it and the application property; in addition, the nearest unit is approximately 100 feet from the property line of the parcel in Windsor Estates. This treatment provides an appropriate transition to the existing dwellings within Windsor Estates that are adjacent to the property.

In order to buffer the new development from the Franconia – Springfield Parkway, an eight foot tall noise wall is proposed along the edge of the right-of-way with a twenty-five foot deep screening yard planted with a double row of evergreens with large deciduous trees interspersed among the evergreen trees. Staff is satisfied with this treatment with regard to screening the property; see the additional comments below regarding highway noise.

The relationship with Devonshire Townhomes to the east is also appropriate in that a thirty-five foot separation between Lot 12 and the application property boundary is proposed. This setback allows the twenty-four inch diameter red maple along this boundary to be preserved. Where Lots 13 through 15 abut Devonshire Townhomes, the proposed lots are wider than those within the existing community; the rears of the proposed units face the rear of the existing lots and there is a strip of wooded land within Devonshire Townhomes.

Environment (Appendix 6)

Residential Development Criterion 3 recommends that all rezoning applications for residential development respect the environment. The criterion enumerates several principals that should be addressed: a) natural environmental resources should be preserved, b) existing topographic conditions and soil characteristics should be considered, c) off-site impacts on water quality should be minimized by commitments to state of the art best managements practices and low impact site design techniques, d) the volume and velocity of stormwater runoff should be managed to avoid impacts on downstream properties, e) future and current residents should be protected from the adverse impacts of transportation generated noise, f) any exterior lighting fixtures should minimize neighborhood glare and impacts to the night sky, and g) use site design techniques to achieve energy savings and be designed to encourage and facilitate walking and bicycling.

Preservation of Natural Environmental Resources & Consideration of Existing Topographic Conditions

This site has been previously developed with single family detached dwelling units. The main natural environmental resource is the existing trees on the property which will be addressed below under that criterion.

Stormwater Management/Best Management Practice & Stormwater Outfalls

Environmental and Site Review Division comments related to this issue are in Appendix 7. The applicant is intending to reconstruct the existing dry pond that serves Devonshire Townhomes to accommodate the detention and water quality requirements for this development and the one proposed pursuant to RZ 2005-LE-010 as an alternative to an on-site facility. If this option can satisfy PFM requirements and can be approved by DPWES, the draft proffers state that the site plans for this dry pond will be approved and bonded prior to final site plan approval for the proposed development.

The application proposes that water quality control requirements will be achieved by upgrading the existing pond constructed for the Devonshire Townhomes located off the subject site.

The applicant has provided an alternative layout with an on-site pond to provide detention. The proposed proffer language states that the on-site pond option will only be constructed if the site plan for the off-site pond improvements is not approved. The language should be revised to preclude the possibility that the on-site pond can be chosen solely because DPWES disapproves the first submission of the site plan. DPWES recommends the option be determined by the County upon review of the specific reasons for the off-site pond option not being approved initially. This is to ensure that the applicant makes every effort to gain the required approvals to construct the off-site improvements to the Devonshire pond before optioning to provide the on-site pond shown on the alternative layout. The GDP shows an alternative layout on sheet 9, which shows 15 proposed dwelling units with an on-site stormwater management/BMP facility in the southwest portion of the site.

The application proposes that the water detention requirements will also be achieved through regrading and enlargement of the Devonshire Townhomes pond, within the existing easements. The proposed modification is intended to meet detention requirements for the Devonshire Townhomes, the application property and the property subject to RZ 2005-LE-010.

The proposed changes to the existing stormwater management pond must comply with PFM requirements for rehabilitation of existing dams as the dam was built prior to current design standards. The applicant is requiring numerous waivers of the current dam standards related to the proposed modification and retrofit of the existing off-site Devonshire pond. The waivers of the PFM requirements are subject to review and approval by the director of DPWES. Action on the waiver must be reviewed on a case by case basis after Board action on this application.

The applicant indicates that two runs of the existing storm sewer within the Devonshire Townhomes development are to be replaced with larger pipes within the 15' storm sewer easements. The proposed pipe size will require 20' wide storm drainage easements. Additional off-site easements will be required to construct the proposed pipes. The note on the CDP/FDP must be changed to reflect this requirement.

The applicant has indicated that the existing roadside ditch and driveway culverts along Judith Avenue are currently inadequate to convey the required discharge and they will be replaced with a continuous concrete storm sewer to increase capacity of the system. This work must be contained within the right-of-way or additional easements will be required. The applicant must notify the owners of the adjacent properties of the time and duration of the work and must coordinate the construction schedule with the owners. Waivers of PFM requirements will be required to install the storm sewer. The waivers of PFM requirements are subject to review and approval by the Director of DPWES. The draft proffers state that notice will be sent to the owners of land affected by existing stormwater easements where improvements will be made, including along Judith Lane where the pond currently outfalls.

In reference to stormwater management/best management practices, the proffer language has not been revised to preclude the possibility that the on-site pond can be chosen solely because DPWES disapproves the first submission of the site plan. Without the suggested revisions, this criterion has not been met.

Transportation Generated Noise

The applicant has submitted revised noise studies for review by staff on October 20, 2005. The revised studies indicate that, based on the assumptions included in the noise model, noise up to 74.5 to 75 dB may be present at the rear of the unit adjacent to the Franconia –Springfield Parkway. However, while one of the assumed parameters included “terrain lines,” final grading for the proposed development has not been completed. Therefore, neither the applicant nor staff can determine at this time whether all units will be outside the 75 dB contour once final grading has been completed. (At this time the site is located between 8 and 12 feet above the grade of the parkway.) This issue needs to be addressed at the time of final engineering when the final grading is determined to ensure that the proposed units will be not be located within the 75 dB noise contour. The adopted Comprehensive Plan recommends that dwelling units not be located where they would be subject to noise levels above 75 dB. The draft proffers adequately address this issue by requiring that a noise study using a methodology acceptable to DPZ be submitted prior to site plan approval for the approval of DPWES and by requiring that no portion of any dwelling units constructed on the site will be within the 75 dB contour and limit the size of the wall to eight feet. The draft proffers also state that the wall along the northern boundary of the property will be constructed to be architecturally solid from ground up, with no gaps or openings, and the materials used shall be compatible to the color, texture, and type of material used on the exterior façade of the approved units, which may include concrete, masonry products or cement based

products or combinations of the same. The height of the noise wall shall not exceed eight feet (8') from final grade.

Lighting

The lighting on this property will be required to meet the limitations of Part 9 of Article 14, which addresses outdoor lighting.

Energy Conservation

The draft proffers commit that the dwellings on the property will meet the requirements of the CABO Model Energy Program.

Tree Preservation

Residential Development Criterion 4 states that, regardless of the proposed density, all residential development should be designed to take advantage of existing quality tree cover.

The tree preservation efforts on this site are appropriately focused on saving off-site trees, a 30-inch white oak tree along the western border that is on county property and a 20-inch white oak near the southern property line on an adjacent lot. It should be noted that the canopy from off-site trees cannot be used to meet tree cover requirements pursuant to Article 13, Landscaping and Screening. The comments of Urban Forestry Management are contained in Appendix 8.

Transportation (Appendix 9)

Residential Development Criterion 5 states that, regardless of the proposed density, all residential development should implement measures to address planned transportation improvements and offset their impacts to the transportation network. The criterion contains principles that will be used in the evaluation of rezoning applications for residential development, while noting that not all principles will be applicable in all instances. The following is an evaluation of those principles that staff has concluded are applicable in this instance.

Transportation Improvements

As requested by the Department of Transportation, the draft proffers and the CDP/FDP include a commitment to dedicate 13 feet of additional right-of-way along the Franconia – Springfield Parkway, thereby setting the right-of-way at 93 feet from the centerline.

Interconnection of the Street Network

While Alforth Avenue currently provides access to this property, the CDP/FDP does not propose to use that street for access to the new development. Alforth Avenue is a private street within Devonshire Townhomes and connects to Beulah Street at an intersection that is constrained to right-in and right-out movements

only and is close to the intersection of Beulah Street and the Franconia – Springfield Parkway. Instead access from Beulah Street is to be at the existing signalized intersection at Windsor Estates Road and via the existing public street network within Windsor Estates through Barbara Lane. The draft proffers state that a public access easement shall be placed on the private streets within the development and the applicant will diligently pursue traffic calming measures along Barbara Road. Staff has concluded this access is appropriate in this instance.

A grass paver emergency access shown on the CDP/FDP, adjacent to the rear lot lines of lots 10-12, to be provided if required. The Fairfax County Fire Marshall's Office has reviewed the CDP/FDP and determined that the emergency access lane behind lots 10-12 does not appear to be necessary as emergency vehicles can exit this development the way they came in to it (Barbara Road). A copy of the Fire Marshall comments is on file in the Zoning Evaluation Division of the Department of Planning and Zoning.

Streets

The internal streets are to be private streets and maintained by the homeowner's association, which is typical in single family attached dwelling unit developments. The driveways for each of the units will connect directly to this private street network. The draft proffers include a commitment to escrow \$5,000 into a fund for future street maintenance.

Non-motorized Facilities

Public transit is not available adjacent to the site. There are bus routes that run along Beulah Street that are accessible via the sidewalks in Devonshire Townhomes. The Joe Alexander Transportation Center can be reached via a one-mile walk through Windsor Estates. The sidewalks of the new development will be connected to the existing sidewalks in Devonshire Townhomes; there are no sidewalks in Windsor Estates.

Issue: Reduced Width Cul-de-sac

The CDP/FDP includes a request for a reduced width cul-de-sac. The Fire Marshal has reviewed this request and notes that an appropriate turn-around is available within the proposed development.

Public Facilities

Residential Development Criterion 6 states that residential development is expected to offset its public facility impact. Two public facilities impacts have been identified, schools and parks.

Park Authority Analysis (Appendix 10)

Impacts on Park Authority Facilities

The residents of this development will use outdoor recreational facilities. Typical recreational needs include open play areas, tennis and volleyball courts and athletic fields. Based on the Zoning Ordinance Sections 6-110 and 16-404, the applicant must provide \$955 per non-ADU (affordable dwelling unit) residential unit for outdoor recreational facilities to serve the development population. With 18 units proposed, the Ordinance-required contribution is \$17,190, which is proffered to be contributed to the Park Authority for the provision of outdoor recreation facilities to serve the development's residents. The draft proffers also state that credit may be granted for the cost of any on-site recreation facilities required pursuant to Sect. 6-110 of the Zoning Ordinance, i. e. the gazebo and the play area, the balance will be provided to the Park Authority for the development of recreation facilities in the vicinity.

The \$955 per unit contribution required by Ordinance offsets only a portion of the impact to provide recreational facilities for the new residents generated by this development. In order to offset the additional impact caused by the proposed development, the Park Authority requested a contribution of \$12,720 to address these additional impacts. The draft proffers commit that an additional \$707.00 per dwelling unit (totaling \$12,726) will be contributed to the Park Authority for recreational facility development to offset the additional impacts.

A proffered contribution of \$725 per dwelling unit is also proposed to the Fairfax County Park Authority for park purposes and/or facilities in the area of the application property prior to issuance of the first RUP.

Schools Analysis (Appendix 11)

This development is anticipated to generate 4 elementary students who would attend Lane Elementary School which is projected to operate within its capacity of 831 students through the school year 09-10. One intermediate student would be generated, who would attend Twain Intermediate School which is projected to operate within its capacity of 1025 students by the school year 09-10. Two high school students who would attend Edison High School which is projected to exceed its capacity of 1675 students through the school year 09-10. It should be noted that the overcrowding at Twain Middle and Edison High Schools will be reduced by the opening of the South County High School in the 2005-2006 school year.

To offset the impact on schools (an additional 7 students more than would be generated by development at the existing zoning), the draft proffers commit to a contribution of \$52,506 (\$2,917 per unit) for the construction of capital improvements to schools in the vicinity of the application property.

Sanitary Sewer Analysis (Appendix 12)

The property is located in the Accotink Creek (M6) watershed and would be sewer into the Norman M. Cole, Jr. Plant. The existing 8-inch line located in an easement within the property is adequate for the proposed use at this time. There appears to be adequate capacity for the proposed development at this time when existing uses and proposed development recommended by the Comprehensive Plan are taken into account.

Fire and Rescue Department Analysis (Appendix 13)

This property is serviced by Station 05, Franconia. This service currently meets fire protection guidelines.

Water Service Analysis (Appendix 14)

The property is located in the service area of the Fairfax County Water Authority. Adequate domestic water service is available from the existing 3-inch and 6-inch mains located at the property. Depending on the configuration of the onsite water mains, additional water main extensions may be necessary. The comments provided by the Water Authority on the CDP/FDP indicate that the existing three-inch line within Devonshire Townhouse will be required to be upgraded to an 8-inch line.

Affordable Dwelling Units

Criterion 7 of the Residential Development Criteria 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 the County. The applicant can elect to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance. 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. 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.

Affordable Dwelling Units (Part 8 of Article 2)

Given that the proposed residential development does not exceed fifty (50) dwelling units, Part 8 of Article 2 of the Zoning Ordinance does not require that affordable dwelling units be provided. The draft proffers state that a contribution equal to 0.5 percent of the projected sales price for each new dwelling unit on the property will be made to the Housing Trust Fund.

Heritage Resources

Criterion 9 of the Residential Development Criteria states that 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. This site does not contain any identified historic resources.

ZONING ORDINANCE PROVISIONS (Appendix 15)

Bulk Standards (PDH-8)			
Standard	R-8	PDH-8	Provided
Min. Dist. Size	5 acres	2 acres	2.32 acres
Lot Width	Single-family attached - 18 ft.	n/a	22 feet (interior units) 29 feet (end units)
Building Height	35 feet	n/a	40 feet
Front Yard	5 feet	n/a	18 feet
Side Yard	10 feet	n/a	7 feet
Rear Yard	20 feet	n/a	15 feet
Density	8.0 du/ac	8.0 du/ac	7.7 du/ac
Open Space	0.46 acres (20%)	0.58 acres (25%)	0.81 acres (35%)
Parking Spaces	42 spaces (2.3/du)	37 spaces (2.3/du)	81 spaces (4.5/du)

Transitional Screening			
Direction	Use	Standard	Provided
North (R-1)	Single Family Detached	Yard 1 (25 feet deep)	25 feet (Planting Modification Requested)
South (R-1)	Single Family Detached	Yard 1 (25 feet deep)	Modification Requested
East (R-8)	Single Family Attached	n/a	None
West (PDC)	Park	n/a	None

1. The Franconia – Springfield Parkway, a six lane divided highway, is located between the application property and Lewin Park, the subdivision to the north.
2. The CDP/FDP notes that modifications are requested along the northern and southern boundaries.

Barrier			
Direction	Use	Standard	Provided
North (R-1)	Single Family Detached	Barrier B or A (Barrier A – 42” to 48” Block or Brick; Barrier B – 42” to 48” Wood Fence)	8 foot Sound Barrier
South (R-1)	Single Family Detached	Barrier B or A (Barrier A – 42” to 48” Block or Brick; Barrier B – 42” to 48” Wood Fence)	8 foot fence proposed
East (R-8)	Single Family Attached	n/a	None
West (PDC)	Park	n/a	None

Waivers/Modifications

Modification: Transitional Screening (North) **Basis:** Par. 5 of Sect. 13-304

Par. 5 provides that the transitional screening yard requirement may be waived or modified when the adjoining land is designated on the adopted Comprehensive Plan for a use that would not require screening. Along the northern boundary, Lewin Park, a single family detached subdivision is located across the Franconia – Springfield Parkway from the application property, has an option for mixed use development. The requested modification is to allow the plantings shown on the CDP/FDP to meet the screening requirement. The plantings shown consist of a double row of evergreen trees located with large deciduous trees interspersed located behind an eight foot tall sound barrier. Given these circumstances, staff recommends that the requested modification be approved.

Modification: Transitional Screening (South) **Basis:** Par. 3 of Sect. 13-304

Par. 3 allows a modification of transitional screening where the landscaping has been designed to minimize adverse impacts on the adjacent property. As noted above, the transitional screening along the southern boundary has been modified to allow the retention of existing vegetation, including the 20 inch white oak located offsite with a canopy that extends onto the application property. The CDP/FDP includes supplemental plantings along this boundary consisting of evergreens that should provide appropriate screening between the existing neighborhood and the new development. Staff recommends that this modification be granted.

Variance: Fence**Basis:**Par. 8 of Sect. 16-401

Par. 8 permits the Board to, in conjunction with the approval of a Conceptual Development Plan to approve a variance to the requirements of the Zoning Ordinance when the strict application of the requirement would inhibit or frustrate the purpose and intent of the proposed P-District and when the proposed variance would promote and comply with the purpose and intent of the standards outlined in Part 1 of Article 16, Development Plans. The CDP/FDP includes a proposed eight foot tall fence along the full length of the southern boundary with Parcel 36 in Windsor Estates. As noted above, staff has concluded that the proposed eight foot tall fence is not appropriate in a neighborhood of single family homes, even at the boundary between new developments of attached dwelling units within an existing neighborhood of detached dwellings. Staff recommends that the requested variance be denied.

Variance: Fence**Basis:**Par. 8 of Sect. 16-401

Par. 8 permits the Board, in conjunction with the approval of a Conceptual Development Plan, to approve a variance to the requirements of the Zoning Ordinance when the strict application of the requirement would inhibit or frustrate the purpose and intent of the proposed P-District and when the proposed variance would promote and comply with the purpose and intent of the standards outlined in Part 1 of Article 16, Development Plans. The CDP/FDP includes a proposed eight foot tall fence as a noise barrier along the Franconia – Springfield Parkway. As noted above this will provide noise attenuation and be an integral part of the full length of the southern boundary with Parcel 36 in Windsor Estates and will help to buffer the future residents from the traffic on this segment of the Parkway. Staff recommends that this variance be granted.

Waiver: Trail

A major trail is shown on the Countywide Trails Plan along both sides of the Franconia – Springfield Parkway. The trail has been constructed on the northern portion of the parkway; however, a trail has not been constructed on the south side of the on either of the adjacent properties. Staff recommends that the trail be waived in this instance, subject to the applicant providing an escrow for the future installation of the trail.

Standards for all Planned Developments (Sect. 16-100)

Sect. 16-101 contains six general standards that must be met by a planned development. Sect. 16-102 contains three design standards to which all Conceptual and Final Development Plans are subject.

Sect. 16-101, General Standards

The first general standard requires that the planned development conform with the Comprehensive Plan (Par. 1). As discussed in the Land Use Analysis and the Development Criteria, the application proposes to develop this property at 7.8 dwelling units per acre, which is within the recommended density range of 5-8 dwelling units per acre. As an option if the site plan for off-site pond improvements proposed with this application is not approved, the applicant has provided an alternative layout with an on-site pond to provide detention. The alternative plan proposes development of a maximum of 15 single-family attached dwellings at a density of 6.5 dwelling units per acre with 45% open space. Staff has concluded that this standard has been satisfied.

The second General Standard addresses whether or not the planned development is of such a design that it achieves the purpose and intent of a planned development more than would be development under a conventional district (Par. 2). The purpose and intent of the Planned Development Housing District is contained in Sect. 16-101. The purpose and intent of the PDH District is to encourage innovative and creative design and facilitate the most advantageous construction techniques in the development of land for residential uses; to insure ample provision and efficient use of open space; to promote high standards in the layout, design and construction of residential development. As detailed in the discussion regarding the Site Layout Criterion, Staff has determined that this standard has been satisfied by the layout of the proposed development, the distribution of the open space throughout the project, the adequate parking and is integrated appropriately into the neighborhood provided that the proposed eight foot tall fence is reduced to six feet in height.

The third general standard addresses the efficient use of the available land and protection of scenic assets and natural features such as trees, streams and topographic features (Par. 3). As outlined in the tree preservation analysis under that Residential Development Criterion, the tree preservation efforts on this site are appropriately focused on saving off-site trees, a 30-inch white oak tree along the western border that is on county property and a 20-inch white oak near the southern property line on an adjacent lot. Staff has determined that this standard has been satisfied.

The fourth general standard 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 (Par. 4). This property is planned at 5-8 dwelling units and is adjacent to Windsor Estates on the south, County Parkland to the west, the Franconia – Springfield Parkway to the north and Devonshire Townhomes to the east. The fifteen foot separation between lots 1-9 and the undeveloped parkland is appropriate.

With regard to the parcel east of Barbara Road in Windsor Estates, the CDP/FDP includes a transitional screen yard of varying width located on either side of a large white oak located near the property line, but off-site. However, staff believes that the eight foot fence shown on the CDP/FDP along the southern boundary of the property will serve to isolate the two abutting developments and should be deleted from the plan; a more typical six foot tall barrier that tapers to four foot tall in the front yard would be sufficient to provide a transition between the two differing types of single family dwellings. An eight foot tall wall is typically inappropriate in an area of single family dwelling units. The parcel on the western side of Barbara Lane has a narrow strip of the County Parkland that intervenes between it and the application property; in addition, the nearest unit is approximately 100 feet from the property line of the parcel in Windsor Estates. This treatment provides an appropriate transition to the existing dwellings within Windsor Estates that are adjacent to the property.

In order to buffer the new development from the Franconia – Springfield Parkway, an eight foot tall noise wall is proposed along the edge of the right-of-way with a twenty-five foot deep screening yard planted with a double row of evergreens with large deciduous trees interspersed among the evergreen trees. Staff is satisfied with this treatment with regard to screening the property; see the additional comments below regarding highway noise.

The relationship with Devonshire Townhomes to the east is also appropriate in that a thirty-five foot separation between Lot 12 and the application property boundary is proposed.

Staff has determined that this standard would be satisfied as described in the discussion of the Neighborhood Context criterion provided that the requested variance for the eight foot tall fence along the southern boundary is denied.

The fifth general standard addresses the adequacy of public facilities in the vicinity (Par. 5). As noted in the Public Facilities Analysis, the site is located in an area where public facilities and public utilities are, or will be, adequate for the proposed development.

The sixth general standard addresses internal linkages between internal facilities and to external facilities at a scale appropriate to the development (Par. 6). As outlined in detail under the Transportation Criterion, the roadway and pedestrian network adequately provides for these linkages. Therefore, staff has concluded that this standard has been met.

Sect. 16-102, Design Standards

The first design standard specifies that, regarding compatibility with adjacent development, the peripheral yards of CDP/FDP should generally conform with the setbacks for the most similar conventional district. As noted in the discussion regarding the Neighborhood Context Criterion, only side and rear yards are

located along the periphery of the site. The R-8 District requires a side yard that is a minimum of eleven (11) feet deep for a forty (40) foot tall building and a thirty-three (33) foot deep rear yard. The proposed yards meet the requirements of the R-8 District with regard to the setback from the boundaries of the application property. It should be noted that the rear yard on each lot will be 15 feet; however, there is a twenty-five foot deep common open space area between the lots and the property boundary on the western boundary and most of the eastern boundary. As noted above the adjacent development to the north is located across the Franconia – Springfield Parkway and to the west is located a park. Staff has determined that this standard has been satisfied.

The second design standard states that other applicable provisions of the Ordinance such as off-street parking, landscaping, signs, etc. are applicable to planned developments (Par. 2). As noted in the chart above, parking exceeds the 2.3 spaces per unit required by the Zoning Ordinance. The proposed landscaping meets the requirements, as discussed under transitional screening above. Signage is not addressed by the CDP/FDP; however, all signage shall be required to conform with the provisions of Article 12, Signs.

Design Standard Number 3 specifies that the street systems conform with the applicable requirements and that a network of trails be provided to provide access to recreational amenities open space, public amenities, vehicular access routes and mass transit facilities (Par. 3). As discussed under the transportation criterion above, staff has concluded that this standard has been satisfied.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The application proposes to development single family attached dwelling units at a density of 7.7 du/ac within an area that is planned at 5-8 du/ac. The odd shape of the property has constrained the layout which includes 15 foot deep rear yards for the units. The proposal generally meets the applicable residential development criteria.

However, staff does not recommend that the Board of Supervisors approve the requested variance to allow an eight foot tall fence along the southern property line between the proposed single-family attached development and the adjacent single family detached dwelling unit. A more typical six foot tall barrier that tapers to four foot tall in the front yard would be sufficient to provide a transition between the two differing types of single family dwellings.

Recommendations

Staff recommends approval of RZ 2004-LE-043 subject to the execution of the draft proffers contained in Appendix 1 and approval of the Conceptual Development Plan.

Staff further recommends that the Final Development Plan be approved by the Planning Commission subject to the development conditions contained in Appendix 2 and the Board of Supervisors approval of RZ 2004-LE-043.

Staff further recommends that the transitional screening yard requirement be modified along the northern and southern boundaries and that the barrier requirement be waived along the northern and southern boundaries in favor of that shown on the Conceptual/Final Development Plan and referenced in the proffers.

Staff recommends that the trail requirement along the northern boundary of the property be waived subject to the provision of funding to construct an eight foot wide asphalt trail along the site's frontage on the Franconia – Springfield Parkway.

Staff recommends that the Board of Supervisors approve the requested variance to allow an eight foot tall fence along the northern property line.

Staff further recommends that the Board of Supervisors deny the requested variance to allow an eight foot tall fence along the southern property line.

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.

APPENDICES

1. Draft Proffer Statement
2. Draft Development Conditions
3. Affidavit
4. Applicant's Statement of Justification
5. Devonshire Townhomes – Proffers, Proffered GDP, Proffer Interpretation
6. Environmental Analysis

APPENDICES (Continued)

7. Stormwater Management/Best Management Practices Analysis
8. Urban Forest Management Memo
9. Transportation Analysis
10. Park Authority Comments
11. Schools Analysis
12. Sanitary Sewer Analysis
13. Fire and Rescue Analysis
14. Water Service Analysis
15. Fairfax County Locator Map & Reduction of CDP/FDP – RZ 2005-LE-010
16. Applicable Zoning Ordinance Provisions
17. Residential Development Criteria
18. Glossary of Terms