



**APPLICATION FILED:** March 14, 2006  
**PLANNING COMMISSION:** February 15, 2007  
**BOARD OF SUPERVISORS:** To Be Scheduled

# County of Fairfax, Virginia

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**January 31, 2007**

## **STAFF REPORT**

**APPLICATION RZ 2006-PR-012**

**PROVIDENCE DISTRICT**

<b>APPLICANT:</b>	CB Companies, LLC
<b>PRESENT ZONING:</b>	R-1
<b>REQUESTED ZONING:</b>	R-2; originally filed as R-3
<b>PARCEL(S):</b>	39-4 ((1)) 219
<b>ACREAGE:</b>	1.0 acre
<b>FAR/DENSITY:</b>	2.0 du/acre
<b>PLAN MAP:</b>	Residential; 2-3 du/acre
<b>PROPOSAL:</b>	To rezone from the R-1 District to the R-2 District to permit residential development of two single-family detached lots at a density of 2.0 du/ac.

### **STAFF RECOMMENDATIONS:**

Staff recommends denial of the request for rezoning to the R-3 District.

Staff recommends approval of RZ 2006-PR-012 as a rezoning to the R-2 District, subject to the execution of proffers consistent with those contained in Appendix 1.

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**Department of Planning and Zoning**

Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
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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**

<b>Proposal:</b>	The application request was filed to rezone the property from the R-1 District to the R-3 District for the development of two single family detached dwellings. As the application otherwise meets the R-2 District requirements, the applicant has modified the Generalized Development Plan and proffers to request the R-2 District.
<b>Location:</b>	Southeast quadrant of the intersection of Providence Street and Helena Drive.
<b>Acreage:</b>	1.0
<b>Proposed Density:</b>	2.0 du/ac
<b>Waivers Requested:</b>	Waiver of the on-site stormwater management requirements.

The applicant's draft proffers, affidavit and statement of justification are included in Appendices 1, 2 and 3, respectively.

**LOCATION AND CHARACTER**

**Site Description:**

The subject site is a 1.0 acre parcel consisting of one single family dwelling and a detached garage structure. The property is located in an existing single family residential subdivision, at the southeast quadrant of the intersection of Providence St. and Helena Dr. The site is generally flat, with mature trees and vegetation. An existing circular gravel drive currently provides access to the site from the south, off Idylwood Road. The site is situated within an established single family residential neighborhood, Idylwood North, consisting of single family detached dwellings on lots ranging from a half acre to 1 acre.

**Surrounding Area Description:**

<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Single Family Detached Dwelling	R-1	Residential; 2-3 du/ac
<b>South</b>	Single Family Detached Dwelling	R-3	Residential; 2-3 du/ac
<b>East</b>	Single Family Detached Dwelling	R-1	Residential; 2-3 du/ac
<b>West</b>	Single Family Detached Dwelling	R-1	Residential; 2-3 du/ac

**COMPREHENSIVE PLAN PROVISIONS** (See Appendix 4)

<b>Plan Area:</b>	Area I
<b>Planning District:</b>	Jefferson
<b>Planning Sector:</b>	Jefferson North, Land Unit J10
<b>Plan Map:</b>	Residential; 2-3 du/acre

In the *Fairfax County Comprehensive Plan, 2003 Edition, Area I, Jefferson Planning District, as amended through January 27, 2003, J10-Jefferson North Planning Community Sector*, pages 66-73, under Recommendations, Land Use, states (selected text):

“The Jefferson North sector is largely developed as stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity in accordance with guidance provided by the Policy Plan under Land Use Policy Objectives 8 and 14.” (See complete text Appendix 5.)

There is no site specific text for this parcel.

## ANALYSIS

### **Generalized Development Plan** (Copy at front of staff report)

Title of GDP: Generalized Development Plan, Helena Drive  
Prepared By: Charles P. Johnson & Associates, Inc.  
Original and Revision Dates: February 22, 2006, as revised January 29, 2007

The GDP consists of five sheets. **Sheet 1**, Cover Sheet, dated February 22, 2006, and revised through January 29, 2007, contains the project title, developer information, locator maps, and notes. **Sheet 2**, Generalized Development Plan, dated February 2006, and revised through January 29, 2007, depicts the site's proposed layout, site tabulations, adjacent properties, streets and stormwater information; see detailed discussion below. **Sheet 3**, Conceptual Landscape Plan, dated June, 2006, and revised through January 25, 2007, shows the location of the proposed tree and vegetation plantings. **Sheet 4**, Existing Vegetation Map, dated February 2006, depicts the location, type and size of the trees and shrubs on the site. **Sheet 5**, Storm Outfall Analysis, dated February 2006, includes narrative and notes on the stormwater management and BMPs for the site with depictions of the drainage area outfall map and the proposed rain gardens on the subject site.

The following features are shown on **Sheet 2**, GDP:

*Lot Subdivision:* The existing 1.0 acre lot is proposed to be subdivided into two lots. Lot 1 is 19,868 sq. ft. and Lot 2 is 16,303 sq. ft. A rain garden is depicted in the rear yard on each lot to address water quality management requirements for the residential developments.

*Residential Dwellings:* An existing dwelling and detached garage are shown to be removed. Two two-story residential dwellings are proposed.

*Vehicle Access:* An existing gravel driveway provided access to the site from the south off Idylwood Road. The applicant is proposing to provide access for the lots from Helena Drive to the north, utilizing one driveway for each lot.

*Right-of-Way and Sidewalks:* The GDP depicts a 5 foot right-of-way dedication on Helena Drive and frontage improvements, including a sidewalk. On Idylwood Road, thirty (30) feet of right-of-way dedication is proposed, which includes a required 10-foot wide county trail, with the location of the trail to be field located at the time of construction.

*Additional Landscaping:* Additional plantings, as shown on Sheet 3, are shown adjacent to Helena Drive, along the east boundary line of Lot 2 and within the rain garden areas adjacent to Idylwood Road. The tree save areas are depicted along the west boundary and rear yard of Lot 1, and generally around the perimeter of Lot 2. Each lot maintains some existing vegetation in the area of the proposed rain gardens in the rear yard.

*Stormwater Management:* Each lot will utilize a rain garden area to address the required water quality management for this site.

## **RESIDENTIAL DEVELOPMENT CRITERIA** (Appendix 6)

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. The criteria are discussed below:

### **Site Design** (Development Criterion #1)

*This criterion requires that the development proposal address consolidation goals in the plan, further the integration of adjacent parcels, and not preclude adjacent parcels from developing in accordance with the Plan. The development should provide for a logical design with appropriate relationships within the development.*

The application includes one large 1.0 acre residential lot. The front of the two dwellings will face north toward Helena Drive, where they will also have access, and the rear will front Idylwood Rd. to the south. The lot sizes and development density are compatible with the adjacent existing residential subdivisions.

The Plan Map recommends the subject property for residential development at 2-3 dwelling units per acre (du/ac). The applicant's proposal for two du/ac would be in conformance with this recommendation. The proposal would not adversely impact any adjacent parcels from developing according to the recommendations of the Plan. (The applicant pursued consolidation of the adjacent properties for inclusion in the rezoning; however, due to the proximity of the western properties to I-495 for noise impacts, the proposal was not feasible.)

*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.*

There are no open space requirements for this development. However, the applicant is proposing additional landscaping along the east property line of Lot 2 and within the proposed raingardens adjacent to Idylwood Road.

### **Neighborhood Context (Development Criterion #2)**

*This criterion states that all rezoning applications for residential development, regardless of the proposed density, should be designed to fit into the community, as evidenced by an evaluation of: transitions to abutting and adjacent uses; lot sizes; 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.*

This application is adjacent to existing single-family detached residential development zoned R-1. As the application property is one of the larger lots in the subdivision, the proposed subdivision into two lots will maintain the similar size of existing residential lots in the subdivision.

### **Environment (Development Criterion #3; see Appendix 7)**

*This criterion states that all rezoning applications should conserve natural environmental features to the extent possible, account for soil conditions, and protect current and future residents from noise and lighting impacts. Development should minimize off-site impacts from stormwater runoff and adverse water quality impacts.*

### **Water Quality Management (Appendix 8)**

Water quality control measures are provided to offset the added impervious surface areas. Since there is a minor increase in site runoff, on-site Low Impact Development (LID) techniques are proposed to be used on each lot in lieu of onsite stormwater management as determined by DPWES at the time of subdivision plan review. Staff's memo supports the provision of BMPs by supplementing with vegetation consistent with the Chesapeake Bay Preservation Ordinance. The applicant has proffered to place raingardens within a portion of both parcels for water quality management as shown on the GDP and subject to DPWES approval.

### **Noise Impacts**

Due to the adjacency to Idylwood Road and vicinity of I-495 and its impacts for highway noise, the applicant has provided a noise study and has proffered to interior and exterior noise mitigation materials. The residential units on the site are impacted by highway noise having levels of approximately 65 dBA Ldn. Materials and construction for the exterior walls, doors and glazing are proffered to achieve a maximum interior noise level of 45 dBA Ldn. For exterior attenuation the applicant has also proffered to achieve a maximum exterior noise level of 65 dBA Ldn; an architecturally solid fence, wall, berm or combination is proffered for the rear yards, with the specifications and determinations per the noise impact analysis and subject to approval by DPWES (see Noise Study included as Appendix 9).

**Tree Preservation and Tree Cover Requirements** (Development Criterion #4; Appendix 10)

*This criterion states that all rezoning applications for residential development, regardless of the proposed density, should take advantage of the existing quality tree cover and should preserve existing trees. Proposed utilities, including stormwater management and outfall facilities and sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas.*

Staff analysis recommends preliminary tree cover calculations, tree survey, and tree preservation measures. The applicant has proffered to provide tree preservation and protection plans and conform to the limits of clearing and grading as shown on the GDP and subject to approval by Urban Forest Management.

**Transportation** (Development Criterion #5; See Appendix 11)

*Criterion 5 states that all rezoning applications for residential development should provide safe and adequate access to the surrounding road network and that pedestrian travel should be encouraged. (applicable criteria are discussed below):*

*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 by utilizing appropriate transportation measures (street capacity enhancement, design features, right-of-way dedication, other improvements, etc.) Non-motorized facilities, such as connections to existing sidewalks and provision for connections to future sidewalks and non-motorized facilities, and adequate driveway lengths, should be provided.*

Redevelopment of the site will include additional dedication of right-of-way and construction of sidewalks and street frontage, per the recommendations of the

Transportation staff memo. Helena Drive improvements and construction will require 5 feet of right-of-way, including curb and gutter and sidewalks, and will incorporate the driveway curb cuts for access to each lot. The applicant has proffered to construction of street improvements. The applicant is not proffering to construct frontage improvements on Idylwood Road. The Comprehensive Plan depicts a 10-foot wide county trail to be constructed along the frontage of Idylwood Road. Since no portion of the trail exists adjacent to the subject site, the proffer states the applicant may seek a waiver of the trail requirement. If the waiver is granted, the applicant shall contribute the cost of the trail to the Providence District Trail Fund for use in the vicinity of the subject site.

**Public Facilities** (Development Criterion #6)

*Criterion 6 states that a residential development impacts public facility systems (i.e. schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). All rezoning applications are expected to offset their public facility impact and to first address public facility needs near this development.*

*Fire and Rescue Department* (Appendix 12)

The subject property is serviced by the Fairfax County Fire and Rescue Department Station # 413 Dunn Loring. The requested rezoning currently meets fire protection guidelines, as determined by the Fire and Rescue Department.

*Sanitary Sewer* (Appendix 13)

The application property is located within the Cameron Run watershed and will be sewerred into the Alexandria Sanitation Authority Treatment Plant.

*Schools* (Appendix 14)

No new students are anticipated with this development of two single family residential lots. However, the applicant has proffered to contribute \$3,547.50 (.473 x \$7500) to the Board of Supervisors, at the time of issuance of the first building permit, for transfer to the Fairfax County School Board.

### **Affordable Housing (Development Criterion #7)**

*Criterion 7 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, land adequate and ready to be developed or by a contribution to the Housing Trust Fund.*

The application is not subject to the ADU Ordinance because fewer than fifty dwelling units are proposed. However, the draft proffers include a commitment to provide a contribution in accordance with the formula adopted by the BOS, which is a sum equal to one half of one percent (0.5%) of the projected sales price of the new homes to be built on-site.

### **ZONING ORDINANCE PROVISIONS**

<b>Bulk Standards (R-2; Residential 2-3 du/ac)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Minimum Lot Area	15,000 square feet	16,300 square feet
Minimum Lot Width	100 feet – interior lot	100 feet – each interior lot
Building Height	35 feet	35 feet
Front Yard	35 feet	35 feet
Side Yard	15 feet	15 feet
Rear Yard	25 feet	25 feet

### **Summary of Zoning Ordinance Provisions**

All applicable standards have been satisfied with the proposed proffers contained in Appendix 1.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

In staff's evaluation, the proposal is in harmony with the Comprehensive Plan and in conformance with all applicable Zoning Ordinance standards. The proposed development meets the Comprehensive Plan recommendation to maintain the pattern of development that exists within the area.

### **Staff Recommendations**

Staff recommends denial of the request for rezoning to the R-3 District.

Staff recommends approval of RZ 2005-SP-012 as a rezoning to the R-2 District, subject to the execution of proffers consistent with those contained in Appendix 1.

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 Proffers
2. Affidavit
3. Statement of Justification
4. Plan Citations and Land Use Analysis
5. Policy Plan-Land Use Objectives
6. Residential Development Criteria
7. Environmental Analysis
8. Stormwater Management (DPWES) Analysis
9. Noise study
10. Urban Forestry
11. Transportation Analysis
12. Fire and Rescue Analysis
13. Sanitary Sewer Analysis
14. Schools Analysis
15. Glossary of Terms

## PROFFERS

### RZ 2006 PR-012 CB Companies L.L.C.

January 29, 2007

Pursuant to Section 15-2.2303A of the 1950 Code of Virginia, as amended, the undersigned applicant and owners, for themselves and their successors or assigns (hereinafter referred to as "Applicant"), hereby proffer the following conditions provided the Subject Property is rezoned to the R-2 District as proffered herein.

1. **Generalized Development Plan.** Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance, development of the property shall be in substantial conformance with the plan entitled "Generalized Development Plan Helena Drive ("GDP")," consisting of five (5) sheets prepared by Charles P. Johnson and Associates, Inc., revised as of January 29, 2007.
2. **Minor Modifications.** Pursuant to Section 18-204 of the Zoning Ordinance, minor modifications to the GDP may be permitted where it is determined by the Zoning Administrator that such are in substantial conformance with the proffered GDP.
3. **Energy Efficiency.** All homes constructed on the property shall meet the thermal standards of the CABO Model Energy Program for energy efficient homes, or its equivalent, as determined by the Department of Public Works and Environmental Services ("DPWES") for either electric or gas energy homes, as applicable.
4. **Landscaping.** Landscaping for the site and landscaping for the individual units shall be in substantial conformance with the landscaping shown on Sheets 3 and 4 of the GDP, subject to minor adjustments approved by Urban Forest Management ("UFM").
5. **School Contribution.** Per the Residential Development Criteria Implementation Motion adopted by the Board of Supervisors on September 9, 2002, effective January 7, 2003, at the time of issuance of the first building permit, the Applicant shall contribute a sum of \$3,547.50 (.473 x \$7500) to the Board of Supervisors for transfer to the Fairfax County School Board. These funds shall be allocated by the Board of Supervisors for specific capital improvement(s) identified in the adopted Capital Improvement Program ("CIP") for the schools serving this development or for other capacity enhancement(s) for these schools, whether or not identified in the adopted CIP, such as the installation of modular classroom facilities.
6. **Density Credit.** All density and intensity of use attributable to land areas dedicated and conveyed to the Board pursuant to these proffers shall be subject to the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance and such density is hereby reserved to be applied to the residue of the Subject Property.

7. **Affordable Housing Contribution.** At the time of the first building permit approval, the Applicant shall contribute to the Fairfax County Housing Trust Fund a sum equal to one half of one percent (0.5%) of the projected sales price of the new homes to be built on-site, as determined by the Department of Housing and Community Development and DPWES in consultation with the Applicant to assist the County in its goal to provide affordable dwellings elsewhere in the County.
8. **Idylwood Road.** The applicant shall dedicate right of way along the frontage of Idylwood Road as shown on the GDP. Said dedication shall be made at the time of recordation of the subdivision plat or upon demand of the Board of Supervisors, whichever event first occurs. The applicant intends to seek a waiver of the trail requirement along Idylwood Road. If the waiver is granted, the applicant shall contribute the cost of constructing a 10-foot wide trail as shown on the GDP, in lieu of constructing said trail. The cost of said construction shall be determined by using standard DPWES bonding estimates. Said contribution shall be made to the Providence District Trail Fund for use in the vicinity of the subject property, as determined by DPWES. In the event that the waiver is denied, the applicant shall construct the 10-foot wide trail as shown on the GDP and provide an escrowed amount to complete the trails to the property line, when trails are constructed on the adjacent properties that are designed to connect to the trail on the subject property.
9. **Helena Drive.** The applicant shall dedicate right-of-way twenty-five feet (25') from centerline along the frontage of Helena Drive and construct road improvements with face of curb fifteen feet (15') from centerline along the road frontage as shown on the GDP. Said dedication shall be made at the time of recordation of the Subdivision plat, or upon demand of the Board of Supervisors, whichever event first occurs.
10. **Driveways.** All driveways shall be a minimum of eighteen (18) feet in length from the property line to the garage door.
11. **Tree Preservation.**
  - a. **Tree Preservation Plan.** The Applicant shall submit a tree preservation plan as part of the first and all subsequent subdivision plan submissions. The preservation plan shall be prepared by a professional experienced in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and the plan shall be reviewed and approved by UFM. The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees ten (10) inches in diameter and greater within twenty (20) feet to either side of the limits of clearing and grading shown on the GDP for the entire site. The tree survey shall also include areas of clearing and grading not shown on the GDP resulting from engineering requirements, such as off-site clearing and grading for utilities or stormwater outfall. The tree preservation 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 GDP 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.

- 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 determine 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 adjustments 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 the associated understory vegetation and soil conditions.
- c. **Tree Protection Fencing.** All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing consisting of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart, shall be erected at the limits of clearing and grading as shown on the demolition and Phase I and II erosion and sediment control sheets, as may be modified by Paragraph b of this proffer. All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing 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 (3) days prior to the commencement of any clearing, grading or demolition activities, and subsequent to the installation of the tree protection fencing, the UFM shall be notified and given the opportunity to inspect the site to assure 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. **Limits of Clearing and Grading.** The Applicant shall conform to the limits of clearing and grading as shown on the GDP, subject to the installation of utilities and/or trails as determined necessary by the Director of DPWES. All utility

crossings (including stormwater management outfall facilities and sanitary sewer lines) shall be located so as not to interfere with proposed tree save areas. If it is determined necessary to install utilities and/or trails outside of the limits of clearing and grading as shown on the GDP, they shall be located in the least disruptive manner necessary as determined by UFM. A replanting plan shall be developed and implemented, subject to approval by UFM, for any areas outside of the limits of clearing and grading that must be disturbed.

- e. **Root Pruning.** Prior to the commencement of any clearing, grading or other demolition activities, the limits of clearing and grading adjacent to all tree save areas depicted on the CDP/FDP shall be root-pruned to a depth of eighteen (18) inches with a trencher or vibratory plow. The Applicant's certified arborist shall verify in writing that the root pruning has taken place.
  
- f. **Replacement Value.** The Applicant shall retain a professional with experience in plant appraisal, such as a certified arborist or landscape architect, to determine the replacement value of trees designated to be preserved as shown on the CDP/FDP ("designated trees"). 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 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 the Urban Forestry Division.

At the time of subdivision plan approval, the Applicant will post a cash bond or letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the designated trees that die or are dying due to construction activities. 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.

At the time of bond release, if any designated trees are determined to be dead or dying due to construction activities, funds from the cash bond, or letter of credit, shall be used to plant similar species, or species appropriate to the site, in consultation with the Urban Forestry Division and the Applicant'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. If the Applicant's certified arborist or landscape architect, in consultation with the Urban Forestry Division representative, determines that only a certain number of trees can be planted due to space constraints, which amounts to less than the full extent of the security, the remainder of the moneys shall be returned to the Applicant.

The letter of credit or cash bond will be released two (2) years from the date of release of the project's conservation escrow, or sooner, if approved by UFM.

12. **Stormwater Management.** A waiver of the stormwater detention/stormwater management (“SWM”) and a partial waiver of the BMP requirement will be requested from DPWES. Subject to the approval of the SWM and BMP waivers, rain gardens will be provided as shown on the GDP or other alternative BMP measures may be provided, subject to DPWES approval. In the event that rain gardens are utilized, they shall be maintained in accordance with the Specifications For Maintenance of Rain Gardens set forth in Attachment A, which is incorporated herein by reference. Replanting shall be implemented in accordance with Sheet 3 of 5 of the GDP, subject to approval of UFM. At the time of recordation of the record plat for the subdivision, a covenant shall be recorded among the land records requiring the owner of each lot to maintain the BMP facilities on their lot in accordance with the requirements of DPWES. The covenant shall stipulate that it runs with the land of each lot.
13. **Noise Attenuation.** The Applicant obtained a noise impact analysis that was prepared by Hush Associates LLC, a noise consultant approved by the Department of Planning and Zoning (“DPZ”). The noise impact analysis, dated October 10, 2006, was prepared in accordance with DPZ requirements to determine the noise impact levels on the site as a result of traffic on Idylwood Road and I-495.

In accordance with the findings of said noise impact analysis, the Applicant shall provide the following noise attenuation measures:

- a. The residential units on the site are impacted by highway noise having levels between 65 and 70 dBA Ldn. These units shall be constructed so as to have the following acoustical attributes in order to achieve a maximum interior noise level of approximately 45 dBA Ldn:
- (1) Exterior walls shall have a laboratory sound transmission class (“STC”) of at least 39.
  - (2) Doors and glazing shall have a laboratory STC of at least 28. If glazing constitutes more than twenty percent (20%) of any facade, they shall have the same laboratory STC rating as walls.
  - (3) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
- b. Prior to issuance of building permits, alternative interior noise attenuation measures may be provided subject to the implementation of a refined noise study as reviewed and approved by DPWES after consultation with DPZ.
- c. In order to achieve a maximum exterior noise level of 65 dBA Ldn, noise attenuation measures such as acoustical (architecturally solid, no gaps) fencing, walls, earthen berms, or combinations thereof, shall be provided for rear yard, ground level areas, unshielded by topography or built structures, in accordance

with noise wall specifications dictated by the noise impact analysis, as determined by DPWES and DPZ. Where necessary, utilities or drainage lines may cross under the noise fence or wall

*[SIGNATURES ON THE FOLLOWING PAGE]*

**OWNERS OF TAX MAP 39-4 ((1)) PARCEL 219:**

\_\_\_\_\_  
Paul Wheeler

\_\_\_\_\_  
Carter Boehm

**APPLICANT:**

CB COMPANIES L.L.C.

By: \_\_\_\_\_  
Carter Boehm  
Sole Manager and Member

**ATTACHMENT A  
SPECIFICATIONS FOR MAINTENANCE OF RAIN GARDENS**

<b>DESCRIPTION</b>	<b>METHOD</b>	<b>FREQUENCY</b>	<b>TIME OF THE YEAR</b>
<b>Soil</b>			
Inspect and Repair Erosion	Visual	Monthly	Monthly
<b>Organic Layer</b>			
Remulch any void areas	By hand	Whenever needed	Whenever needed
Remove previous mulch layer before applying new layer (optional)	By hand	Once every two to three years	Spring
Any additional mulch added (optional)	By hand	Once a year	Spring
<b>Plants</b>			
Removal and replacement of all dead and diseased vegetation considered beyond treatment	See planting specifications	Twice a year	3/15 to 4/30 and 10/1 to 11/30
Treat all diseased trees and shrubs	Mechanical or by hand	N/A	Varies, depends on insect or disease infestation
Watering of plant material shall take place at the end of each day for fourteen consecutive days after planting has been completed	By hand	Immediately after completion of project	N/A
Replace stakes after one year	By hand	Once a year	Only remove stakes in the Spring
Replace any deficient stakes or wires	By hand	N/A	Whenever needed
Check for accumulated sediments	Visual	Monthly	Monthly