



APPLICATION FILED: November 28, 2007
PLANNING COMMISSION: March 26, 2008
BOARD OF SUPERVISORS: March 31, 2008 @ 3:30 p. m.

County of Fairfax, Virginia

March 13, 2008

STAFF REPORT

APPLICATIONS PCA 91-W-023-03 & FDPA 91-W-023-02

COUNTYWIDE

APPLICANT: Fairfax County Board of Supervisors

PRESENT ZONING: PDC

PARCELS: 57-4 ((1)) 14, 14A; 57-3 ((1)) 17 – PCA
57-4 ((1)) 14 pt. - FDPA

ACREAGE: 47.30 acres – PCA
7.52 acres – FDPA

FLOOR AREA RATIO (FAR): 0.79 – Public Safety Center (47.30 acres, overall site)
0.28 – Juvenile Detention Center (7.52 acres)

OPEN SPACE: 312,332 sq. ft. (15 percent) – Public Safety Center
147,232 sq. ft. (45 percent) – Juvenile Detention Center

PLAN MAP: Public Facilities, Government and Institutional

PROPOSAL: To construct a 11,992 sq. ft. building (Less Secure Shelter) adjacent to the existing 77,000 sq. ft. Juvenile Detention Center within a 7.52 acre of the Public Safety Center and other related site modifications

STAFF RECOMMENDATIONS:

Staff recommends that PCA 91-W-023-03 and FDPA 91-W-023 be approved by the Board of Supervisors subject to the execution of the draft proffers in Appendix 1.

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Department of Planning and Zoning

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/

Staff further recommends that the previously approved modifications of the transitional screening yard and barrier requirements in favor of the existing conditions along the western boundary of the Public Safety Center be reaffirmed.

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.

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

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice.
For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Proffered Condition Amendment

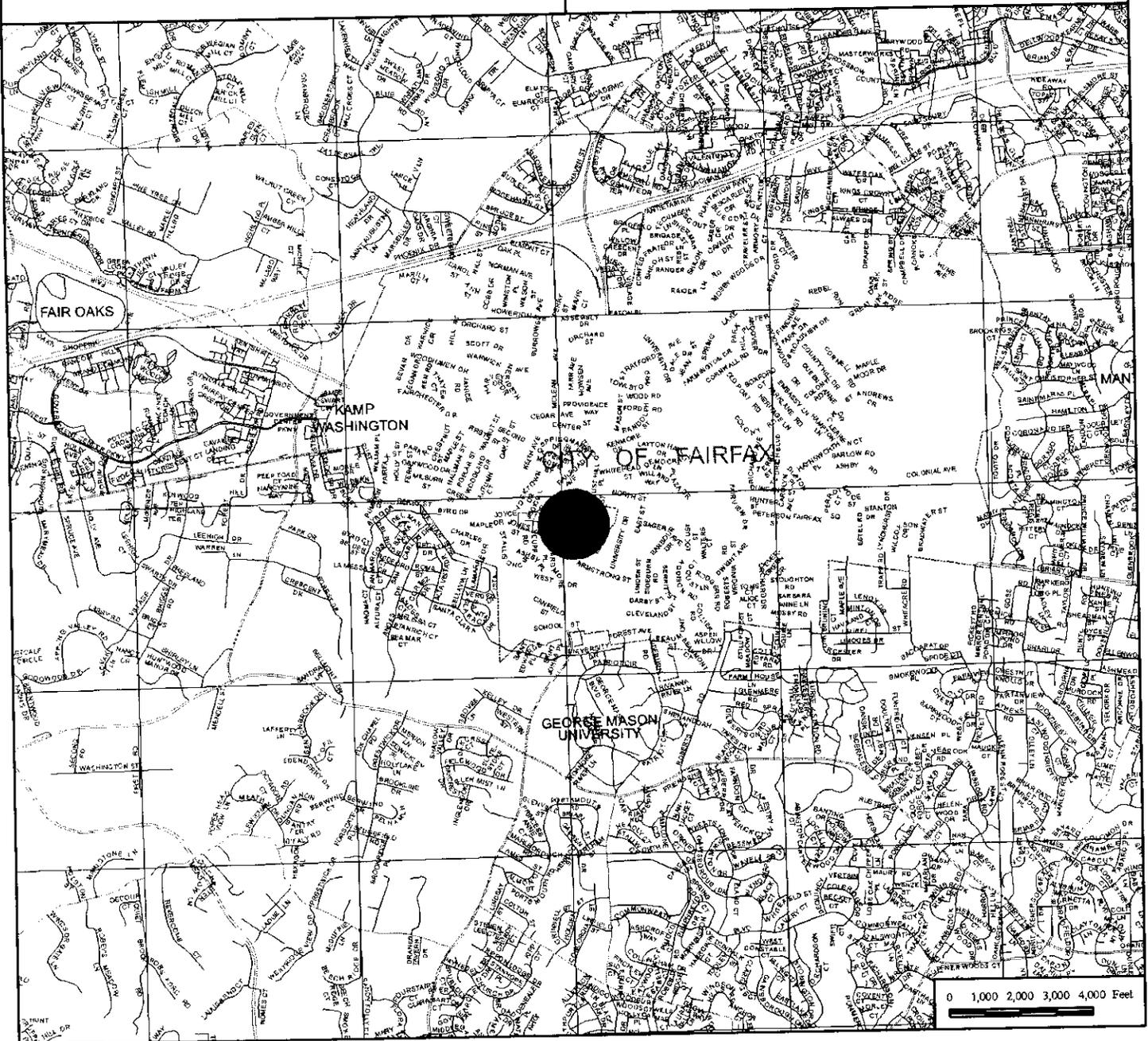
PCA 91-W -023-03

Applicant: FAIRFAX COUNTY BOARD OF SUPERVISORS
 Accepted: 11/28/2007
 Proposed: AMEND RZ 91-W-023 PREVIOUSLY APPROVED FOR PUBLIC SAFETY CENTER TO PERMIT SITE MODIFICATIONS
 Area: 47.8 AC OF LAND; DISTRICT - PROVIDENCE
 Zoning Dist Sect: SOUTH SIDE OF PAGE AVENUE NORTH OF JUDICIAL DRIVE AND WEST OF CHAIN BRIDGE ROAD
 Located: SOUTH SIDE OF PAGE AVENUE NORTH OF JUDICIAL DRIVE AND WEST OF CHAIN BRIDGE ROAD
 Zoning: PDC
 Overlay Dist:
 Map Ref Num: 57-3 ((1)) 17 and 57-4 ((1)) 14 and 14A

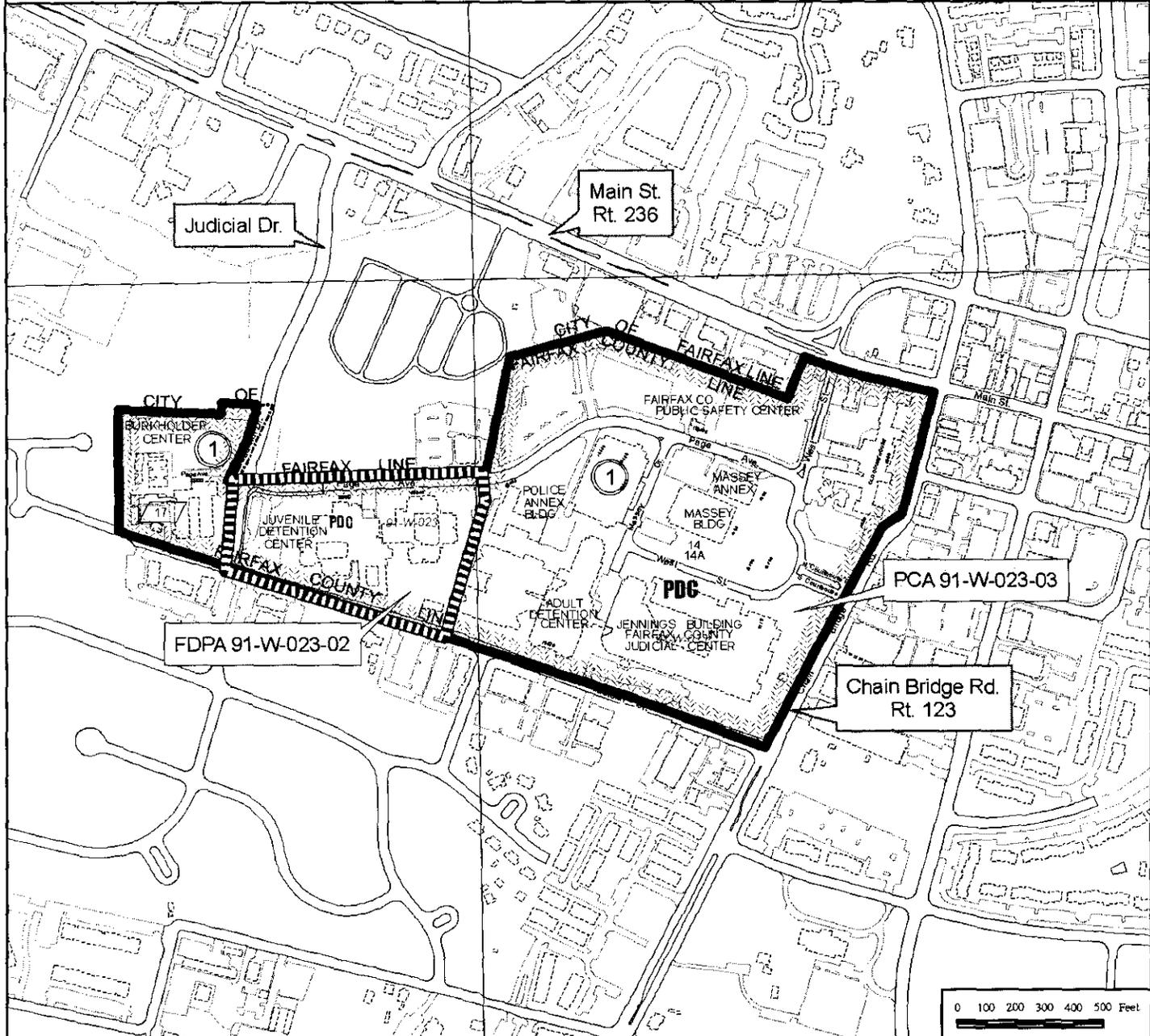
Final Development Plan Amendment

FDPA 91-W -023-02

Applicant: FAIRFAX COUNTY BOARD OF SUPERVISORS
 Accepted: 11/28/2007
 Proposed: AMEND FDP 91-W-023 PREVIOUSLY APPROVED FOR PUBLIC SAFETY CENTER TO PERMIT SITE MODIFICATIONS
 Area: 7.52 AC OF LAND; DISTRICT - PROVIDENCE
 Zoning Dist Sect: SOUTH SIDE OF PAGE AVENUE NORTH OF JUDICIAL DRIVE AND WEST OF CHAIN BRIDGE ROAD
 Located: SOUTH SIDE OF PAGE AVENUE NORTH OF JUDICIAL DRIVE AND WEST OF CHAIN BRIDGE ROAD
 Zoning: PDC
 Overlay Dist:
 Map Ref Num: 057-3- /01/ /0017 057-4- /01/ /0014 Pt.

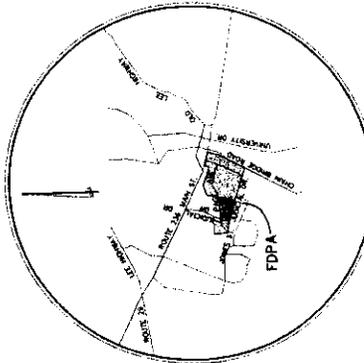


Proffered Condition Amendment		Final Development Plan Amendment	
PCA 91-W-023-03		FDPA 91-W-023-02	
Applicant:	FAIRFAX COUNTY BOARD OF SUPERVISORS	Applicant:	FAIRFAX COUNTY BOARD OF SUPERVISORS
Accepted:	11/28/2007	Accepted:	11/28/2007
Proposed:	AMEND RZ 91-W-023 PREVIOUSLY APPROVED FOR PUBLIC SAFETY CENTER TO PERMIT SITE MODIFICATIONS	Proposed:	AMEND FDP 91-W-023 PREVIOUSLY APPROVED FOR PUBLIC SAFETY CENTER TO PERMIT SITE MODIFICATIONS
Area:	47.8 AC OF LAND; DISTRICT - PROVIDENCE	Area:	7.52 AC OF LAND; DISTRICT - PROVIDENCE
Zoning Dist Sect:		Zoning Dist Sect:	
Located:	SOUTH SIDE OF PAGE AVENUE NORTH OF JUDICIAL DRIVE AND WEST OF CHAIN BRIDGE ROAD	Located:	SOUTH SIDE OF PAGE AVENUE NORTH OF JUDICIAL DRIVE AND WEST OF CHAIN BRIDGE ROAD
Zoning:	PDC	Zoning:	PDC
Overlay Dist:		Overlay Dist:	
Map Ref Num:	57-3 ((1)) 17 and 57-4 ((1)) 14 and 14A	Map Ref Num:	057-3- /01/ /0017 057-4- /01/ /0014 Pt.



PROFFERED CONDITION AMENDMENT FINAL DEVELOPMENT PLAN AMENDMENT PUBLIC SAFETY CENTER

FAIRFAX COUNTY, VIRGINIA



VICINITY MAP
SCALE: 1" = 200'

SHEET INDEX:

- COVER SHEET INCLUDING GENERAL NOTES, SITE AND EXISTING TABULATION
- OVERALL EXISTING CONDITIONS
- OVERALL SITE TABULATIONS (FOR INFO ONLY)
- SITE PLAN & EXISTING VEGETATION MAP
- BUILDING ELEVATIONS & ANGLE OF BULK PLANE
- STORM SEWER OUTFALL & MAP SHOWING CONTRIBUTING DRAINAGE
- AREA FOR ADEQUATE OUTFALL CALCULATIONS
- DRAINAGE MAP FOR ANALYSIS OF OUTFALL & STORMWATER MANAGEMENT NARRATIVE

FDPA #91-W-023-2 SITE TABULATION:

FDPA SITE AREA: 7,5207 AC. (327,600 SF)
 EX. JOG A, 650 EXPANSION: 77,000 SF
 EX. JOG B, 650 EXPANSION: 1,950 SF
 LESS EXISTING BUILDING: 11,992 SF
 LESS SECURE SHELTER: 90,942 SF
 TOTAL GROSS FLOOR AREA: 90,942 SF
 MAX. DENSITY ALLOWED: ONE (PER PROFFER FOR ENTIRE COUNTY COMPLEX)
 DENSITY PROVIDED: 90,942 SF ÷ 377,600 SF = 0.28 FAR
 OPEN SPACE REQUIRED: 15%
 OPEN SPACE PROVIDED: 3.38 AC. (435)

PARKING TABULATION:

PARKING REQUIRED	SQUARE FEET	SPACES REQUIRED
PUBLIC USES		
EX. MAXIMUM DETENTION CENTER & EXPANSION	77,000	73
EX. WOODHULL BUILDING	11,992	6
PROPOSED LESS SECURE SHELTER	90,942	90,942
TOTAL PUBLIC USES		90,942
TOTAL PARKING REQUIRED FOR PUBLIC USES		90,942
COUNTY VEHICLE POOL		1 SPACE
AVOIDABLE DETENTION CENTER (BUD)		60 SPACES
TOTAL PARKING REQUIRED		90,942
PARKING PROVIDED ON THIS TRIP PORTION OF SITE*		90,942 SF
PARKING PROVIDED ON THIS FDPA PORTION OF SITE		5 SPACES
LOADING (REQUIRED)		5 SPACES

*ADDITIONAL PARKING PROVIDED IN FDPA AREA ONLY. REQUIRED PARKING IS PROVIDED IN THE PUBLIC SAFETY CENTER AREA. SEE OTHER PARKING TABULATION ON SHEET 2 FOR PARKING PROVIDED FOR ENTIRE COMPLEX.

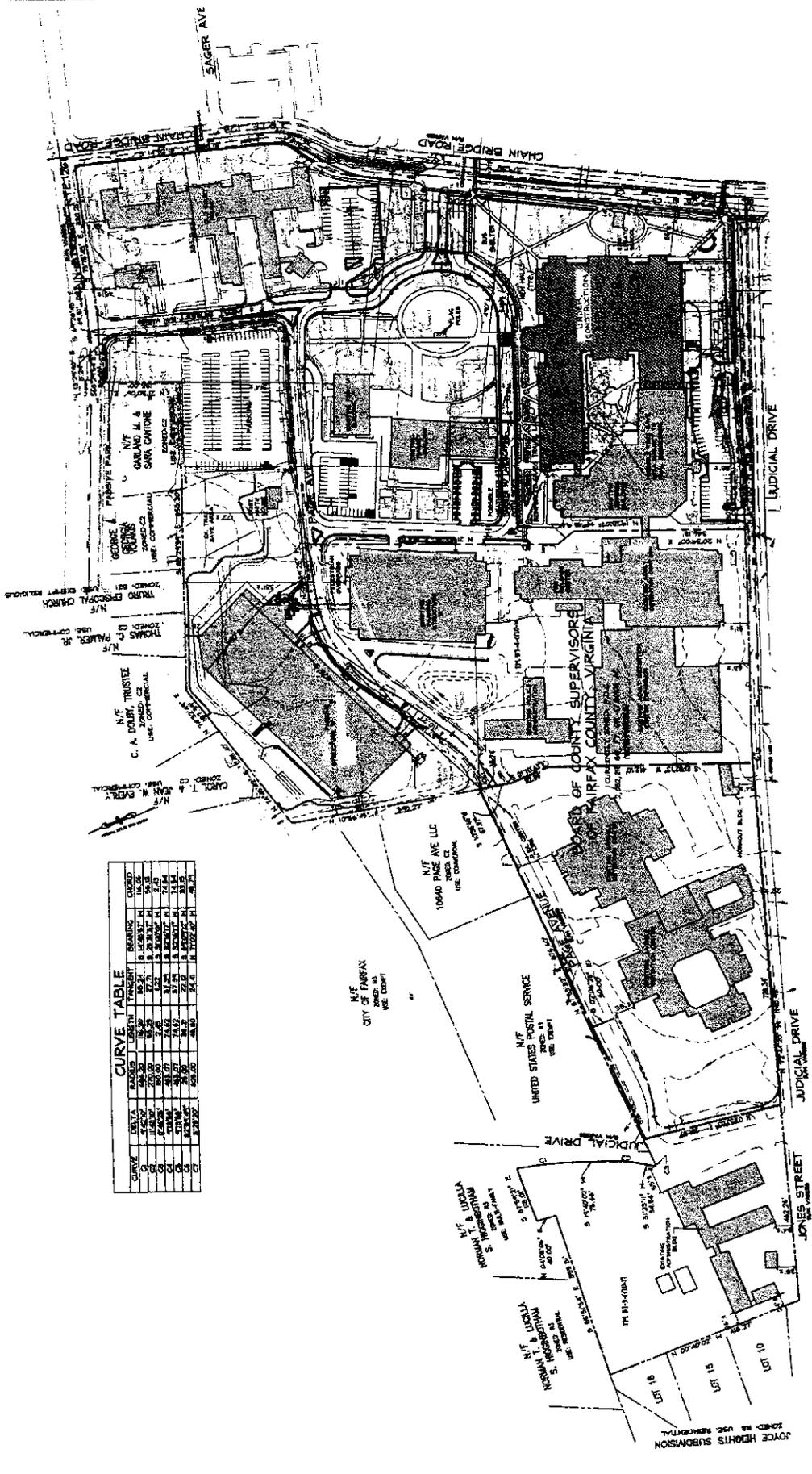
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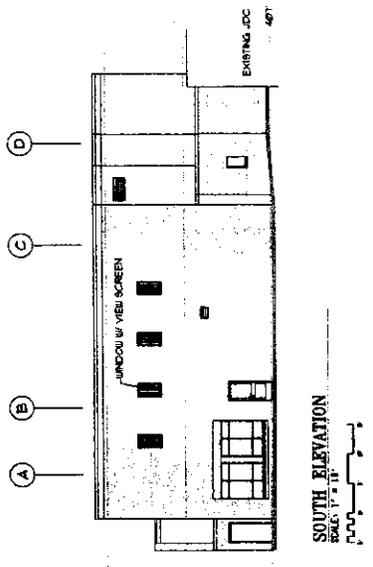
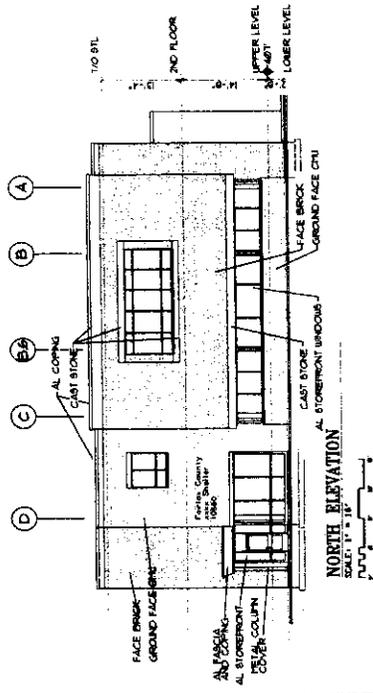
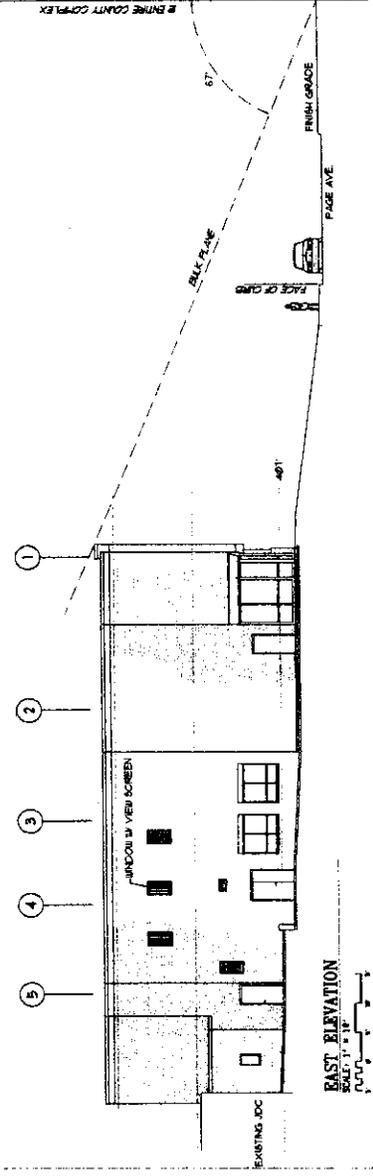
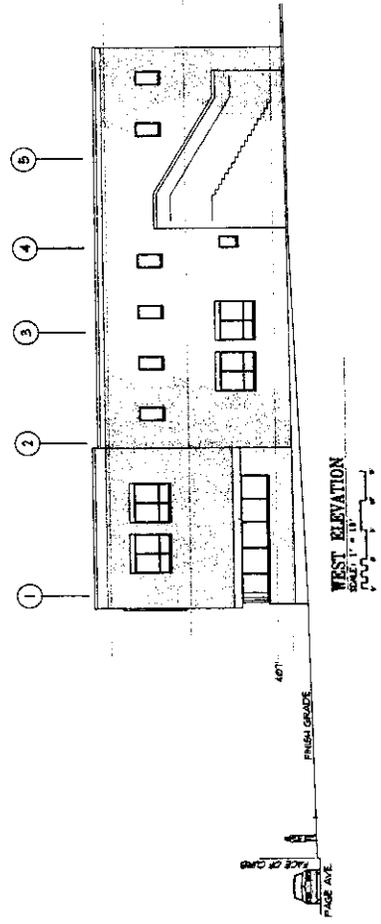
- THE PROPERTY DELINEATED ON THIS PLAN IS LOCATED ON THE MAP 91-4-(01)-14 & 15 AND 91-3-(01)-17 AND IS ZONED DC-1. THE SITE IS 31,720 SQUARE FEET.
- THE FDPA BOUNDARY IS DERIVED FROM A COUNTY-PROVIDED SURVEY OF THE PUBLIC SAFETY CENTER COMPLEX AND IS BOUND BY THE LINES OF THE 14.51-14.52-14.53-14.54-14.55-14.56-14.57-14.58-14.59-15.01-15.02-15.03-15.04-15.05-15.06-15.07-15.08-15.09-15.10-15.11-15.12-15.13-15.14-15.15-15.16-15.17-15.18-15.19-15.20-15.21-15.22-15.23-15.24-15.25-15.26-15.27-15.28-15.29-15.30-15.31-15.32-15.33-15.34-15.35-15.36-15.37-15.38-15.39-15.40-15.41-15.42-15.43-15.44-15.45-15.46-15.47-15.48-15.49-15.50-15.51-15.52-15.53-15.54-15.55-15.56-15.57-15.58-15.59-15.60-15.61-15.62-15.63-15.64-15.65-15.66-15.67-15.68-15.69-15.70-15.71-15.72-15.73-15.74-15.75-15.76-15.77-15.78-15.79-15.80-15.81-15.82-15.83-15.84-15.85-15.86-15.87-15.88-15.89-15.90-15.91-15.92-15.93-15.94-15.95-15.96-15.97-15.98-15.99-16.00-16.01-16.02-16.03-16.04-16.05-16.06-16.07-16.08-16.09-16.10-16.11-16.12-16.13-16.14-16.15-16.16-16.17-16.18-16.19-16.20-16.21-16.22-16.23-16.24-16.25-16.26-16.27-16.28-16.29-16.30-16.31-16.32-16.33-16.34-16.35-16.36-16.37-16.38-16.39-16.40-16.41-16.42-16.43-16.44-16.45-16.46-16.47-16.48-16.49-16.50-16.51-16.52-16.53-16.54-16.55-16.56-16.57-16.58-16.59-16.60-16.61-16.62-16.63-16.64-16.65-16.66-16.67-16.68-16.69-16.70-16.71-16.72-16.73-16.74-16.75-16.76-16.77-16.78-16.79-16.80-16.81-16.82-16.83-16.84-16.85-16.86-16.87-16.88-16.89-16.90-16.91-16.92-16.93-16.94-16.95-16.96-16.97-16.98-16.99-17.00-17.01-17.02-17.03-17.04-17.05-17.06-17.07-17.08-17.09-17.10-17.11-17.12-17.13-17.14-17.15-17.16-17.17-17.18-17.19-17.20-17.21-17.22-17.23-17.24-17.25-17.26-17.27-17.28-17.29-17.30-17.31-17.32-17.33-17.34-17.35-17.36-17.37-17.38-17.39-17.40-17.41-17.42-17.43-17.44-17.45-17.46-17.47-17.48-17.49-17.50-17.51-17.52-17.53-17.54-17.55-17.56-17.57-17.58-17.59-17.60-17.61-17.62-17.63-17.64-17.65-17.66-17.67-17.68-17.69-17.70-17.71-17.72-17.73-17.74-17.75-17.76-17.77-17.78-17.79-17.80-17.81-17.82-17.83-17.84-17.85-17.86-17.87-17.88-17.89-17.90-17.91-17.92-17.93-17.94-17.95-17.96-17.97-17.98-17.99-18.00-18.01-18.02-18.03-18.04-18.05-18.06-18.07-18.08-18.09-18.10-18.11-18.12-18.13-18.14-18.15-18.16-18.17-18.18-18.19-18.20-18.21-18.22-18.23-18.24-18.25-18.26-18.27-18.28-18.29-18.30-18.31-18.32-18.33-18.34-18.35-18.36-18.37-18.38-18.39-18.40-18.41-18.42-18.43-18.44-18.45-18.46-18.47-18.48-18.49-18.50-18.51-18.52-18.53-18.54-18.55-18.56-18.57-18.58-18.59-18.60-18.61-18.62-18.63-18.64-18.65-18.66-18.67-18.68-18.69-18.70-18.71-18.72-18.73-18.74-18.75-18.76-18.77-18.78-18.79-18.80-18.81-18.82-18.83-18.84-18.85-18.86-18.87-18.88-18.89-18.90-18.91-18.92-18.93-18.94-18.95-18.96-18.97-18.98-18.99-19.00-19.01-19.02-19.03-19.04-19.05-19.06-19.07-19.08-19.09-19.10-19.11-19.12-19.13-19.14-19.15-19.16-19.17-19.18-19.19-19.20-19.21-19.22-19.23-19.24-19.25-19.26-19.27-19.28-19.29-19.30-19.31-19.32-19.33-19.34-19.35-19.36-19.37-19.38-19.39-19.40-19.41-19.42-19.43-19.44-19.45-19.46-19.47-19.48-19.49-19.50-19.51-19.52-19.53-19.54-19.55-19.56-19.57-19.58-19.59-19.60-19.61-19.62-19.63-19.64-19.65-19.66-19.67-19.68-19.69-19.70-19.71-19.72-19.73-19.74-19.75-19.76-19.77-19.78-19.79-19.80-19.81-19.82-19.83-19.84-19.85-19.86-19.87-19.88-19.89-19.90-19.91-19.92-19.93-19.94-19.95-19.96-19.97-19.98-19.99-20.00-20.01-20.02-20.03-20.04-20.05-20.06-20.07-20.08-20.09-20.10-20.11-20.12-20.13-20.14-20.15-20.16-20.17-20.18-20.19-20.20-20.21-20.22-20.23-20.24-20.25-20.26-20.27-20.28-20.29-20.30-20.31-20.32-20.33-20.34-20.35-20.36-20.37-20.38-20.39-20.40-20.41-20.42-20.43-20.44-20.45-20.46-20.47-20.48-20.49-20.50-20.51-20.52-20.53-20.54-20.55-20.56-20.57-20.58-20.59-20.60-20.61-20.62-20.63-20.64-20.65-20.66-20.67-20.68-20.69-20.70-20.71-20.72-20.73-20.74-20.75-20.76-20.77-20.78-20.79-20.80-20.81-20.82-20.83-20.84-20.85-20.86-20.87-20.88-20.89-20.90-20.91-20.92-20.93-20.94-20.95-20.96-20.97-20.98-20.99-21.00-21.01-21.02-21.03-21.04-21.05-21.06-21.07-21.08-21.09-21.10-21.11-21.12-21.13-21.14-21.15-21.16-21.17-21.18-21.19-21.20-21.21-21.22-21.23-21.24-21.25-21.26-21.27-21.28-21.29-21.30-21.31-21.32-21.33-21.34-21.35-21.36-21.37-21.38-21.39-21.40-21.41-21.42-21.43-21.44-21.45-21.46-21.47-21.48-21.49-21.50-21.51-21.52-21.53-21.54-21.55-21.56-21.57-21.58-21.59-21.60-21.61-21.62-21.63-21.64-21.65-21.66-21.67-21.68-21.69-21.70-21.71-21.72-21.73-21.74-21.75-21.76-21.77-21.78-21.79-21.80-21.81-21.82-21.83-21.84-21.85-21.86-21.87-21.88-21.89-21.90-21.91-21.92-21.93-21.94-21.95-21.96-21.97-21.98-21.99-22.00-22.01-22.02-22.03-22.04-22.05-22.06-22.07-22.08-22.09-22.10-22.11-22.12-22.13-22.14-22.15-22.16-22.17-22.18-22.19-22.20-22.21-22.22-22.23-22.24-22.25-22.26-22.27-22.28-22.29-22.30-22.31-22.32-22.33-22.34-22.35-22.36-22.37-22.38-22.39-22.40-22.41-22.42-22.43-22.44-22.45-22.46-22.47-22.48-22.49-22.50-22.51-22.52-22.53-22.54-22.55-22.56-22.57-22.58-22.59-22.60-22.61-22.62-22.63-22.64-22.65-22.66-22.67-22.68-22.69-22.70-22.71-22.72-22.73-22.74-22.75-22.76-22.77-22.78-22.79-22.80-22.81-22.82-22.83-22.84-22.85-22.86-22.87-22.88-22.89-22.90-22.91-22.92-22.93-22.94-22.95-22.96-22.97-22.98-22.99-23.00-23.01-23.02-23.03-23.04-23.05-23.06-23.07-23.08-23.09-23.10-23.11-23.12-23.13-23.14-23.15-23.16-23.17-23.18-23.19-23.20-23.21-23.22-23.23-23.24-23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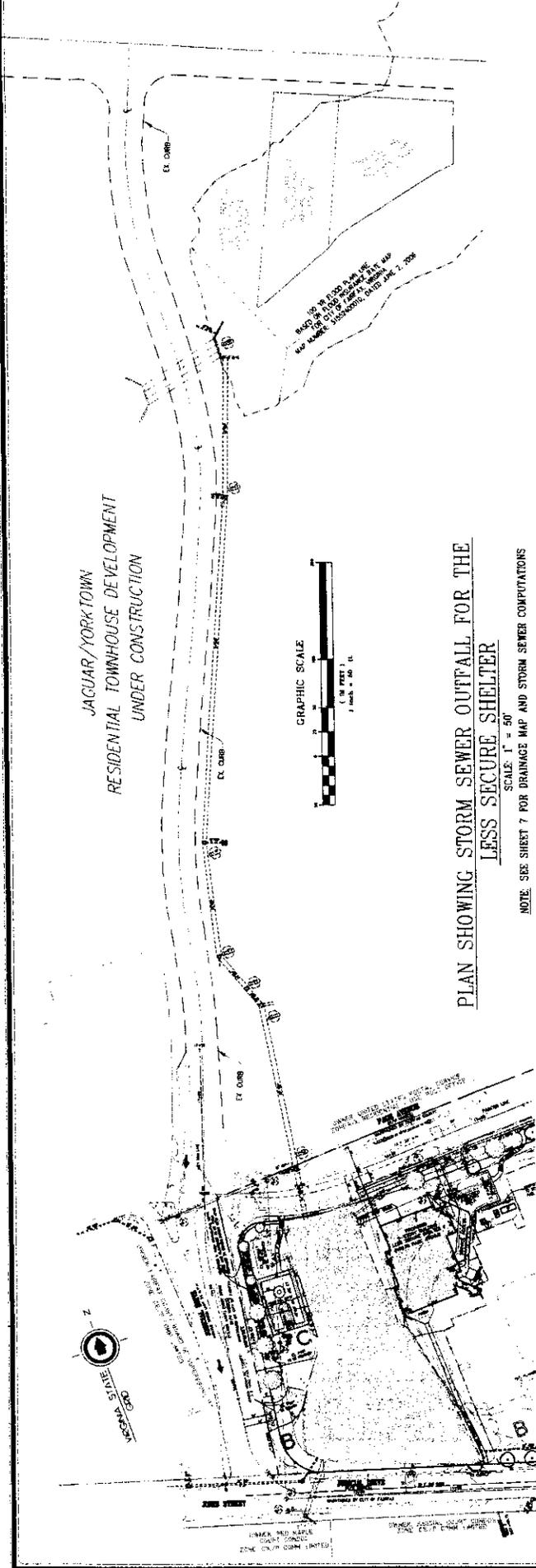
LEGEND
 LIMITS OF POPL OUTLET
 EXISTING SIDEWALK
 EXISTING BUILDING
 PROPERTY LINE
 BUILDING UNDER CONSTRUCTION

CURVE TABLE

CURVE	DATA	ANGLE	CHORD	AREA	PERIMETER
C1	100.00	90.00	141.42	7853.98	400.00
C2	100.00	90.00	141.42	7853.98	400.00
C3	100.00	90.00	141.42	7853.98	400.00
C4	100.00	90.00	141.42	7853.98	400.00
C5	100.00	90.00	141.42	7853.98	400.00
C6	100.00	90.00	141.42	7853.98	400.00
C7	100.00	90.00	141.42	7853.98	400.00

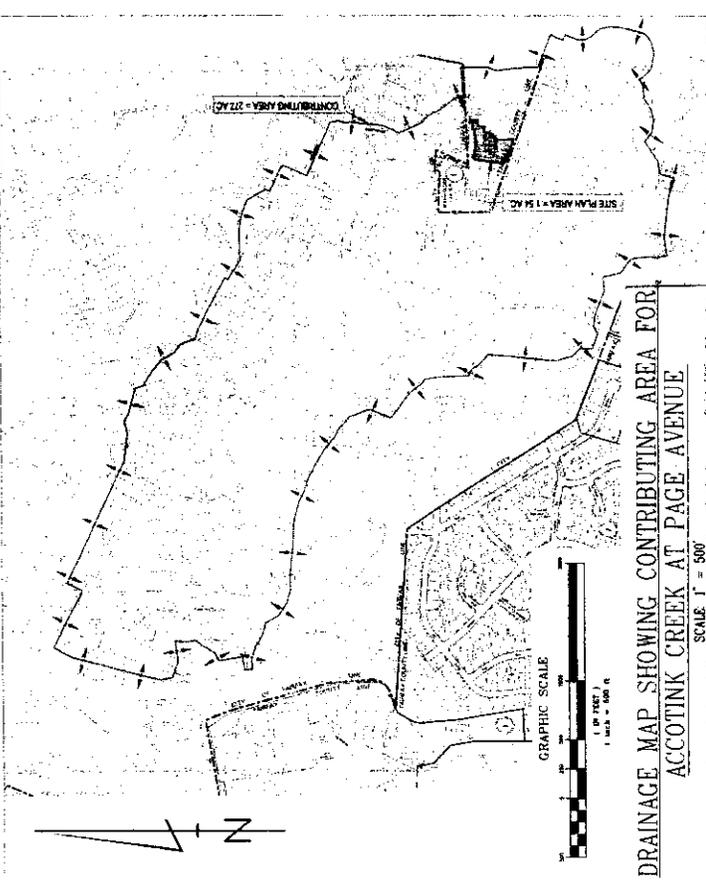






PLAN SHOWING STORM SEWER OUTFALL FOR THE LESS SECURE SHELTER

SCALE: 1" = 50'
 NOTE: SEE SHEET 7 FOR DRAINAGE MAP AND STORM SEWER COMPUTATIONS



DRAINAGE MAP SHOWING CONTRIBUTING AREA FOR ACCOTINK CREEK AT PAGE AVENUE

SCALE: 1" = 500'

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

DESCRIPTION OF THE APPLICATION

This application package has been filed to allow the addition of a 11,992 square foot (sq. ft.) building (the Less Secure Shelter) adjacent to the Juvenile Detention Center at the Fairfax County Public Safety Center located in the City of Fairfax. The application property for the proffered condition amendment, PCA 91-W-023-3, includes all of the Public Safety Center (approximately 47.8 acres) and has been filed to reflect the proposed minor increase of gross floor area (GFA) within the Public Safety Center, which is currently approved with a GFA of approximately 1.64 million sq. ft. The Final Development Plan Amendment application, FDPA 91-W-023-2, has been filed on approximately 7.5 acres of the Public Safety Center. The FDPA application proposes to amend the previously approved final development plan for the Juvenile Detention Center (FDP 91-W-023-2), which was approved separately for that facility only and permitted expansion of the Juvenile Detention Center to 77,000 sq. ft. (the expansion has been constructed). Finally, the existing parking area located across Judicial Drive from the Burkholder Center is proposed to be converted to a multi-use court and landscaped open space. This application package does not propose to change other areas of the Public Safety Center.

A reduced copy of the proposed combined Conceptual/Final Development Plan Amendment is included in the front of this report. The applicant's draft proffers are included as Appendix 1. The applicant's affidavit is Appendix 2 and the applicant's statements regarding the application are included as Appendix 3.

The application property is zoned to the Planned Development Commercial (PDC) District. Applications within the PDC District are subject to the General Standards and the 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 10.

LOCATION AND CHARACTER

Public Safety Center:

The Fairfax County Public Safety Center is in the southeast quadrant of the intersection of Chain Bridge Road (Rt. 123) and Main Street (Rt. 236) in the City of Fairfax. The Public Safety Center is in the City of Fairfax; however, the County has jurisdiction over the planning and zoning of the property. Access to the complex is provided from Judicial Drive, Chain Bridge Road and Main Street. The major existing structures of the complex include: the Old Courthouse (145,000 sq. ft.); the Old Jail (6,743 sq. ft.); the Jennings Building or existing Judicial Center (228,000 sq. ft.); the

Massey Building (166,700 sq. ft.); the Finance Building (20,064 sq. ft.); Parking Structure A; Parking Structure B, which is connected to Parking Structure A by a pedestrian bridge over Page Avenue; the Adult Detention Center and the recently constructed expansion and Pre-Release Center (538,169 sq. ft.); the Police Administration Building (31,379 sq. ft.); and, the School Administration Building and Annex (37,808 sq. ft.). Also on the site are two smaller structures (dwellings converted to other uses), known as the White House (occupied by Volunteer Fairfax) and the Workout Center (currently unused). The existing buildings total 1,268,891 sq. ft. of gross floor area (GFA). The Legato School is located on Chain Bridge Road. The Old Jail and the Old Courthouse are included in the Old Town Fairfax Historic District and the Legato School is listed on the County Inventory of Historic Sites. The previously approved 325,000 sq. ft. expansion of the Judicial Center containing new courtrooms and offices was recently opened.

Surrounding the Public Safety Center is a mixture of commercial, office, institutional and residential uses located in the City of Fairfax. The northern boundary of the site, located along Main Street, and part of the eastern boundary about the Old Town Fairfax Transition Overlay District (Fairfax City). The remaining area of the eastern boundary, along Old Chain Bridge Road (Rt. 123), abuts the Old Town Fairfax Historic District (Fairfax City).

The properties along the northern boundary of the Public Safety Center are primarily zoned for commercial uses and have been developed with a mixture of banks, churches, restaurants, office buildings and a funeral home. In addition, the Fairfax Cemetery is along the northern boundary. The properties opposite the site's boundary along Chain Bridge Road, which are zoned for commercial use, have been developed with offices, banks and a restaurant. Properties along the southern boundary (formed by Judicial Drive) are zoned for commercial uses and have been developed with offices and a restaurant at its intersection with Chain Bridge Road. A single family neighborhood is located to the south of the commercial uses along Judicial Drive and to the west of the Burkholder Building.

Juvenile Detention Center:

The portion of the Public Safety Center where the new construction would be is the 7.5 acres around the proposed Juvenile Detention Center. The western boundary of this property is the portion of Judicial Drive running north to south in front of the Burkholder Center; and to the east are the Police Administration Building and the Adult Detention Center. The southern boundary is formed by that portion of Judicial Drive which runs from east to west along the southern boundary of the Public Safety Center. Page Avenue is located to the north. The entrance to the Juvenile Detention Center is located off Page Avenue; there is no vehicular access to the Juvenile Detention Center from Judicial Drive. This portion of the Public Safety Center currently includes the Juvenile Detention Center (77,000 sq. ft.) and associated parking, a single family dwelling unit known as the Workout Building (1,950 sq. ft.), a parking area adjacent to the north to south portion of Judicial Drive, and a tree save area along an unnamed tributary which separates the Juvenile Detention Center and the parking area on Judicial Drive.

BACKGROUND

On October 22, 1992, the Public Safety Center was rezoned to the PDC (Planned Development-Commercial) District pursuant to the approval of RZ 91-W-023 subject to proffers dated October 15, 1992. The accompanying Conceptual Development Plan for the 47.8 acre site included a phased development program with a maximum floor area ratio (FAR) of 0.70. Although initially proposed, the Independent House for juveniles was not approved. A commitment was proffered with the initial rezoning approval which requires that the Office of the Sheriff coordinate with the City of Fairfax regarding the levels of inmate population in the Adult Detention Center. Both of these commitments have been carried forward with each subsequent action.

The first Final Development Plan (FDP 91-W-023) was approved concurrently with the rezoning of the Public Safety Center to the PDC District. It was limited to the central portion of the site and addressed the following facilities: Parking Structure A, the expansion of the Adult Detention Center and the minor additions to the Police Administration Building. These facilities have been constructed.

The second FDP, FDP 91-W-023-2, permitted the now-completed expansion of the Juvenile Detention Center to 77,000 square feet. This FDP was limited to the approximately 7.52 acres around the Juvenile Detention Center. Pending application, FDPA 91-W-023-2, has been filed to amend FDP 91-W-023-2 to allow the construction of the Less Secure Shelter, which is the subject of this application package.

With the approval of PCA 91-W-023, FDP 91-W-023-3 and FDPA 91-W-023-1-1, the expansion of the Judicial Center by 325,000 square feet among other changes to the Public Safety Center was approved. This approval increased the floor area ratio (FAR) from 0.70 to 0.79. Some of the other changes to the Public Safety Center approved at this time were intended to increase the amount of parking on the site to 3,012 parking spaces by including two parking structures on the proffered plans (identified as Parking Structures B and C). Parking Structure B has been constructed. The layout for the expansion of the Judicial Center as shown on the proffered plans for this approval was not implemented. The proffers associated with this approval are dated October 16, 1997.

Subsequently, PCA 91-W-023-2 and FDPA 91-W-023-2, were approved on a 26.91 acre portion of the Fairfax County Public Safety Center. The approval of these concurrent applications revised the building layout for the previously approved expansion of the Judicial Center. The gross floor area of the Judicial Center expansion (325,000 sq. ft), did not change. This approval included other minor site modifications, including, keeping the Legato School in its current location, and revising the circulation pattern around the Massy Building within the limits of this application property. In addition, Parking Structure B was changed to increase the number of parking spaces within the garage, to reflect previously approved minor modifications to the garage building and to add a pedestrian bridge between Parking Structures A and B. As noted above, Parking Structure B has been constructed and is in use. The expansion of the Judicial Center is nearing completion and has been partially opened. A 46,758 sq. ft. addition to the

Jennings Building was also approved at this time. The proffers associated with this approval on October 27, 1997, and dated March 13, 2002, incorporated the October 16, 1997, proffers by reference and included amended text only for the October 16, 1997, proffers directly affected by those applications.

Appendix 4 contains the Locator Map, the Clerk to the Board's letter and the accepted proffers dated October 16, 1997, for PCA 91-W-023. The proffered plan is not included because it was largely superseded with the approval of PCA 91-W-023-2. Appendix 5 contains the Locator Map, the Clerk to the Board's letter and the proffers for PCA 91-W-023-2. Appendix 6 contains the reduction of the proffered combined CDPA/FDPA for PCA 91-W-023-2 reflecting the currently approved layout for the expansion of the Judicial Center now under construction. (It should be noted that PCA 91-W-023-2 and the associated CDPA/FDPA do not affect the Juvenile Detention; however, this material is included for information, as it is the most recent zoning action for the Public Safety Center). Appendix 7 contains the records related to the previously approved final development plan for the Juvenile Detention Center, FDP 91-W-023-2, including the development conditions. The records for the other approvals at the Public Safety Center are on file with the Department of Planning and Zoning.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area II
Planning District:	Fairfax Planning District
Planning Sector:	Government Center Community Planning Sector (F6)
Plan Map:	Public Facilities, Government and Institutional Uses

On page 64 in the 2007 Area II Plan, as amended through September 11, 2006, in the Land Use Recommendations section, the Comprehensive Plan states:

Land Use

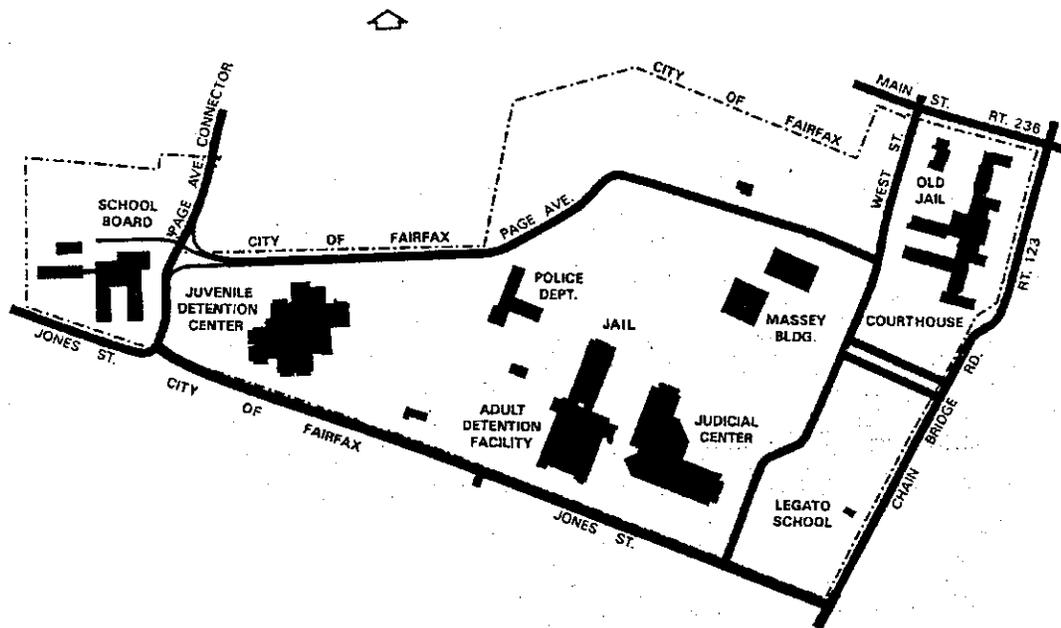
The following is recommended for this area in the Policy Plan, as part of Public Facilities Objective 17:

- Establish the Massey Building/Judicial Center Complex as the County's Public Safety Center which will include the expanded Adult Detention Center, juvenile detention facilities, adult and juvenile courts systems, and police and fire and rescue main administrations.
- Design new space and expanded facilities at the Public Safety Center to be functional and efficient with respect to County environmental guidelines, particularly storm drainage, and pedestrian and vehicle access and circulation. This center should be aesthetically pleasing, complement existing architecture, and provide for future expansions for a 20-year horizon.

Transportation

The primary transportation problems associated with this area are those related to employee rush hour commuting and adequate parking for visitors. These problems

may be alleviated when the County Administration function is transferred to the new Governmental Center in the Fair Oaks area (See the Fairfax Center Area portion of the Area III Plan.) There are no transportation recommendations for this sector.



Heritage Resources

1. The Fairfax County Courthouse and the 1870 Jail are listed on the Virginia Landmarks Register and the National Register of Historic Places. All rehabilitation to these structures should be consistent with the Secretary of the Interior's Standards for Rehabilitation.
2. The Legato School building should be protected and interpreted as a one-room school.
3. Because of the significance of Old Ox Road (Chain Bridge Road) in Fairfax and the presence of the courthouse, significant and irreplaceable historic archaeological resources can be expected around the courthouse and in relatively undisturbed areas along Chain Bridge Road. Any subsurface disturbance, including those associated with road improvements, parking lots, and underground utilities, should be preceded by an archaeological survey in accordance with County policies.

Public Facilities

1. Expand the courts, and the adult and juvenile detention facilities.

Parks and Recreation

Park and recreation recommendations for this sector are shown on Figure 31. The column "Park Classification" includes existing park facilities. The "Recommendations" column includes entries for both existing and proposed facilities. Prior to developing parkland, the Fairfax County Park Authority initiates a

master planning process to determine the appropriate facilities and design for that park. This process involves extensive citizen review and participation. If an existing park is listed but no recommendation appears on that line, it means the park has been developed in accordance with its master plan.

ANALYSIS

Combined Conceptual Development Plan Amendment and Final Development Plan Amendment (Reduction at front of staff report)

Title of CDPA/FDPA:	Public Safety Center
Prepared By:	Paciulli Simmons & Associates
Original and Revision Dates:	November 19, 2007 as revised through February 14, 2008

CDPA/FDPA (Public Safety Center – Less Secure Shelter)	
Sheet #	Description of Sheet
1 of 7	Cover Sheet including Vicinity Map, Notes, Parking Tabulation and Site Tabulation for the FDPA
2 of 7	Existing Conditions reflecting the previously approved CDPA/FDPAs for the Public Safety Center
3 of 7	Overall Site Tabulation (for 47.8 acre Public Safety Center)
4 of 7	Site Plan & Existing Vegetation Map (For 25.7 acres subject to FDPA only)
5 of 7	Building Elevations
6 of 7	Stormwater Outfall & Drainage Map
7 of 7	Stormwater Outfall & Drainage Map (continued)

The following description of the development plan will focus on the proposed changes to the area subject to the pending FDPA 91-W-023-2, as this is the portion of the Public Safety Center that is proposed to be changed. The affected area includes the area around the Juvenile Detention Center, which includes the area bounded by Judicial Drive on the south and the west, Page Avenue on the north, and the Police Administration Building and the Adult Detention Center on the east. The area subject to the pending FDPA application is illustrated on the locator map in the front of this report.

- Layout. The Juvenile Detention Center, a one story facility that is twenty-four (24) feet tall, is located along Page Avenue. The proposed Less Secure Shelter is to be located to the west of the existing building in a 2-story, 35-foot tall building with 11,992 sq. ft. gross floor area. Finally, the existing parking area across Judicial Drive from the former Burkholder Center will be removed and a multi-use court and landscaping installed in its place. The existing 1,925 sq. ft. workout building is to remain. The workout building is currently unoccupied.

- *Vehicular Access and Parking.* All vehicular access to the Juvenile Detention Center and the Less Secure Shelter is from Page Avenue. A driveway located on the eastern side of the Juvenile Detention Center provides access to the parking spaces for this facility. A second driveway providing access to the Police Administration Center connects to this driveway. A parking area behind the Juvenile Detention Center also provides parking for the workout building. There is a paved service area off Page Avenue in the center of the building. The existing service area to the west of the Juvenile Detention building will be modified as part of the construction of the Less Secure Shelter, which will be accessed from Page Avenue in this location. There is no vehicular access proposed to Judicial Drive to the south.
- *Pedestrian Access.* There are existing sidewalks along Page Avenue and Judicial Drive. There are existing connections from the Juvenile Detention building to these sidewalks. With the construction of the Less Secure Shelter, sidewalk links are shown to be constructed to the existing sidewalks.
- *Open Space and Tree Preservation.* There is an existing tree preservation area located between the Juvenile Detention Center building and the parking lot on Judicial Drive. An unconnected segment of an unnamed tributary runs through this area. This area is shown to be preserved and expanded with the replacement of the existing parking area with the proposed multi-use court and associated landscaping.
- *Landscaping.* The existing landscaping around the Juvenile Detention Center will be retained, including the street trees along Judicial Drive and Page Avenue. Additional trees will be planted along both roadways near the proposed Less Secure Shelter.

Land Use Analysis

The proposed Less Secure Shelter at the Public Safety Center is in conformance with the Comprehensive Plan, which recommends public facilities, government and institutional uses for this site.

Environment

There are no environmental issues associated with this proposal.

Tree Preservation (Appendix 8)

As noted earlier in this report, the CDPA/FDPA shows the existing tree preservation area around the unnamed tributary to remain. At the request of the Urban Forest Management Division, the draft proffers have been revised to

include standard language with regard to tree preservation, including the preparation of a tree preservation plan. It should be noted that some of the trees near the Judicial Drive end of the tree preservation area have been cut down; it appears that this work was done by a contractor doing work on a project within the City of Fairfax.

Transportation (Appendix 7)

There is no transportation issues associated with this proposal.

Public Facilities

The addition of this facility does not adversely affect the public facilities associated with this property.

ZONING ORDINANCE PROVISIONS (Appendix 9)

Staff has concluded that the addition of the proposed Less Secure Shelter to the Public Safety Center will not affect the conformance of the Public Safety Center as a whole with the provisions of the PDC District as outlined in the following chart.

Public Safety Center (PDC)		
Standard	Required	Provided
Minimum District Size	Minimum of 100,000 sq. ft. gross floor area	1,645,175 sq. ft. gross floor area
Yards	See Note ¹	See Note ¹
Building Height	See Note ²	See Note ²
Floor Area Ratio (FAR)	1.5	0.85
Open Space	15 percent	312,332 sq. ft (15%) ³
Parking Spaces	3,201 spaces	3,201 spaces
Loading Spaces	30 spaces	30 spaces

1. Per Par. 1 of Sect. 6-208, there is no specific yard requirement for each individual use or building in a PDC District, the yards are governed by the standards in Part 1 of Article 16 that address yards along the periphery (see below).
2. Per Par. 2 of Sect. 6-208, there is no specific height requirement for buildings in a PDC District, building height is governed by the standards in Part 1 of Article 16, which are addressed elsewhere.
3. Within the 7.52 acres subject to FDPA 91-W-023-2, there is 43 percent open space.

Transitional Screening and Barrier Requirements

With the small exception of the westernmost boundary (near the Burkholder Center), the Public Safety Center abuts commercial uses. Transitional screening and barriers are not required where the public uses in the Public Safety Center abut commercial uses. The property to the west is zoned and developed

residentially; however, the westernmost portions of the Public Safety Center (where the Burkholder Center is located) which abut residential areas are not affected by this proposal. The transitional screening and barrier requirements are required only along the portions of the western boundary which abut residential uses. With previous approvals, the transitional screening yard and barrier requirements were modified in favor of the existing treatment and staff recommends that these modifications be re-affirmed

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 (Par. 1) requires that the planned development conform with the Comprehensive Plan. The Comprehensive Plan states that this property is planned as public facilities, with specific reference to the Public Safety Center. Therefore, staff has concluded that this standard has been satisfied.

The second general standard (Par. 2) 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. The purpose and intent of the Planned Development Commercial District are contained in Sect. 16-201. The purpose and intent of the PDC District are to encourage innovative and creative design of commercial development. As such, the district regulations are designed to accommodate preferred high density land uses to insure high standards in the layout, design and construction of commercial developments. Staff has concluded that the layout of the proposed Less Secure Shelter meets this standard.

The third general standard (Par. 3) addresses the efficient use of the available land and protection of scenic assets and natural features such as trees, streams and topographic features. The proposed layout has been designed to maintain the existing tree preservation area to the west of Less Secure Shelter and to preserve the existing landscaping around Juvenile Detention Center; therefore, staff has concluded that this standard has been satisfied.

The fourth general standard (Par. 4) states that the planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development and shall not hinder, deter or impede development of surrounding undeveloped properties (Par. 4). As noted throughout this report, with the exception of the area to the west of the Burkholder Center, the Public Safety Center abuts commercial development located within the City of Fairfax. Staff has concluded the addition of the Less Secure Shelter to the Public Safety Center will adversely affect the commercial uses located across Page Avenue

from the new facility. Further, staff has also concluded that the addition of the Less Secure Shelter will not adversely affect the manner in the Public Safety Center relates to the abutting commercial uses and/or residential uses. Therefore, staff has concluded that this standard has been satisfied.

The fifth general standard (Par. 5) addresses the adequacy of public facilities in the vicinity. As noted earlier in this report, the proposed addition of the Less Secure Shelter will not adversely affect the public facilities and public utilities serving the Public Safety Center.

Sect. 16-102, Design Standards

The first design standard (Par. 1) specifies that, with regard to compatibility with adjacent development, the peripheral yards of CDP/FDP should generally conform with the setbacks for the most similar conventional district. Staff concludes that the most similar conventional district to the PDC District to be the C-4, High Intensity Office, District. The front yard requirement for the C-4 District is a 25° angle of bulk plane (ABP) or forty (40) feet, whichever is greater, and a rear yard requirement of 20° ABP or twenty-five (25) feet, whichever is greater. The proposed Less Secure Shelter is to be 35 feet tall and setback 31 feet from the front lot line. While this setback does not meet the front yard setback requirements in the C-4 District, it is consistent with the setback of the existing Juvenile Detention Center and is compatible with the commercial development located across Page Avenue. Therefore, staff has concluded that this standard has been met.

The second design standard (Par. 2) states that other applicable provisions of the Ordinance, such as off-street parking, landscaping, signs, etcetera, are applicable to planned developments. As discussed above, the proposed P-District conforms with other standards in the Zoning Ordinance regarding open space, off-street parking and loading. The proposal does not include information regarding signage; however, approval of this application will not result in a waiver or modification of any of the applicable requirements contained in Article 12, Signs. Any signage installed as part of this development will be required to conform with the applicable provisions of Article 12 or obtain approval of a Comprehensive Sign Plan.

The third design standard (Par. 3) specifies that the street systems should conform with the applicable requirements and that a network of trails should be provided to furnish access to recreational amenities open space, public amenities, vehicular access routes and mass transit facilities. As discussed in greater detail above, the proposed Less Secure Shelter will be served by the existing street network and will be connected to the existing pedestrian network within the Public Safety Center. These pedestrian facilities are connected to the pedestrian network within this part to the City of Fairfax and provide access to the mass transportation facilities in and around the Public Safety Center. Therefore, staff has concluded that this standard has been met.

Analysis of Previous Proffers and Final Development Plan Conditions

Proffers Applicable to the Public Safety Center

As described in the Background section above, the Public Safety Center has been the subject of several different applications, some of which have affected limited portions of the overall 47.8 acre Public Safety Center. PCA 91-W-023 applied to the whole of the 47.8 acres and the proffers accepted with the approval of that application and dated October 16, 1997 (see Appendix 4), supersede the previous proffers accepted pursuant to the approval of RZ 91-W-023. Subsequently, the layout of a 26.91 acre portion of the site that encompassed Parking Garage B, the Massey Building, the Judicial Center (including the addition which has recently opened), the old Courthouse and the Legato School was changed pursuant to the approval of PCA 91-W-023-2. This application did not include the Juvenile Detention Center or any of the 7.52 acres within FDP 91-W-023-2. The proffer statement for the approval of PCA 91-W-023-2 (dated March 13, 2002) amended only those proffers in the October 16, 1997 proffer statement that were affected by the proposed new layout for the Judicial Center and affects only the 26.91 acres included in that application. The associated final development plan amendment, FDPA 91-W-023-1-2, affects only the 26.91 acres included in that application.

The draft proffers for the pending proffered condition amendment application, PCA 91-W-023-3, which affects the whole of the 47.8 acre Public Safety Center, carry forward the proffers from PCA 91-W-023 and PCA 91-W-023-2. These proffers also retain those commitments within the areas not adjacent to the Juvenile Detention Center (the 7.52 acres included in pending application, FDPA 91-W-023-2) and amend only those proffers affected by the proposed new facility. This retains the previous commitments on the other portions of the Public Safety Center, including the proffered development plans associated with each approval. It should be noted that all of the previous final development plans for the Public Safety Center have been approved by the Board of Supervisors.

Development Conditions for FDP 91-W-023-2

This Final Development Plan was approved to allow the expansion of the Juvenile Detention Center in the manner outlined on the Conceptual Development Plan for RZ 91-W-023. The application property for FDP 91-W-023-2 was limited to 7.52 acres and was not included in the Final Development Plan which was approved and carried forward with the subsequent approval of PCA 91-W-023; the CDP for that application did reflect the previously approved layout for the Juvenile Detention Center. FDP 91-W-023-2 was approved subject to development conditions (contained in Appendix 6). The issues addressed by those development conditions are addressed by the proffer statement submitted for the pending proffered condition amendment application, PCA 91-W-023-3, as follows:

- 1) conformance with the FDP (see Par. 1 in Proffer A);
- 2) landscaping (see Par. 10 of Proffer A);
- 3) preservation of the adjacent unconnected stream valley segment (shown on the proffered CDPA/FDPA and addressed by Par. 12 of Proffer A); and,
- 4) architectural elevations (see the following discussion).

With regard to architectural elevations, the ones referenced with the approval of the first FDP for the Juvenile Detention Center, FDP 91-W-023-2, have been implemented because the Juvenile Detention Center addition has been completed and is identical in appearance to the original Juvenile Detention Center. In addition, the development plan submitted with and proffered pursuant to this application package includes illustrative architectural elevations of the proposed Less Secure Shelter.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The pending PCA and FDPA applications have been filed to allow the construction of a new facility, the proposed Less Secure Shelter, in a two-story, 11,992 sq. ft. building, in the portion of the Public Safety Center where the Juvenile Detention facility is located. PCA 91-W-023-2 has been filed to reflect the new structure and the proposed increase of approximately 12,000 sq. ft. of GFA to accommodate the proposed facility. FDPA 91-W-023-2 has been filed to amend the previously approved final development plan for this portion of the Public Safety Center to reflect the proposed Less Secure Shelter. As described above, staff has concluded that the proposed additional facility is in conformance with the recommendations of the Comprehensive Plan for the Public Safety Center. Staff has also concluded that the proposed facility meets the General Standards and the Design Standards applicable in all P-Districts. Finally, staff has also concluded that the addition of the Less Secure Shelter to the Public Safety Center meets the requirements of the PDC District.

Recommendations

Staff recommends that PCA 91-W-023-03 and FDPA 91-W-023 be approved by the Board of Supervisors subject to the execution of the draft proffers in Appendix 1.

Staff further recommends that the previously approved modifications of the transitional screening yard and barrier requirements in favor of the existing conditions along the western boundary of the Public Safety Center be reaffirmed.

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.

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

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

APPENDICES

1. Draft Proffer Statement
2. Affidavit
3. Applicant's Statements
4. Clerk to the Board's Letter and Proffers for PCA 91-W-023
5. Clerk to the Board's Letter, Proffers and Reduction of the CDPA/FDPA for PCA 91-W-023-2 and FDPA 91-W-023-3
6. Reduction of the FDP for the Juvenile Detention Center, FDP 91-W-023-2
7. Transportation Analysis
8. Urban Forestry Analysis
9. Selected Excerpts from the Zoning Ordinance
10. Glossary of Terms

Draft PROFFERS

PCA 91-W-023-3

March 7, 2008

Pursuant to Section 15.2-2303 (A), Code of Virginia, as amended, subject to the Board of Supervisors' approval of PCA 91-W-023-3, the applicant, the Board of Supervisors of Fairfax County ("the applicant"), proffers that the development of the subject property shall be in accordance with the following conditions:

- A. Except as modified herein, the property is governed by the Proffers for PCA 91-W-023, dated October 16, 1997 and PCA 91-W-023-2, dated March 13, 2002. The proffer statement for PCA 91-W-023 applies to the whole of the 47.8 acres identified as the Public Safety Center. The proffer statement for PCA 91-W-023-2 applies within the 26.91 acre application property for that partial proffered condition amendment application consisting of the land around Parking Structure B, the existing Jennings Building, the new Judicial Center, the Massey Building, the historic Courthouse and the Legato School and as identified therein, that proffer statement modifies portions of the proffers dated October 16, 1997. The numbers used refer to the numbers of the proffers in the March 13, 2002 proffer statement, which applies to the whole of the 47.8 acre Public Safety Center.
1. With regard to the 7.52 acre application property for FDPA 91-W-023-2, and subject to the provisions of Section 16-403 of the Zoning Ordinance, development of that property shall be in submittal conformance with the FDPA prepared by Paciulli, Simmons, and Associates, Ltd. dated February 14, 2008. The remainder of 47.8 acre Public Safety Center shall be constructed in accordance with the development plans previously proffered pursuant PCA 91-W-023 and PCA 91-W-023-2 respectively.
 10. Landscaping within the 7.52 acres subject to FDPA 92-W-023-2 shall be in substantial conformance with that shown on the FDPA prepared by Paciulli, Simmons, and Associates, Ltd. dated February 14, 2008. Landscaping on the remainder of the Public Safety Center shall conform to the development plans previously proffered pursuant PCA 91-W-023 and PCA 91-W-023-2 respectively.
 12. In addition to the requirements outlined in Proffer Number 12 of PCA 91-W-023, the 7.52 acres of land subject to FDPA 91-W-023-2 shall be subject to the following:

Tree Preservation/Limits of Clearing

A. Tree Preservation: The applicant shall submit a Tree Preservation plan as part of the site plan submission. The preservation plan shall be prepared by a professional with experience in the preparation of tree

preservation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

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 10 inches in diameter and greater, and 25 feet to either side of the limits of clearing and grading shown on the 7.52 acres subject to FDPA 92-W-023-2. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and other 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 walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an UFMD, DPWES, 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 adjustment shall be implemented. Trees that are identified 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 sump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.
- C. Limits of Clearing and Grading: The Applicant shall conform strictly to the limits of clearing and grading as shown on the PCA/FDPA, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the PCA/FDPA, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.

D. Tree Preservation Fencing: All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form 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 or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the “Root Pruning” proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but 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, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

E. Root Pruning: The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

F. Site Monitoring: During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant

shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

G. Tree Conservation: The Applicant shall take necessary steps and actions to ensure the long-term survival, and continuing structural integrity and health of trees designated by the Tree Preservation Plan to be conserved. However, if for reasons related to lawfully executed construction practices on the subject property and/or changes in the environment brought about by these construction activities, but not resulting from wrongful or negligent acts on the part of the applicant or the applicant's agents, these trees are found to be dead, dying, diseased, or hazardous (as determined by UFMD at or prior to the final release of the project bond) the applicant shall:

1. Provide for the removal of above ground portion of the trees.
2. Provide for the restoration of any understory plant and soil damage during their removal (as determined by UFMD).
3. Provide for the restoration of the associated loss in canopy coverage in accordance with the tree cover guidance found in the Public Facilities.

If wrongful or negligent acts on the part of the applicant or the applicant's agents caused in whole or in part, these trees to be found to be dead, dying, diseased, or hazardous, as determined by UFMD at, or prior to, the final release of the project bond, in addition to the removal and restoration requirements identified above, the applicant shall plant an additional 50% of the loss in canopy coverage in accordance with the tree cover guideline found in the Public Facilities Manual. The additional planting shall be located on the 7.52 acres subject to FDPA 92-W-023-2 or within the Public Safety Center as determined by UFMD after consultation with the District Supervisor. In addition, the County may use other legal remedies at its disposal related to non-compliance, including, but not limited to the fact that a Proffer Condition Amendment may be required if any proposed remedies are not in substantial conformance with the proffers, as determined by the Zoning Administrator.

G. Ornamental Fencing: Any ornamental fencing to be installed in area protected by the limits of clearing shall be field place in consultation with UFMD, DPWES.

APPROVED:

Anthony H. Griffin
County Executive

Date

G:\Capital-Projects\PDD-BDB\Less Secure Shelter II\Planning & Zoning\proffers with tree.doc

REZONING AFFIDAVIT

DATE: January 4, 2008
(enter date affidavit is notarized)

I, Toni L. Ogurcak, do hereby state that I am an
(enter name of applicant or authorized agent)

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

98324a

in Application No.(s): PCA 91-W-023-03, Fairfax County Board of Supervisors
(enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Fairfax County Board of Supervisors	12000 Government Center Parkway, Suite 530 Fairfax, Virginia 22035	Title Holder / Applicant
Anthony H. Griffin, County Executive	12000 Government Center Parkway, Suite 552 Fairfax, Virginia 22035	Agent
Robert A. Stalzer, Deputy County Executive	12000 Government Center Parkway, Suite 552 Fairfax, Virginia 22035	Agent
Department of Public Works and Environmental Services	12055 Government Center Parkway, Suite 609 Fairfax, Virginia 22035	Agent
Jimmie D. Jenkins, Director, DPWES	12055 Government Center Parkway, Suite 609 Fairfax, Virginia 22035	Agent
Howard J. Guba, Deputy Director DPWES	12055 Government Center Parkway, Suite 609 Fairfax, Virginia 22035	Agent

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

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

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

REZONING AFFIDAVIT

DATE: January 4, 2008
(enter date affidavit is notarized)

98324a

for Application No. (s): PCA 91-W-023-03, Fairfax County Board of Supervisors
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

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

REZONING AFFIDAVIT

DATE: January 4, 2008
(enter date affidavit is notarized)

98324 a

for Application No. (s): PCA 91-W-023-03, Fairfax County Board of Supervisors
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

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

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

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

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

REZONING AFFIDAVIT

DATE: January 4, 2008
(enter date affidavit is notarized)

98324e

for Application No. (s): PCA 91-W-023-03, Fairfax County Board of Supervisors
(enter County-assigned application number(s))

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

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

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

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

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

THE FAIRFAX COUNTY BOARD OF SUPERVISORS IS THE TITLE OWNER OF THE APPLICATION PROPERTY

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

REZONING AFFIDAVIT

DATE: January 4, 2008
(enter date affidavit is notarized)

98324a

for Application No. (s): PCA 91-W-023-03, Fairfax County Board of Supervisors
(enter County-assigned application number(s))

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

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

NONE

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

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

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

WITNESS the following signature:

(check one) Toni L. Ogurcak
[] Applicant [x] Applicant's Authorized Agent

Toni L. Ogurcak
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 4th day of January 2008, in the State/Comm. of Virginia, County/City of Fairfax.

Wicki L. Johnson
Notary Public
Notary Registration No. 358929

My commission expires: May 31, 2009

Rezoning Attachment to Par. 1(a)

DATE: January 4, 2008
 (enter date affidavit is notarized)

for Application No. (s): PCA 91-W-023-03, Fairfax County Board of Supervisors
 (enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Ronald N. Kirkpatrick, Director Planning and Design Division, DPWES	12000 Government Center Parkway, Suite 449 Fairfax, Virginia 22035	Agent
Carey F. Needham, Chief Building Design Branch, PDD, DPWES	12000 Government Center Parkway, Suite 449 Fairfax, Virginia 22035	Agent
Toni L. Ogurcak, Project Manager BDB, PDD, DPWES	12000 Government Center Parkway, Suite 449 Fairfax, Virginia 22035	Agent

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

REZONING AFFIDAVIT

DATE: January 4, 2008
(enter date affidavit is notarized)

I, Toni L. Ogurcak, do hereby state that I am an
(enter name of applicant or authorized agent)

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

98226a

in Application No.(s): FDPA 91-W-023-02, Fairfax County Board of Supervisors
(enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Fairfax County Board of Supervisors	12000 Government Center Parkway, Suite 530 Fairfax, Virginia 22035	Title Holder / Applicant
Anthony H. Griffin, County Executive	12000 Government Center Parkway, Suite 552 Fairfax, Virginia 22035	Agent
Robert A. Stalzer, Deputy County Executive	12000 Government Center Parkway, Suite 552 Fairfax, Virginia 22035	Agent
Department of Public Works and Environmental Services	12055 Government Center Parkway, Suite 609 Fairfax, Virginia 22035	Agent
Jimmie D. Jenkins, Director, DPWES	12055 Government Center Parkway, Suite 609 Fairfax, Virginia 22035	Agent
Howard J. Guba, Deputy Director DPWES	12055 Government Center Parkway, Suite 609 Fairfax, Virginia 22035	Agent

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

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

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

Rezoning Attachment to Par. 1(a)

DATE: January 4, 2008
(enter date affidavit is notarized)

for Application No. (s): FPDA 91-W-023-02, Fairfax County Board of Supervisors
(enter County-assigned application number (s))

98326a

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Ronald N. Kirkpatrick, Director Planning and Design Division, DPWES	12000 Government Center Parkway, Suite 449 Fairfax, Virginia 22035	Agent
Carey F. Needham, Chief Building Design Branch, PDD, DPWES	12000 Government Center Parkway, Suite 449 Fairfax, Virginia 22035	Agent
Toni L. Ogurcak, Project Manager BDB, PDD, DPWES	12000 Government Center Parkway, Suite 449 Fairfax, Virginia 22035	Agent

(check if applicable)

[]

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

REZONING AFFIDAVIT

DATE: January 4, 2008
(enter date affidavit is notarized)

98 326a

for Application No. (s): FDPA 91-W-023-02, Fairfax County Board of Supervisors
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

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

REZONING AFFIDAVIT

DATE: January 4, 2008
(enter date affidavit is notarized)

98326a

for Application No. (s): FDPA 91-W-023-02, Fairfax County Board of Supervisors
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

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

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

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

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

REZONING AFFIDAVIT

DATE: January 4, 2008
(enter date affidavit is notarized)

98326a

for Application No. (s): FDPA 91-W-023-02, Fairfax County Board of Supervisors
(enter County-assigned application number(s))

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

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

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

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

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

THE FAIRFAX COUNTY BOARD OF SUPERVISORS IS THE TITLE OWNER OF THE APPLICATION PROPERTY

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

REZONING AFFIDAVIT

DATE: January 4, 2008
(enter date affidavit is notarized)

9832ea

for Application No. (s): FDPA 91-W-023-02, Fairfax County Board of Supervisors
(enter County-assigned application number(s))

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

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

NONE

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

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

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

WITNESS the following signature:

(check one)

Toni L. Ogurcak
[] Applicant [x] Applicant's Authorized Agent

Toni L. Ogurcak
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 4th day of January, 2008, in the State/Comm. of Virginia, County/City of Fauquier.

Viriki L. Johnson
Notary Public
Notary Registration No. 358929

My commission expires: May 31, 2009

NOV 26 2007

**Statement of Justification
Fairfax County Less Secure Shelter II
September 2007**

Zoning Evaluation Division

The Less Secure Shelter II (LSS II) is an approximately 12,000 square foot addition to the Juvenile Detention Center (JDC) in the Fairfax County's Public Safety Center complex. The proposed addition is located at the northwest corner of the existing JDC building along Page Avenue in Fairfax, Virginia. This site location has been identified in the Final Development Plan (FDP) for the Public Safety Center approved in 1994. The County Public Safety Center, T.M. 57-4-((1))-14, is zoned PDC (Planned Development Commercial). The portion of the complex where the LSS II is proposed to be located is subject to FDP 91-W-023-2, which was approved on October 5, 1994, with development conditions, and the proffers for PCA 91-W-023, which is dated October 16, 1997. The LSS II is labeled as "Youth Residential Addition" on the FDP. Based on discussions with Fairfax County Zoning Evaluation staff, it was determined that an amendment to FDP 91-W-023-2 is needed due to the proposed additional curb cut off of Page Avenue, three short-term parking spaces, and a recreation area located to the west of the environmental quality corridor. In addition with this FDPA, a metes and bounds description of the limits of this partial FDP is given based on other partial FDPs and site plans for the Public Safety Complex and the site area shown pictorially on FDP 91-W-023-2.

Currently, the project is under design and as shown on the FDPA the proposed facility includes:

- A small temporary drop-off area and three disabled/visitor parking spaces are proposed in front of the new structure off Page Avenue. All other parking is accommodated by the existing parking garage.
- A two story facility that includes sleeping, bathing, dining and recreation areas for twelve juvenile residents. In addition, the facility includes classrooms, staff areas, interview rooms, and meeting rooms for the counselors and approved resident visitors.
- A recreation area located at the corner of Judicial Drive and Page Avenue.
- Associated site amenities and support utilities.

The proposed development of the parcel for the LSS II (Youth Residential Addition) is in conformance with the Fairfax County Comprehensive Plan, 2007 Edition, Fairfax Planning District, Amended through 9-11-2006. Area II Land Use Recommendations, F6-County Government Center, Recommendations, on Page 64, Land Use, Public Facilities Objective 17:

- Establish the Massey Building/Judicial Center Complex at the County's Public Safety Center which will include the expanded Adult Detention Center, juvenile detention center, adult and juvenile courts systems, and police and fire and rescue main administrations.
- Design new space and expand facilities at the Public Safety Center to be functional and efficient with respect to the County environmental guidelines, particularly storm drainage, and pedestrian and vehicle access and circulation. This center should be aesthetically pleasing, complement existing architecture, and provide for a 20-year horizon.

Statement of Justification

In addition, the proposed development is in conformance with Area II Land Use Recommendations, F6-County Government Center, Recommendations, Page 66, Public Facilities, 1. Expand the courts, and the adult and juvenile detention facilities. Furthermore, the proposed development conforms to all applicable Fairfax County ordinances, public facilities manual, and building regulations.

Toni L. Ogurcak

Toni L. Ogurcak, Project Manager
Planning and Design Division
Department of Public Works
and Environmental Services

9-21-07

Date

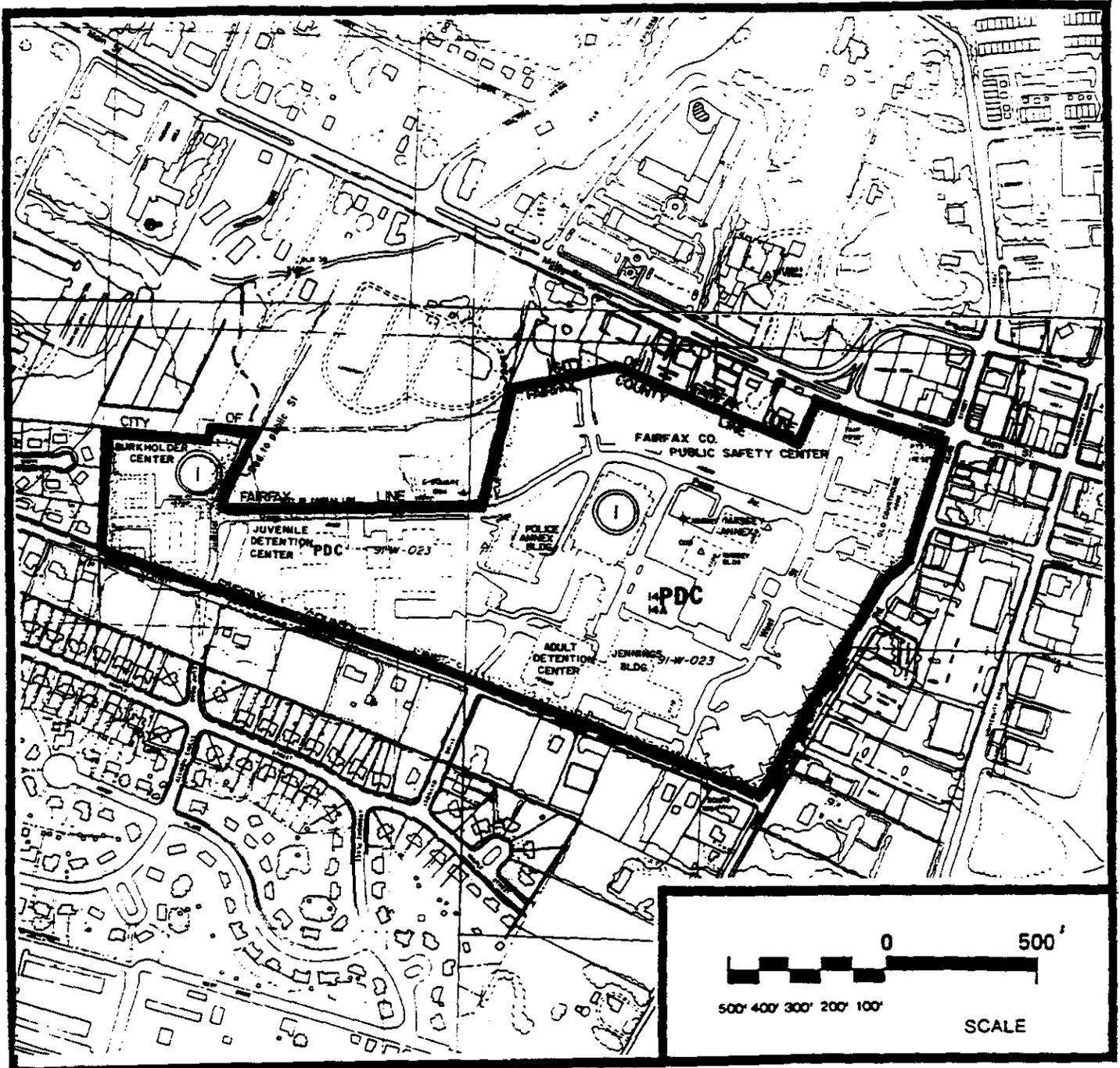
PROFFERED CONDITION AMENDMENT

APPENDIX 4

PCA 91-W-023

PCA 91-W-023
FILED 02/14/97

FAIRFAX COUNTY BOARD OF SUPERVISORS
PROFFERED CONDITION AMENDMENT
PROPOSED: PUBLIC USE
APPROX. 47.80 ACRES OF LAND; DISTRICT - MULTIPLE
LOCATED: THE SOUTHWEST CORNER OF MAIN STREET (ROUTE
236) AND CHAIN BRIDGE ROAD (ROUTE 123)
ZONING: PDC
OVERLAY DISTRICT(S):
MAP REF 057-4- /01/ /0014- ,0014-A



FAIRFAX COUNTY VIRGINIA

MEMORANDUM

DATE: January 14, 1998

TO: Ellen vanHully-Bronson, R.A., Project Manager
Project Management Branch
Department of Public Works

FROM: Nancy Vehrs *N. U.*
Clerk to the Board of Supervisors

SUBJECT: Proffered Condition Amendment Number PCA 91-W-023
Concurrent with Final Development Plan Applications
FDP 91-W-023-3 and FDPA 91-W-023-1-1
(AMENDED TO INCLUDE MISSING METES & BOUNDS)

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on October 27, 1997, approving Proffered Condition Amendment PCA 91-W-023, in the name of Fairfax County Board of Supervisors, subject to the proffers dated October 16, 1997, on subject parcel 57-4 ((1)) 14 and 14A consisting of approximately 47.80 acres.

The Board also approved the Conceptual Development Plan and Final Development Plan Applications in the name of Fairfax County Board of Supervisors, Numbered FDP 91-W-023-3, subject parcel 57-4 ((1)) Pt. 14 and 14A consisting of 21.67 acres zoned PDC, and FDPA 91-W-023-1-1, subject parcel 57-4 ((1)) Pt. 14, consisting of approximately 4.33 acres zoned PDC.

In addition, the Board stated that the previously approved transitional screening and barrier requirement modification is reaffirmed.

NV/ns

PCA 91-W-023, FDP 91-W-023-3
and FDPA 91-W-023-1-1
January 14, 1998

2.

cc: John M. Yeatman, Director, Real Estate Div., Dept. of Tax Administration
Michael Congleton, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Div., OCP
Robert Moore, Trnsprtn. Planning Div., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Dorothy Purvis, Permits Department, VDOT
Land Acq. & Planning Div., Park Authority

PROFFERS

PCA-91-W-023
October 16, 1997

*Indicates original 1991 proffer has been modified

**Indicates a new proffer

Pursuant to Section 15.1-491 (a), Code of Virginia, as amended, subject to the Board of Supervisors' approval of PCA 91-W-023, the applicant, the Board of Supervisors of Fairfax County ("the applicant"), proffers that the development of the subject property shall be in accordance with the following conditions:

- *1. Subject to the provisions of Section 16-403 of the Zoning Ordinance, development of the application property shall be in conformance with the CDPA prepared by Vitzta Group and Patton Harris Rust Associates dated December 1996, and revised September 8, 1997, and the FDPA dated December 1996, and revised September 8, 1997.
- *2. The maximum floor area ratio (FAR) as shown on the CDPA shall not exceed 0.85. Individual Final Development Plans may exceed 0.85 FAR, but under no circumstances shall the cumulative FAR for public uses exceed 0.85 FAR. The applicant acknowledges that commercial development, except as may be permitted on the subject property by Proffer 20, shall be subject to approval of a PCA/CDPA/FDPA by the Board of Supervisors. The FDPA for such commercial use shall specify a maximum FAR including commercial use is not to exceed a FAR of 1.0 on the Public Safety Center Complex.
3. The Adult Detention Facility shall have 105 special purpose cells/rooms (for special prisoner population classification needs such as, but not limited to, receiving, infirmary and gender classification distinctions) and 1266 general populations cells/rooms for a total design capacity of 1371 single-bunked cells/rooms. The primary purpose of this facility shall be to house prisoners involved with the judicial process and prisoners incarcerated for short sentences and convicted persons awaiting transfer to other institutions. No further expansion of cells/rooms at the Adult Detention Facility shall occur at the Massey Complex, also known as the Public Safety Center Complex.
4. The Office of the Sheriff shall prepare an Inmate Population Report and present it to the City of Fairfax on an annual basis. The report shall review population records for the previous twelve (12) months and shall review the status of all alternatives to incarceration at the subject Adult Detention Facilities. At any time, the inmate population exceeds the design capacity for the Adult Detention Facility any three (3) consecutive months, the Office of the Sheriff shall notify the Board

of Supervisors and the City Manager and City Council of the City of Fairfax and, if requested, appear at the City/County Committee meeting for the purpose of reviewing the population levels. Whenever the Sheriff projects that the Adult Detention Center's detention requirements will exceed the design capacity by 15% for any three consecutive months, he shall immediately notify the Board of Supervisors that additional detention center facilities will be required at a location other than the Massey Complex/Public Safety Center Complex and the Applicant shall immediately commence consideration of funding and planning for alternative facilities. This notification should be accomplished in sufficient time (two [2] years) to allow for the planning, funding and provision of alternative facilities. The applicant and the Office of the Sheriff shall continue to actively pursue and implement alternatives to incarceration, such as greater utilization of County lockups, for the purpose of minimizing the population at the Adult Detention Facility on the CDPA. The applicant shall ensure adequate staff for the security of the subject facilities and continue to actively pursue participation in other regional facility and/or local facility alternatives to housing prisoners at the Adult Detention Center as may be appropriate.

- ~~5. The Juvenile Detention Center shall have a maximum of 121 beds. The Youth Residential Addition to the Juvenile Detention Center shall have a maximum of twelve (12) additional beds. No further expansion of beds at the Juvenile Detention Center or Youth Residential Addition shall occur at the subject property.~~
6. The Independence House shall not be permitted on the subject property.
7. The applicant shall meet all Department of Environmental Management (DEM) requirements for stormwater management BMPs as set forth in the Public Facilities Manual which are in effect at the time of site plan approval. Any new stormwater management ponds which are constructed or existing stormwater management ponds which are modified shall be designed to provide ten (10) percent phosphorus removal, subject to the approval of DEM. If a stormwater management facility is required west of the Juvenile Detention Center, such facility shall be located and designed to minimize removal of existing vegetation.
8. The applicant shall provide sediment removal in excess of eighty (80) percent (up to a maximum of ninety (90) percent) for stormwater runoff from within construction limits, during clearing, grading and construction operations, subject to the approval of DEM.
- *9. FDP 91-W-023-2 was submitted for the Juvenile Detention Facilities and approved on October 31, 1994. The applicant has submitted a FDPA for the Judicial Center Expansion, and Parking Structure B and C as shown on the CDPA to the Board of Supervisors for approval. The applicant shall submit a CDPA/FDPA for the Jennings Addition Phase II.

The applicant shall meet with the City of Fairfax to review site design, building elevations and landscaping for any subsequent CDPAs and/or FDPAs. The applicant shall notify the City of Fairfax a minimum of ninety (90) days prior to submission of further expansions to the CDPA/FDPA plans for the Public Safety Center Complex.

- *10. Landscaping on the subject property shall conform to the landscaping plan submitted with the CDPA/FDPA. A detailed landscape plan identifying numbers and types of proposed plantings, and tree preservation areas shall be submitted as part of the FDP for each proposed facility. The applicant shall notify the City of Fairfax a minimum of ninety (90) days prior to submission of a landscape plan for the site plans.

At the time of site plan submission to DEM for the Judicial Center Expansion, the applicant shall update the tree preservation plan for review and approval by DEM. This plan shall provide for the preservation of specific quality trees and/or stands of trees to the extent feasible within the constraints imposed by the proposed development layout and grading. If determined feasible by DEM, the tree preservation plan will incorporate the transplanting of plant materials to designated areas within the Public Safety Center Complex. Tree preservation shall to the extent possible be used to fulfill requirements for screening and landscaping.

- *11. The applicant shall meet and coordinate with the City of Fairfax ninety (90) days prior to submission of the site plan for the Judicial Center Expansion to DEM to review the landscape plan for the Route 123 and Judicial Drive street frontages, as delineated on the FDPA for the Judicial Center Expansion and described in Proffer 26.
- *12. Tree save areas shall be preserved, as shown on the FDPs/FDPAs, subject to the approval of DEM. If during the process of site plan review, it is determined by DEM to be necessary to remove any trees previously designated to be preserved in order to locate structures, utility lines, sidewalks, or stormwater management facilities, then either of the two following substitutes for the removed trees shall be provided:
 - A. An area of additional tree save of equivalent value, as determined by DEM, may be substituted at an alternate location on the subject property. If a suitable alternate location cannot be identified on the subject property by DEM then,
 - B. The applicant may elect to replace such trees according to the directions of DEM pursuant to Part 4 of Section 12-0403 of the Public Facilities Manual.
- *13. At the time of submission of each site plan to DEM, a parking tabulation shall be included which documents the total parking required and provided on the subject property. The applicant may utilize parking spaces in excess of the minimum number of parking spaces required as determined by DEM shown on one (1) site plan, to meet the parking requirements for a subsequent site plan.

Any parking spaces in excess of the minimum number required (as described above), as determined by DEM, may also be utilized to meet landscape, and/or stormwater management, and/or Best Management Practices; however, at all times the applicant shall maintain or provide provisions for at least the minimum number of parking spaces on the property as required by the Director of DEM. Parking tabulations for the Judicial Center Expansion and Parking Structures B and C shall demonstrate, to the satisfaction of DEM, conformance to Zoning Ordinance parking requirements as tabulated on a complex-wide basis.

- *14. Prior to the issuance of the Non-RUP for the Adult Detention Center Expansion now under construction, the applicant shall complete the following transportation improvements (Refer to Exhibit A), subject to the approval of DEM:
- separate right-and-left turn lanes for westbound traffic on Page Avenue at the intersection of Judicial Drive;
 - two (2) outbound lanes at the northbound approach of the intersection of Massey Road and Page Avenue;
 - signage and speed bumps/curbs to restrict vehicular access from Parking Structure A to West Street via the access road located between the Massey Building and the Judicial Center;
 - two crosswalks at Page Avenue to connect existing sidewalks on north side with existing sidewalks on south side of Page Avenue;
 - a raised median at the northbound approach of the intersection of West Street and Route 236 (Main Street). The two outbound lanes at the northbound approach will be maintained.
- *15. The following transportation improvements shall be installed and available for use prior to the issuance of the final Non-RUP for the Judicial Center Expansion, subject to any required approvals by the City of Fairfax.
- A. Improvements to the west side of Chain Bridge Road (Route 123) at the relocated Public Safety Center Complex entrance road (Massey Drive) to add a 123 north bound left turn lane into the Public Safety Center Complex;
 - B. Improvements to the Public Safety Center Complex main entrance to allow for an out bound left turn lane and dual right out bound turn lanes;
 - C. A traffic signal with pedestrian phasing at the intersection of Chain Bridge Road and the relocated Public Safety Center Complex entrance road. Phasing and timing of this traffic signal shall be coordinated with the City of Fairfax;
 - D. A bus shelter at the southwest corner of the intersection of Chain Bridge Road and the relocated Public Safety Center Complex entrance road;
 - E. An east bound right turn deceleration lane from Main Street (Route 236) into West Street;
 - F. Improvements to the north side of Judicial Drive along the frontage of the CDPA to add one lane. Re-stripe the existing Judicial Drive pavement to allow dual east bound right turns at the intersection of Chain Bridge Road and

- G. Modify the traffic signal at the intersection of Chain Bridge Road and Judicial Drive to allow for the proposed Judicial Drive improvements:
 - H. Convert the intersection at West Street and Judicial Drive to service in bound traffic to the Public Safety Center Complex reserved parking lot only, loading area, and sallyport. Parking circulation shall be counter clockwise to allow site traffic to exit at the driveway east of the Adult Detention Center:
 - I. Eliminate on street parking on Page Avenue between West Street and the Juvenile Detention Center:
 - J. Construct a south bound right turn lane on West Street into Parking Garage "B":
 - K. Reconstruct West Street and Massey Drive south of Page Avenue as a two lane loop road as shown on the CDPA/FDPA, with additional turn lanes on the loop road at the relocated Public Safety Center Complex entrance, and no-through street parking;
 - L. Include directional signing plan for on-site circulation and for access to the existing and proposed garages as part of the site plan documents;
 - M. The applicant shall relocate and repair approximately 30 feet of the southern end of the stone retaining wall, along Chain Bridge Road in front of the Old Courthouse, to enhance the clear zone. In addition best efforts shall be made to improve the pedestrian landing at the southwest corner of Main Street and Chain Bridge Road. Such improvements need not meet ADA requirements, which will be accommodated elsewhere. If relocation of the stone retaining wall is prohibited by federal regulations governing historic properties then the applicants obligation for this proffer shall be deemed satisfied.
- *16. Pedestrian connections shall be provided generally as shown on the CDPA. A detailed pedestrian circulation plan showing pedestrian connections located interior to and immediately adjacent to the site shall be coordinated a minimum of 90 days prior to site plan submission to DEM with the City of Fairfax as to width and materials in areas adjacent to Route 123 and Judicial Drive, and shall be submitted as part of the FDP for each proposed facility. The applicant shall install such pedestrian connections prior to the issuance of the Non-RUP for the associated facility, subject to any required approvals from the City of Fairfax. In addition, best efforts shall be made to install accessible access from the southeast corner of West Street and Main Street to the sidewalk in front of the Old Courthouse.
- *17. The applicant shall continue to participate in County-wide Transportation Demand Management efforts and the County Ride Sources Program. The TDM program shall include (but is not limited to) such items as the following:
- A. Designate an on-site transportation coordinator responsible for working with public and private transportation agencies for implementing and evaluating the TDM program.

- B. Provide car pool/van pool matching services to employees. Provide ride sharing kits for employees and publicize, distribute and promote ride sharing and public transit information on-site.
 - C. Provide convenient parking in preferred locations designated for car pool/van pool use. Provide a system for monitoring and enforcing the use of car/van pool spaces.
 - D. Provide a Guaranteed Ride Home Program as provided through the Council of Governments.
 - E. Provide walking and cycling amenities (such as trails, bicycle racks and access to showers and lockers).
 - F. Promote staggered work hour programs, compressed work weeks and/or flex-time for employees.
 - G. Coordinate with the Office of Transportation Rideshare Coordinator on an as-needed basis to implement and maintain the TDM program at the Public Safety Center Complex
18. The Legato School building shall be protected and shall be interpreted as a one-room school. The Legato School will be relocated on site and as shown on the FDPA dated September 8, 1997.
- *19. Prior to the commencement of construction for the Judicial Center Expansion and Parking Structures B and C on the subject property, the applicant shall have Phase I and Phase II significance tests performed by a qualified archaeologist in coordination with the County Archaeologist, at locations determined by the County Archaeologist. If necessary, as determined by the County Archaeologist, the applicant shall have a qualified archaeologist conduct a Phase III recovery of significant archeological resources.
- *20. The public uses on the Public Safety Center Complex for both the exterior and the interior of the buildings, shall be limited to those specifically identified on the CDPA/FDPA and may include temporary community uses and activities sponsored by the Fairfax County Government and/or the City of Fairfax and other organizations such as festivals, parades, and art shows subject to the approval of the County Executive or designee.
- *21. The applicant will use best efforts to acquire any off-site right of way and/or necessary easements which may be required for conformance to Proffers 15 and 16. In the event the applicant is unable to acquire needed right of way or easement, the applicant shall request that the City of Fairfax acquire right of way or easement by means of its condemnation powers at applicant's expense. It is understood that the City of Fairfax shall be under no obligation to do so.

It is understood that the applicants request will not be considered until it is forwarded in writing to the City of Fairfax with: (1) plats, plans, and profiles (if needed) showing the necessary right of way or easement property, (2) an independent appraisal, by an appraiser not an employee of the applicant or of the City of Fairfax, of the value of the land taken, and (3) a sixty year title search

If the City of Fairfax elects not to use its powers of eminent domain to acquire right of way or easement that is required for compliance with Proffers 15 and 16, the applicants obligation for construction of affected requirements shall be deemed satisfied.

- *22.** All improvements required for conformance with Proffers 15, 16, 26, and 27 as shown on the applicable FDPs shall be incorporated into the respective site plans and submitted to DEM for approval. The required approvals from the City of Fairfax will be pursued in good faith and due diligence. If, after due diligence, those approvals cannot be obtained, the improvements in proffers 15, 16, 26, and 27, requiring such approval, need not be included on the subject site plans in order to obtain DEM approval. However, if the City of Fairfax permits are not received at the time of site plan approval the improvements requiring City of Fairfax approval shall be completed upon such time as the approvals are received from the City of Fairfax.
- **23.** The final site plan for the Judicial Center Expansion shall include opportunities for the placement of on-site amenities within the landscape design, such as, but not limited to: street furniture, fountains, planters, and Board of Supervisors or their designee approved public art.
- **24.** The expansion of the Fairfax County Courts Complex is intended to create a unified campus by tying together the disparate architecture of the existing buildings through the use of architecture elements and building materials. As illustrated in the FDPA the building massing along Chain Bridge Road shall be articulated so as to be compatible with the Old Courthouse. This may be accomplished through the use of architectural elements such as: colonnades, porticoes, arcades, arches, divided lite windows, cornices, brick coursing and watertables. The Judicial Center Expansion shall utilize a palette of materials that are architecturally compatible and may include: brick, cast or natural stone, architectural pre-cast concrete, bronze finished metalwork, standing seam metal roofing. Irrespective of that shown on the CDPA/FDPA, the lower elevations of those building frontages immediately fronting and parallel to Judicial Drive and Chain Bridge Road shall not exceed a 40 foot height to the eave line and shall be predominately brick, in a brick color range that is similar to that of the Old Courthouse. The height of the overall building elevations parallel to Judicial Drive and perpendicular to Chain Bridge Road may exceed the 40' height as the building steps back and away from the street. The architectural elevations of the Judicial Center Expansion shall be reviewed with the City of Fairfax a minimum of 90 days prior to final site plan submission to DEM. The new Parking Structures B and C shall be constructed of architectural pre-cast concrete.
- **25.** The top decks of Parking Structures B and C shall be landscaped in a similar design as the parking structure behind the Peninno and Herrity Buildings at the Government Center Complex.
- **26.** Streetscape on Chain Bridge Road and Judicial Drive shall be provided in conformance with the City of Fairfax Standards and Community Appearance Plan and as shown on the FDPA. The streetscape as shown on the FDPA includes a bus shelter at the south west corner of the intersection of Chain Bridge Road and the relocated Public Safety Center Complex entrance drive, and gas street lights on Chain Bridge Road and Judicial Drive. The bus shelter and gas streetlights will be purchased and installed by the County and turned over to the City of Fairfax, at the time of Non-RUP for the Judicial Center Expansion, for all maintenance responsibilities including gas bills for the streetlights.

****27.** The following transportation improvements shall be installed and available for use prior to the issuance of a Non-RUP, for future additions which are subject to a future PCA/FDPA and/or subject to any required approvals by the City of Fairfax.

- Install a traffic signal at Judicial Drive and Page Avenue, if warranted and requested by the City of Fairfax.

****28.** Any proposed off-site signage, including directional signage for access to the Public Safety Center Complex, that is within the City of Fairfax shall be reviewed and coordinated with the City of Fairfax a minimum of 90 days prior to permit application to the City of Fairfax for installation approval of such signage. The review and coordination with the City of Fairfax shall include location of signage for optimum traffic pattern establishment.

In addition, any proposed on-site signage that is located along Chain Bridge Road, Judicial Drive, or Main Street shall be reviewed with the City of Fairfax a minimum of 90 days prior to final site plan submission to DEM. Signage proposed along Chain Bridge Road, Judicial Drive, or Main Street shall be compatible with the adjacent Old Town Fairfax area.



Robert J. O'Neill, Jr.
County Executive

10/17/97
Date

PROFFERED CONDITION AMENDMENT /

FINAL DEVELOPMENT PLAN AMENDMENT

PCA 91-W-023-02

FDPA 91-W-023-03

PCA 91-W-023 -02

FILED 07/24/01

FAIRFAX COUNTY BOARD OF SUPERVISORS
PROFFERED CONDITION AMENDMENT

PROPOSED: PUBLIC USE

APPROX. 26.91 ACRES OF LAND; DISTRICT - MULTIPLE

LOCATED: SOUTHWEST CORNER OF MAIN STREET AND CHAIN
BRIDGE ROAD, TO THE NORTHWEST CORNER
OF JUDICIAL DRIVE

ZONING: PDC

OVERLAY DISTRICT(S):

MAP REF 057-4- /01/ /0014- .0014-A

FDPA 91-W-023 -03

FILED 07/24/01

FAIRFAX COUNTY BOARD OF SUPERVISORS
FINAL DEVELOPMENT PLAN AMENDMENT

PROPOSED: PUBLIC USE

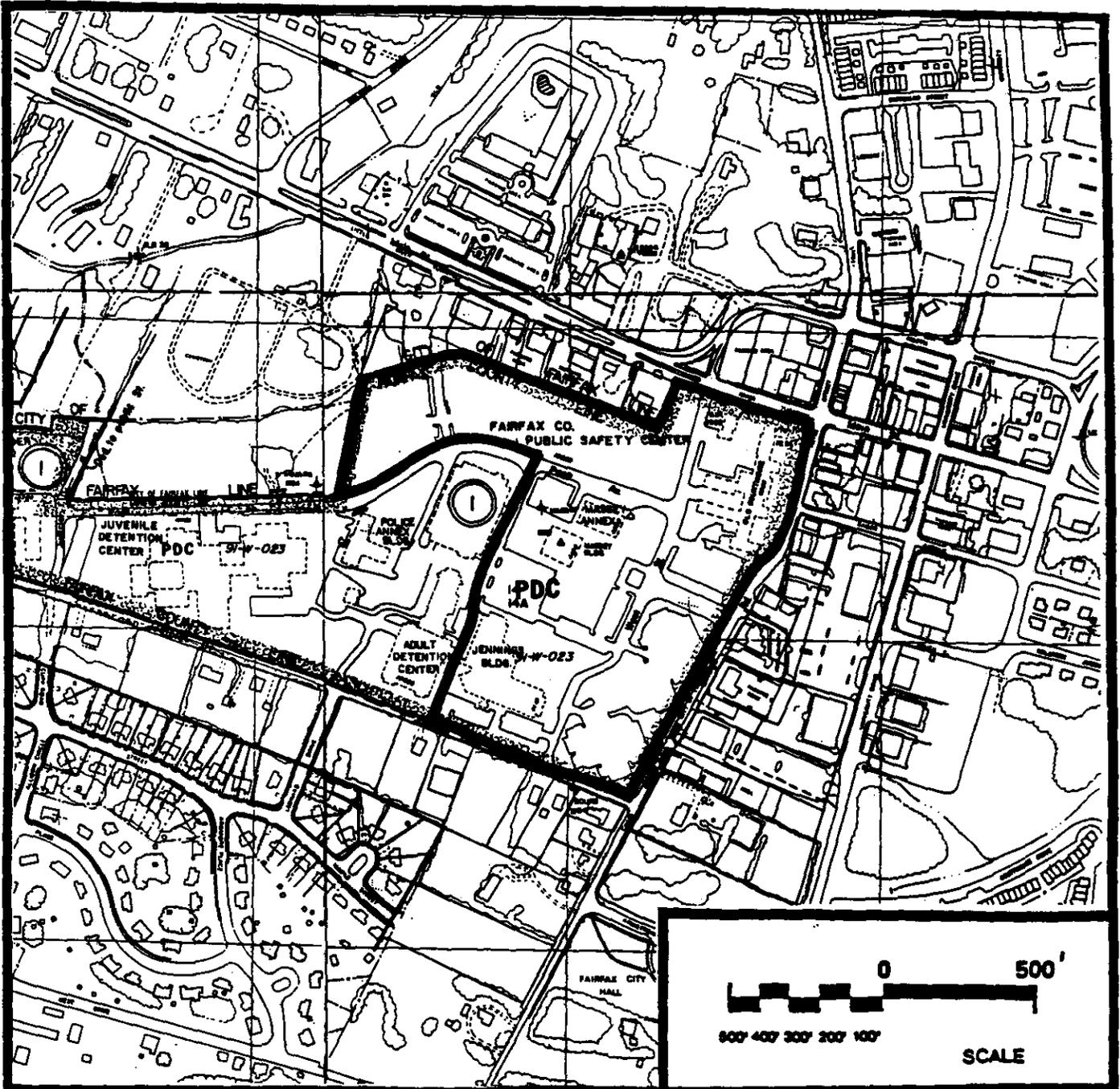
APPROX. 26.91 ACRES OF LAND; DISTRICT - MULTIPLE

LOCATED: SOUTHWEST CORNER OF MAIN STREET AND CHAIN
BRIDGE ROAD, TO THE NORTHWEST CORNER
OF JUDICIAL DRIVE

ZONING: PDC

OVERLAY DISTRICT(S):

MAP REF 057-4- /01/ /0014- .0014-A



FAIRFAX COUNTY VIRGINIA

MEMORANDUM

DATE: April 10, 2001

TO: Ms. Ellen vanHully-Bronson, Project Manager,
Department of Public Works and Environmental Services,

FROM: Nancy Vehrs *NV*.
Clerk to the Board of Supervisors

SUBJECT: Proffered Condition Amendment/Final Development Plan Amendment
Numbers PCA 91-W-023-2 and FDPA 91-W-023-3

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on March 18, 2002, approving Proffered Condition Amendment PCA 91-W-023-2 and Final Development Plan Amendment FDPA 91-W-023-3 in the name of Fairfax County Board of Supervisors, to amend the proffers and Final Development Plan for RZ 91-W-023 (Fairfax County Public Safety Center) to permit public uses with an overall Floor Area Ratio (FAR) of 0.76, located in the southwest quadrant of the intersection of Main Street and Chain Bridge Road, Tax Map 57-4 ((1)) 14 and 14A, subject to the proffers dated March 13, 2002, consisting of approximately 26.91 acres located in Providence District.

The Board also approved an eight foot tall wall with a three foot tall open decorative pergola along Judicial Drive pursuant to the provisions of Paragraph 8, Section 16-401 of the Zoning Ordinance.

PCA 91-W-023-2/FDPA 91-W-023-3
April 10, 2002

- 2 -

cc: Chairman Katherine K. Hanley
Supervisor Providence District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.
Charles Strunk, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPWES
Kenny King, Proffer Administrator, Plans & Document Control, OSDS, DPWES
Frank Edwards, Department of Highways - VDOT
Land Acqu. & Planning Div., Park Authority
District Planning Commissioner
James Patteson, Director, Facilities Mgmt. Div., DPWES
Barbara J. Lippa, Director Planning Commission -

RECEIVED
Department of Planning & Zoning
APR 15 2002
Zoning Evaluation Division

PROFFERS

PCA 91-W-023-2

March 13, 2002

ATG
22303(A)

Pursuant to Section 15.1-491(a), Code of Virginia, as amended, subject to the Board of Supervisors' approval of PCA 91-W-023-2, the applicant, the Board of Supervisors of Fairfax County ("the applicant"), proffers that the development of the subject property shall be in accordance with the following conditions:

- A. Except as modified herein, the property is governed by the Proffers for PCA 91-W-023, which are dated October 16, 1997. The numbers used below refer to the numbers in the October 16, 1997 proffer statement.
1. With regard to the application property, PCA 91-W-023-2, and subject to the provisions of Section 16-403 of the Zoning Ordinance, development of the application property shall be in conformance with the CDPA/FDPA prepared by Patton Harris Rust Associates and HDR Architecture, Inc dated February 1, 2002 as revised on March 13, 2002.
 14. Prior to issuance of the non-RUP for the Judicial Center Expansion, the applicant shall complete the following transportation improvements, subject to the approval of the Department of Public Works & Environmental Services/Office of Site Design Services (DPWES/OSDS):
 - A. Two inbound lanes from the Page Avenue westbound approach to Massey Drive and two westbound through lanes as shown on the FDPA dated February 1, 2002 as revised on March 13, 2002.
 - B. Relocate Post 99 (Guardhouse) to the loading dock entrance between the Pre-Release Center and the Judicial Center as shown on the FDPA dated February 1, 2002 as revised on March 13, 2002.
 - C. Construct a two-lane one-way loop road on the north side of the Judicial Center Expansion as shown on the FDPA dated February 1, 2002 as revised on March 13, 2002.
 15. The following transportation improvements shall be installed and available for use prior to the issuance of the final Non-RUP for the Judicial Center Expansion, subject to any required approvals by the City of Fairfax and all street improvements to Main Street, Chain Bridge Road, and Judicial Drive shall conform to the City of Fairfax's street design standards.
 - E. An eastbound right turn deceleration lane from Main Street (Route 236) into West Street, as shown on the FDPA dated February 1, 2002 as revised on March 13, 2002. The right turn deceleration lane will be constructed in accordance with the City of Fairfax street standards and within the existing right of way. This may be a modified right turn deceleration lane in order not to impact the property immediately adjacent to application property on Main Street.

- H. Shift the intersection of West Street and Judicial Drive to the west as shown on the FDPA dated February 1, 2002 as revised on March 13, 2002 to service only inbound traffic to the Public Safety Center Complex reserved parking lot, loading area, and sallyport. Circulation shall be counter clockwise to allow site traffic to exit only at the driveway east of the Adult Detention Center.
 - J. Prior to the issuance of a non-RUP for Garage "C" construct a southbound right turn lane on West Street into Parking Garage "C" as shown on the FDPA date February 1, 2002 as revised on March 13, 2002.
 - K. Construct a two lane loop road as shown on the CDPA/FDPA dated February 1, 2002 as revised March 13, 2002 and no through street parking on either the loop road, West Street, or Page Avenue.
 - L. Include directional signing plan for on-site circulation and for access to the existing and proposed garages as part of the site plan documents for Garage "B", the Judicial Center Expansion, and Garage "C".
 - M. The applicant shall relocate and repair as required approximately 50 feet of the southern end of the stone retaining wall, along Chain Bridge Road in front of the Old Courthouse to enhance the clear zone as necessary to accommodate the turn lane described in 15.A.
18. The Legato School building shall be protected and shall be interpreted as a one-room school. The Legato School may remain in its present location with landscaping as shown on the FDPA dated February 1, 2002 as revised March 13, 2002.
19. Prior to the commencement of construction for the Judicial Center Expansion and Parking Structures "B" and "C" on the subject property, the applicant shall have Phase I and Phase II significance tests performed by a qualified archeologist in coordination with the County Archeologist, at locations determined by the County Archeologist. If necessary, as determined by the County Archeologist, the applicant shall have a qualified archeologist conduct a Phase II recovery of significant archeological resources. (Archeological surveys have been completed and accepted by the County Archeological Services for the Parking Structures "B" and "C" on August 4, 1999.)
24. The expansion of the Fairfax County Courts Complex is intended to create a unified campus by tying together the disparate architecture of the existing buildings through the use of architecture elements and building materials. As illustrated in the FDPA the building massing along Chain Bridge Road shall be articulated so as to be compatible with the Old Courthouse. This may be accomplished through the use of architectural elements such as: colonnades, porticoes, arcades, arches, divided lite windows, cornices, brick coursing and water tables. The Judicial Center Expansion shall utilize a palette of materials that are architecturally compatible and may include: brick, cast or natural stone, architectural pre-cast concrete, bronze finished metalwork, standing seam metal roofing. Irrespective of that shown on the CDPA/FDPA, the lower elevations of the building frontages immediately fronting and parallel to Chain Bridge Road shall not exceed an average 46 foot height as

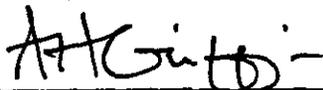
measured from the sidewalk at Chain Bridge Road to the top of the third story parapet wall and shall be predominately brick, in a brick color range that is similar to that of the Old Courthouse. The height of the overall building elevations parallel to Judicial Drive and perpendicular to Chain Bridge Road may exceed the 46 foot height as measured from the sidewalk at Chain Bridge Road and Judicial Drive, as the building steps back and away from the street, but in no case, be taller than the existing Jennings Judicial Center. The architectural elevations of the Judicial Center Expansion shall be reviewed with the City of Fairfax a minimum of 90 days prior to site plan submission for the Judicial Center Expansion to DPWES/OSDS. The new Parking Structures B and C shall be constructed of architectural pre-cast concrete.

27. The following transportation improvements shall be installed and available for use prior to the issuance of a non-RUP for future additions occurring after the Judicial Center Expansion, which may be subject to a future PCA/FDPA and/or subject to any required approvals by the City of Fairfax.
- A. Install a traffic signal at Judicial Drive and Page Avenue, if warranted and requested by the City of Fairfax.
 - B. In addition best efforts shall be made to improve the pedestrian landing at the southwest corner of Main Street and Chain Bridge Road. Such improvements need not meet ADA requirements, which will be accommodated elsewhere. If relocation of the stone retaining wall is prohibited by federal regulations governing historic properties then the applicants obligation for this proffer shall be deemed satisfied.

B. The following additional proffers are made:

29. Land required for street improvements on Judicial Drive, Chain Bridge Road, and Main Street will be dedicated to public street purposes by a Board to Board Deed of Dedication (from the Board of Supervisors to the Board of Supervisors) prior to final site plan approval to facilitate the City of Fairfax's street maintenance of those portions of the streets that technically are located on County property.
30. The entry feature shown as a dome on the architectural renderings on Sheets 8, 9 and 10 may not be constructed. The entry feature shall be within the footprint established on Sheets 5 and 6 of the CDPA/FDPA and shall provide for an identifiable front entry for the Judicial Center Expansion.
31. The height of the sallyport roof structure shall not extend above the line of the second floor windowsill of the Judicial Center Expansion.

Approved:



Anthony H. Griffin
County Executive

3/14/02

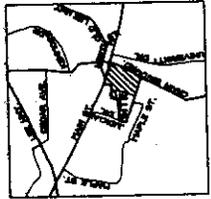
Date

PROFFERED CONDITION AMENDMENT / FINAL DEVELOPMENT PLAN AMENDMENT FAIRFAX COUNTY PUBLIC SAFETY CENTER FAIRFAX COUNTY, VIRGINIA

SHEET INDEX

GENERAL NOTES

VICINITY MAP
SCALE 1" = 200'



- GENERAL NOTES - PCA/FDPA**
- The property delineated on this plan is located in Fairfax County, Virginia. The Assessment Map Number is 124-1-1-0000. The Public Safety Center is located in the north of the site. The Board of Supervisors of Fairfax County is established in Code Book 101 at Page 1016 among the laws of Fairfax County, Virginia.
 - The Owner of the subject property is: Fairfax County Board of Supervisors, 12000 Government Center, Fairfax, Virginia 22035-0071.
 - This plan has been prepared without the benefit of a site visit and is based on the information provided at the time of the application.
 - Boundary information has been taken from the boundary survey prepared by Fairfax County Department of Public Works.
 - Topographic information has been compiled by Fairfax County Department of Public Works from available County topographic maps. The contour interval is 5'.
 - This application requests an amendment to revise the proposed site plan and site plan for the proposed Public Safety Center located at the intersection of the proposed site and the existing site. The proposed site is located at the intersection of the proposed site and the existing site. The proposed site is located at the intersection of the proposed site and the existing site.
 - No terms, density or floor area is being requested under the terms provided.
 - The subject property is within Fairfax County, Virginia. The proposed site is located at the intersection of the proposed site and the existing site. The proposed site is located at the intersection of the proposed site and the existing site.
 - All existing and proposed structures on the subject property are to be for public use. (Old Courthouse and Old Jail) shall be protected and preserved as part of the proposed development. These historic structures are to be protected and preserved as part of the proposed development. The proposed site is located at the intersection of the proposed site and the existing site. The proposed site is located at the intersection of the proposed site and the existing site.
 - Minor modifications may occur for security purposes on an as-needed basis.

- The subject property is located within Area II, Fairfax Planning District, Governmental Center Community Planning Sector - 10. The Corner of the Fairfax County Public Safety Center. Land Use Recommendations include: Governmental Center, Public Safety Center, and Public Safety Center.
- The proposed development conforms to the adopted Comprehensive Zoning Ordinance, as amended, and the Comprehensive Zoning Ordinance, as amended, and the Comprehensive Zoning Ordinance, as amended.
- No existing utility easements having a width of twenty-five feet or more are shown on the subject property. Additional easements of ten feet width are shown on the subject property. All easements and utility lines shall be protected and preserved in accordance with all local, state and federal regulations.
- A public safety and utility easement is shown on the subject property. The easement is shown on the subject property. The easement is shown on the subject property.
- A "high order" facility is being constructed as part of the proposed development. The existing structure is located at the intersection of the proposed site and the existing site. The proposed site is located at the intersection of the proposed site and the existing site.
- Expansion to accommodate with Twenty Second Road. Additional information is provided on the subject property. The proposed site is located at the intersection of the proposed site and the existing site.
- Proposed improvements to the public right-of-way on the subject property include: sidewalk, street lighting, and street lighting. The proposed site is located at the intersection of the proposed site and the existing site.
- Site plan and subdivision center line shall be provided in accordance with pertinent regulations. The proposed site is located at the intersection of the proposed site and the existing site.
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- The approved development schedule is shown on the existing site plan.
- See PCA/FDPA Recommendations and Angle of Bulk Plane for details on the proposed development.
- Overall site tabulations.
- PCA/FDPA TABULATIONS
- PRELIMINARY LANDSCAPE PLAN
- PRELIMINARY LANDSCAPE PLAN
- ANGLE OF BULK PLANE
- CONCEPT ELEVATIONS
- CONCEPT ELEVATIONS
- PERSPECTIVE PHOTOS - FOR INFORMATION ONLY
- SECURE SALLYPORT, JUDGES PARKING & SERVICE ACCESS

HDR
 HDR Architecture, Inc.
 191 King Street
 Alexandria, Virginia 22314
 Telephone: 703
 991 Bayview Blvd
 Suite 1000
 22204
 703.461.1011
 FAX: 703.461.1011
THOMAS J. JAMES ASSOCIATES
 HENRICO, VIRGINIA

PERSON	DATE	DESCRIPTION
DRW	FEB. 1, 2002	DATE
REL	DATE	DESCRIPTION
CHECKED	DATE	DESCRIPTION
DMS	DATE	DESCRIPTION
SHEET	DATE	DESCRIPTION

Peterson Harris Rust & Associates, p.c.
 Engineers, Surveyors, Planners, Landscape Architects
 14532 Lee Road
 Chesley, VA 20151-1879
 703.461.1011
 F 703.461.0714

COVER SHEET

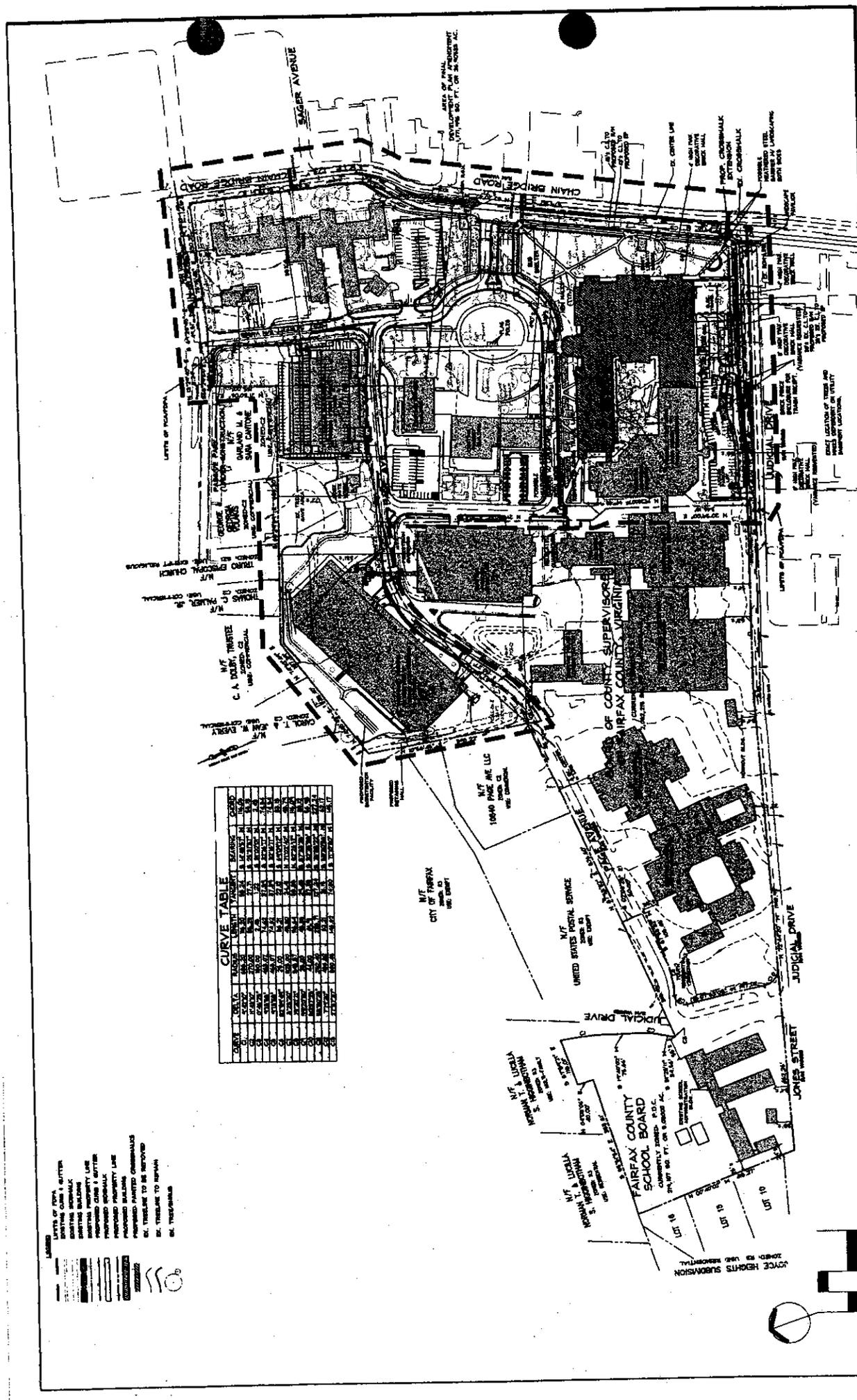
PCA / FDPA
FAIRFAX COUNTY PUBLIC SAFETY CENTER
FAIRFAX DISTRICT
FAIRFAX COUNTY, VA

NO.	DATE	DESCRIPTION
1	1/20/02	REVISIONS PER COUNTY COMMENTS
2	2/1/02	REVISIONS PER COUNTY COMMENTS
3	2/1/02	REVISIONS PER COUNTY COMMENTS
4	2/1/02	REVISIONS PER COUNTY COMMENTS
5	2/1/02	REVISIONS PER COUNTY COMMENTS
6	2/1/02	REVISIONS PER COUNTY COMMENTS
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8	2/1/02	REVISIONS PER COUNTY COMMENTS
9	2/1/02	REVISIONS PER COUNTY COMMENTS
10	2/1/02	REVISIONS PER COUNTY COMMENTS

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CURVE TABLE

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0+20	N 20° 00' 00" E	93.97	20° 00' 00"	100.00	N 20° 00' 00" E	93.97	20° 00' 00"	100.00
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CONCEPTUAL/FINAL DEVELOPMENT PLAN AMENDMENT

PCA / FDPA FAIRFAX COUNTY PUBLIC SAFETY CENTER FAIRFAX DISTRICT

PFA

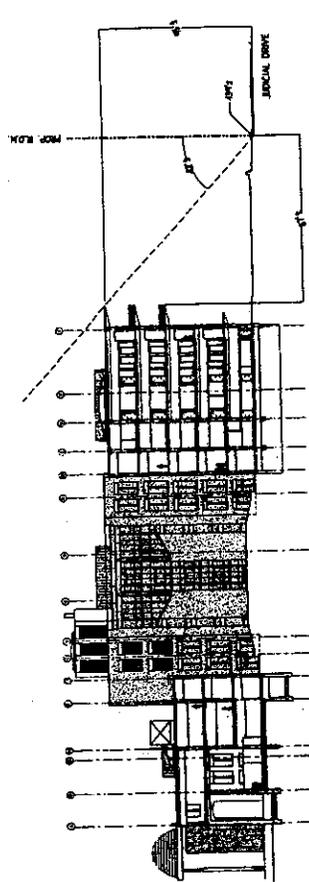
Pattor Harris Rust & Associates, P.C.
Engineers, Surveyors, Planners, Landscape Architects.
14332 Lee Road
Chantilly, VA 20151-1979
T 703.448.9700

DATE: FEB. 1, 2002
SCALE: 1" = 100'
SHEET: 1 OF 10

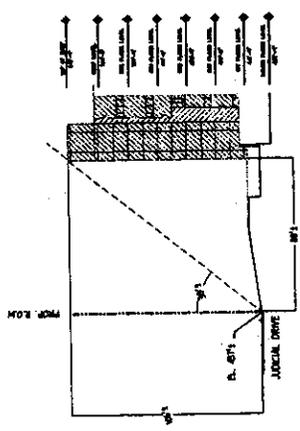
PROJECT: FAIRFAX COUNTY PUBLIC SAFETY CENTER
FAIRFAX DISTRICT

REVISIONS PER COUNTY COMMENTS

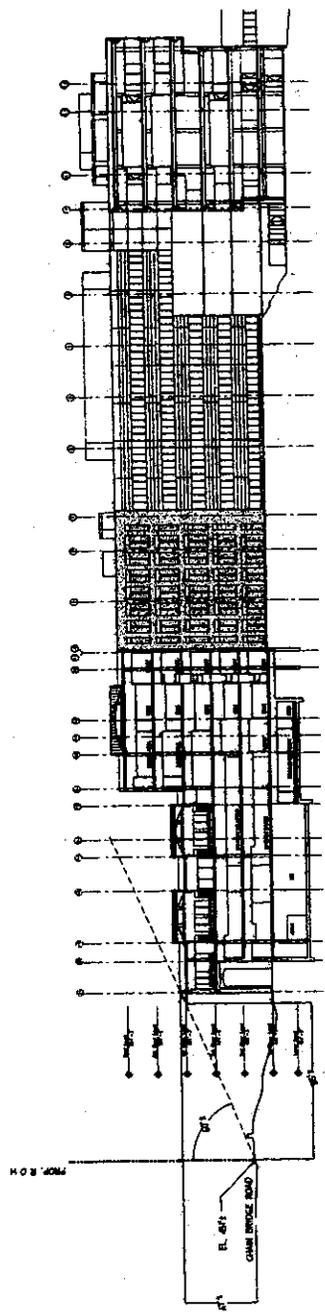
NO.	DATE	DESCRIPTION
1		
2		
3		



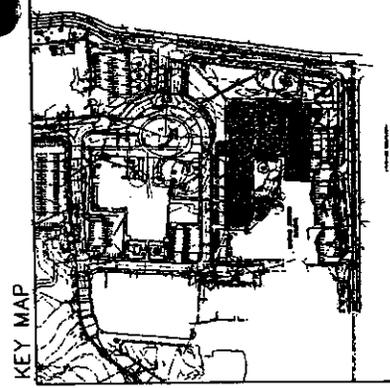
1. JUDICIAL CENTER EXPANSION AT JUDICIAL DRIVE
 BULK PLANE = 42'±
 BUILDING HEIGHT = 95'±
 BUILDING ROOF EL. = 524.75'



1. EXISTING JENNINGS BUILDING AT JUDICIAL DRIVE
 BULK PLANE = 38'±
 BUILDING HEIGHT = 106'±
 BUILDING ROOF EL. = 542.75'



3. JUDICIAL CENTER EXPANSION AT CHAIN BRIDGE ROAD
 BULK PLANE = 60'±
 BUILDING HEIGHT = 47'±
 BUILDING TOP OF ROOF EL. = 495'



DESIGN	DATE	SCALE
REL	FEB. 1, 2002	
CH203	DHS	

Patton Harris Rust & Associates, PC
 Engineers, Surveyors, Planners, Landscape Architects
 1432 Lee Road
 Chesley, VA 20181-1679
 T 703.468.6700

ANGLE OF BULK PLANE

PCA / FDP
 FAIRFAX COUNTY PUBLIC SAFETY CENTER
 FAIRFAX DISTRICT



NO.	DATE	BY	CHKD	APPD	DATE
1	3/15/02				
2	3/15/02				
3	3/15/02				
4	3/15/02				
5	3/15/02				

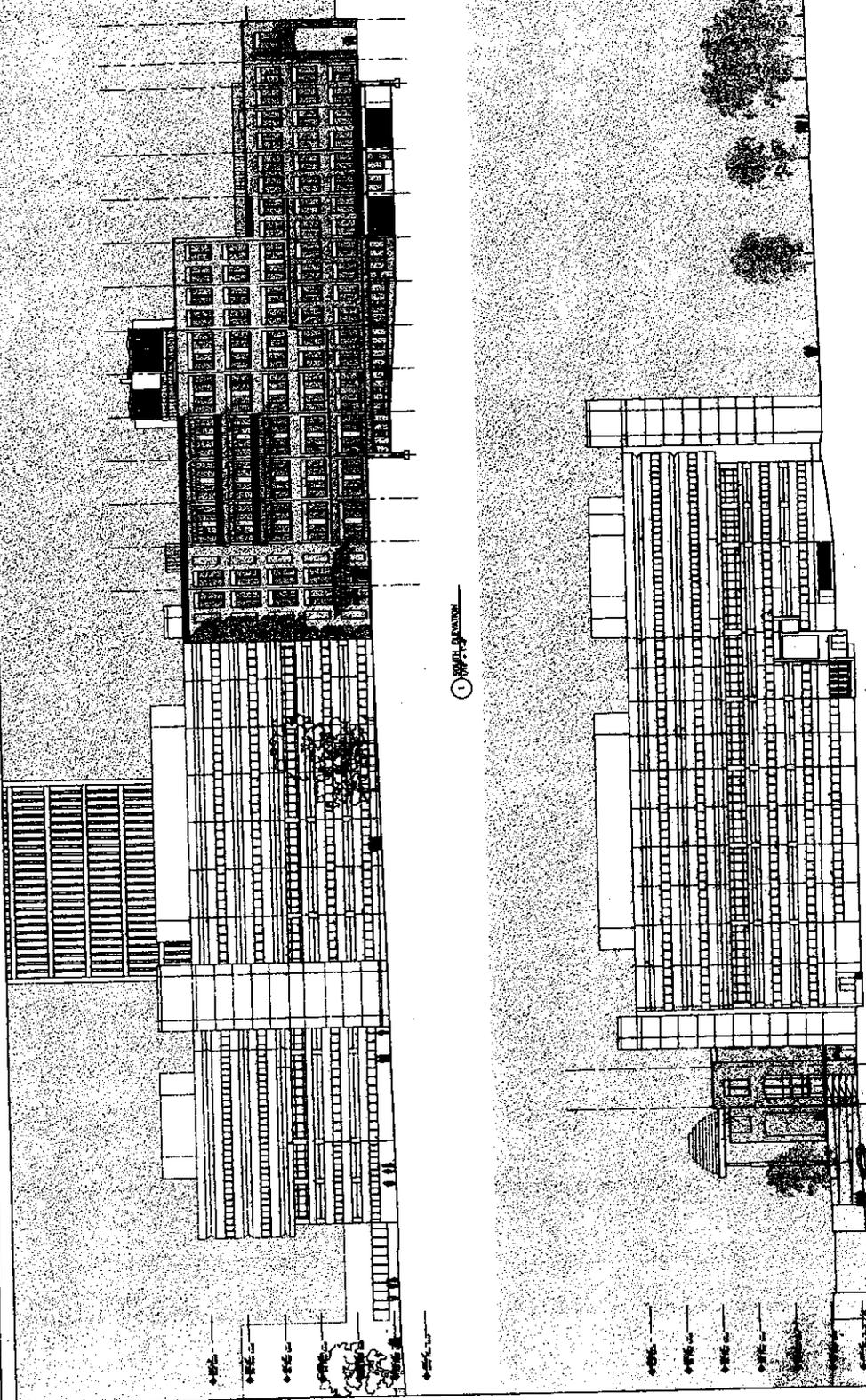


HDR Architecture, Inc.
101 West Street
Alexandria, Virginia 22314

In Association With

Kilhamer McLaughlin and Wood
Architects, Inc.
930 Berkeley Street
Bethesda, Maryland 20815
301.281.1888

Fairfax County Courthouse
Expansion and Renovation



NOTE: THESE CONCEPTUAL DRAWINGS ARE FOR ILLUSTRATIVE PURPOSES ONLY AND REPRESENT THE GENERAL CHARACTER AND APPEARANCE OF THE PROPOSED BUILDING. MODIFICATIONS TO THE DETAILS AND FINAL DESIGN MAY BE REQUIRED AS THE FINAL CONSTRUCTION DOCUMENTS ARE DEVELOPED.

Schematic Design
Fairfax County Courthouse, Fairfax, Virginia
HDR Architecture, Inc.

SOUTH & WEST
ELEVATIONS

SCALE 1/8" = 1'-0"
DATE 12/15/01
PROJECT NO. 01-000000-01
SHEET NO. 01-000000-01



DATE	12/15/01
PROJECT NO.	01-000000-01
SHEET NO.	01-000000-01
SCALE	1/8" = 1'-0"
DATE	12/15/01
PROJECT NO.	01-000000-01
SHEET NO.	01-000000-01

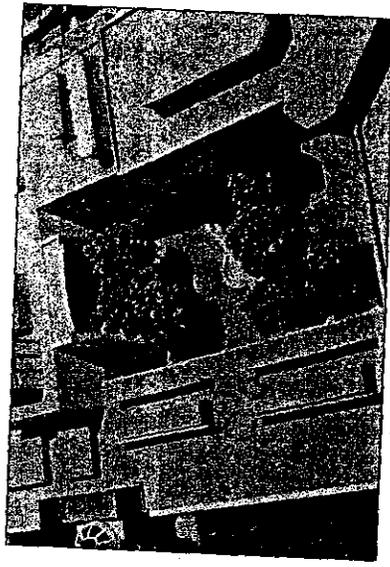
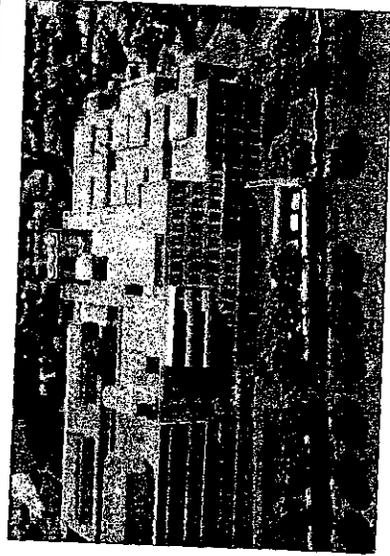
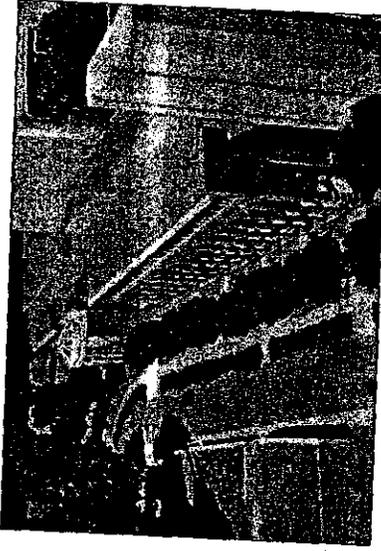
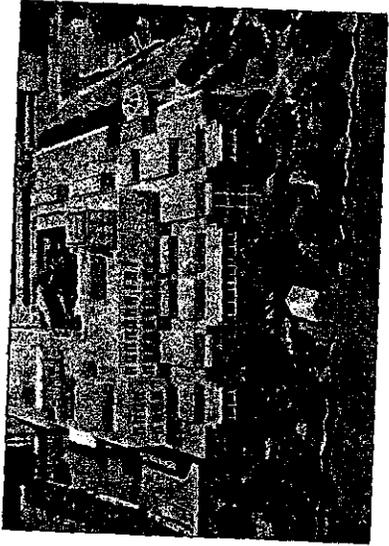
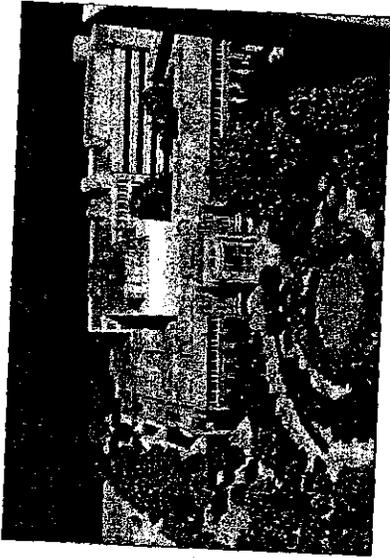
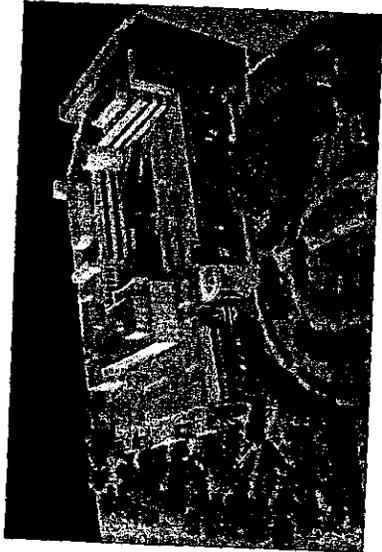
Patton Harris Rust & Associates, PC
Engineers, Surveyors, Planners, Landscape Architects
14322 Lee Road
Cherry Hill, VA 20531-1878
T 703.448.0790
F 703.448.0714

CONCEPT ELEVATIONS

PCA / FDP
FAIRFAX COUNTY PUBLIC SAFETY CENTER
FAIRFAX DISTRICT
FAIRFAX COUNTY, VA



NO.	DESCRIPTION	DATE	BY	CHECKED	APPROVED
1	CONCEPT ELEVATIONS	12/15/01	[Signature]	[Signature]	[Signature]
2	REVISIONS				
3	REVISIONS				



NOTE: THESE CONCEPTUAL SITE PERSPECTIVES ARE FOR ILLUSTRATIVE PURPOSES ONLY AND REPRESENT THE GENERAL CHARACTER AND APPEARANCE OF THE PROPOSED BUILDING AND SITE. MODIFICATIONS TO THE DETAILS AND FINAL DESIGN MAY BE REQUIRED AS THE FINAL CONSTRUCTION DOCUMENTS ARE DEVELOPED.

NO.	DATE	BY	REVISIONS
1			REVISED PER CLIENT COMMENTS
2			REVISED PER CLIENT COMMENTS
3			REVISED PER CLIENT COMMENTS

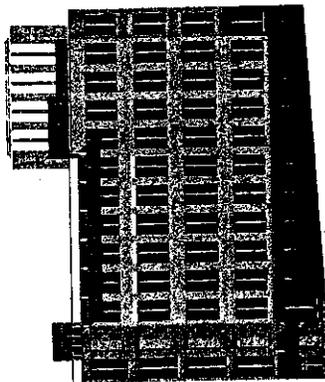


PROJECT
PCA / FDPA
FAIRFAX COUNTY PUBLIC SAFETY CENTER
 FAIRFAX DISTRICT
 FAIRFAX COUNTY, VA

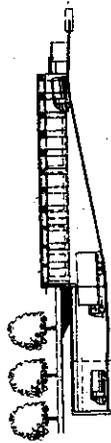
**PERSPECTIVE
 PHOTOS**

PHRA
 Patton Harris Rust & Associates, PC
 Engineers, Surveyors, Planners, Landscape Architects
 11332 Lee Road
 Quantico, VA 22081-6879
 T 703.466.8700

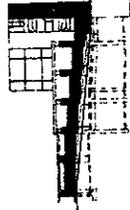
DATE	BY	REVISIONS
FEB. 1, 2002	REL	
	CHECKED	
	DWG	



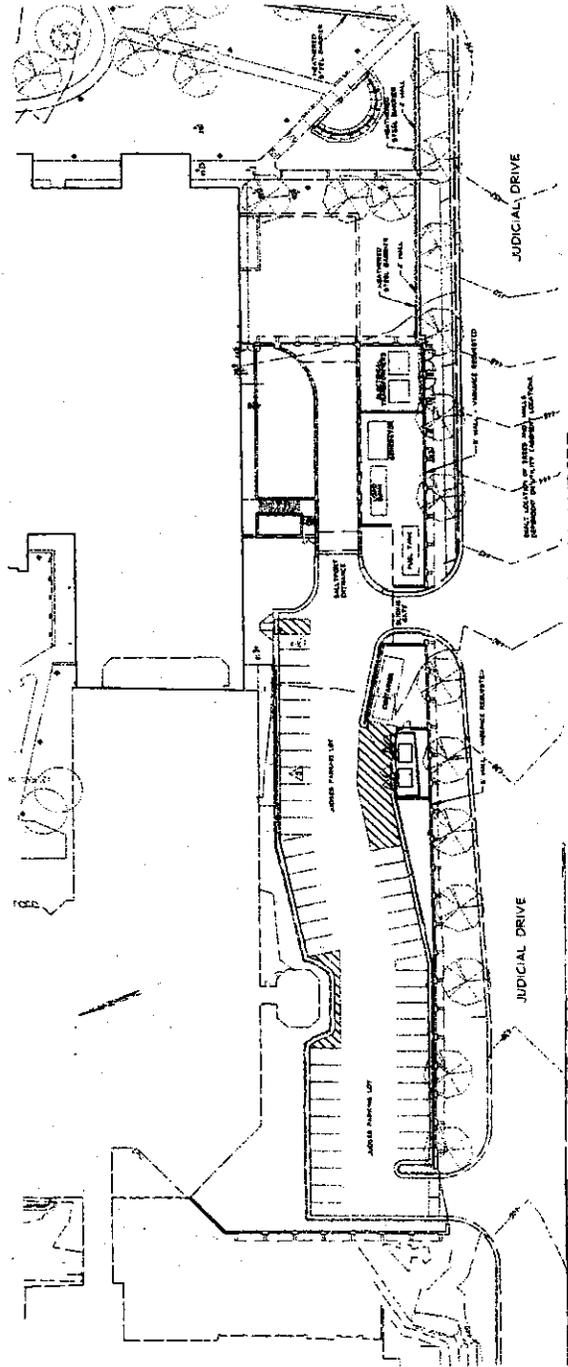
SALLYPORT SOUTH ELEVATION
NOT TO SCALE



SALLYPORT NORTH ELEVATION
NOT TO SCALE



SALLYPORT EAST ELEVATION
NOT TO SCALE



JUDGES PARKING LOT AND SALLYPORT
SCALE: 1/8" = 1'-0"

DESIGN	DATE	SCALE	PROJECT
DRAWN	FEB. 1, 2002	1" = 100'	
CHECKED			
DATE			

Patton Harris Rust & Associates, PC
Engineers, Surveyors, Planners, Landscape Architects
1432 Lee Road
Fairfax, VA 22031
703.448.8700
PHRA

SECURE SALLYPORT, JUDGES PARKING, AND SERVICE ACCESS

PROJECT: PCA / FDPA
FAIRFAX COUNTY PUBLIC SAFETY CENTER
FAIRFAX DISTRICT
FAIRFAX COUNTY, VA

PROFESSIONAL SEAL
DATE: 3-13-02

NO.	DESCRIPTION	DATE	BY	REVISED	APPROVED
1	REVISIONS FOR COUNTY COMMENTS	2/28/02			
2	REVISIONS FOR COUNTY COMMENTS	2/28/02			
3	REVISIONS FOR COUNTY COMMENTS	2/28/02			
4	REVISIONS FOR COUNTY COMMENTS	2/28/02			

FDP 91-W-023-2

FDP 91-W-023 -02
FILED 04/22/94

FAIRFAX COUNTY BOARD OF SUPERVISORS
FINAL DEVELOPMENT PLAN

PROPOSED: PUBLIC USE, GOVERNMENT OFFICES, COURTS, LOCAL
DETENTION FACILITIES

APPROX. 7.53 ACRES OF LAND; DISTRICT - MULTIPLE

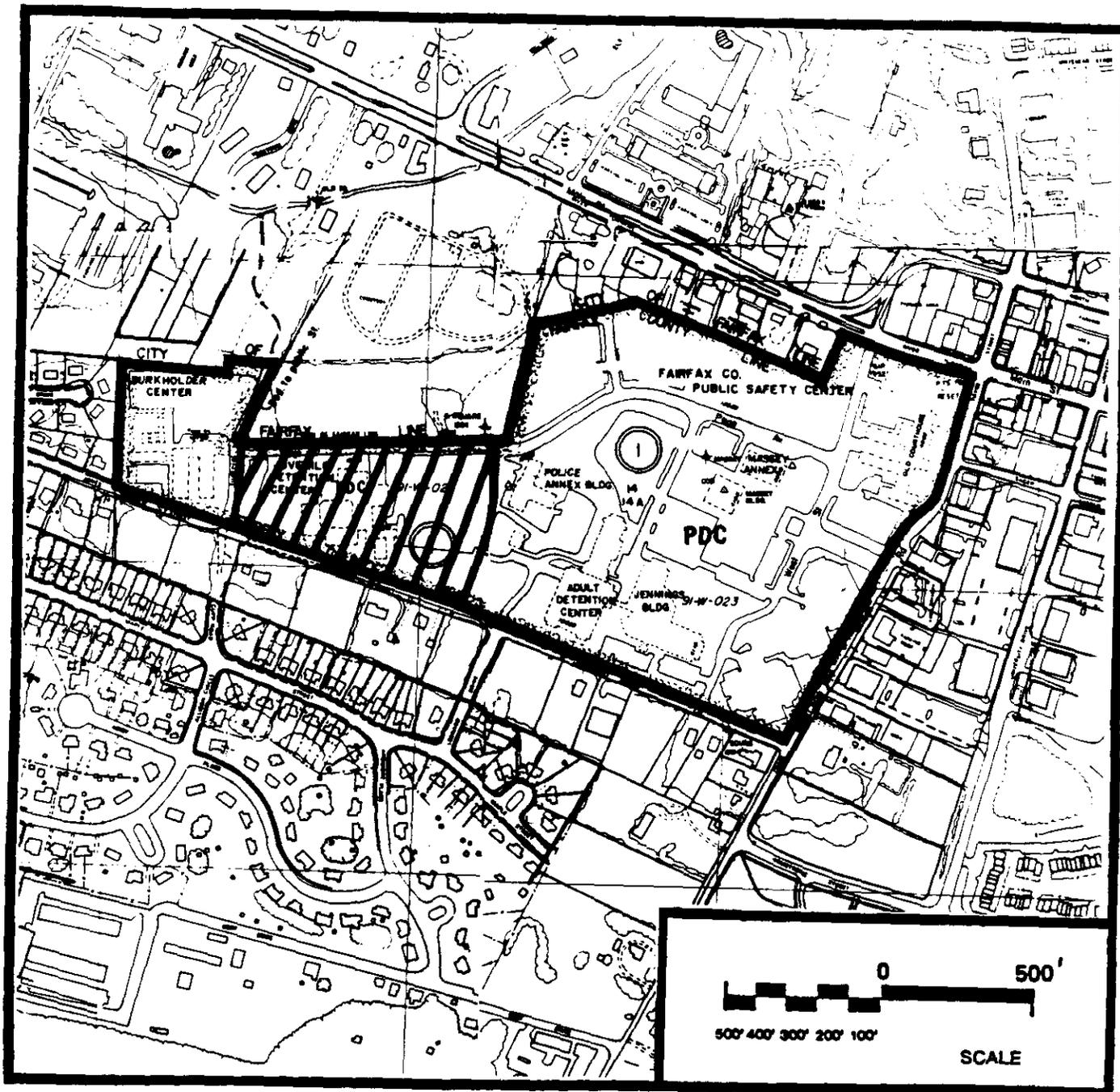
LOCATED: S.W. QUADRANT OF INTERSECTION OF RT. 123
AND RT. 236

ZONING: PDC
OVERLAY DISTRICT(S):

MAP REF

057-4- /01/ /0014- P

AREA OF APPLICATION



FAIRFAX COUNTY VIRGINIA

MEMORANDUM

TO: John W. di Zerega, Director
Fairfax County Department of Public Works
1200 Government Center - Suite 448

DATE: November 16, 1994

FROM: Nancy Vehrs *N.V.*
Clerk to the Board of Supervisors

SUBJECT: Final Development Plan
Number FDP 91-W-023-2

At a regular meeting of the Board of Supervisors held on October 31, 1994, the Board approved Final Development Plan FDP 91-W-023-2 in the name of the Fairfax County Board of Supervisors, subject to the development conditions dated October 5, 1994, for public uses - an expansion of Juvenile Detention Center, pursuant to Section 16-402 of the Fairfax County Zoning Ordinance, on subject parcel 57-4 ((1)) Pt. 14 consisting of approximately 7.53 acres.

The Board also reaffirmed modification of the transitional screening and waived the barrier along the portion of the southern property boundary as previously approved with Rezoning Application Number RZ 91-W-023.

NV/ns

cc: John M. Yeatman, Director, Real Estate Dvs., Assessments
Melinda M. Artman, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Dvs., OCP
Robert Moore, Trnsprtn.Planning Dvs., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Y. Ho Chang, Resident Engineer, VDOT
Land Acq. & Planning Dvs., Park Authority
Barbara J. Lipa, Deputy Executive Director, Planning Commission

DEVELOPMENT CONDITIONS

FDP 91-W-023-2

October 5, 1994

If it is the intent of the Board of Supervisors to approve FDP 91-W-023-2 located at Tax Map 57-4 ((1)) 14pt. for use as Public Uses, an expansion of the Juvenile Detention Center, pursuant to Sect. 16-402 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. Development shall be in conformance, as defined by Section 16-403 of the Zoning Ordinance, with the Final Development Plan **entitled "Public Safety Center Final Development Plan" (sheets 1-3) and prepared by Fairfax County Department of Public Works, which is dated January 5, 1994 revised October 3, 1994, and these conditions.**
2. Landscaping shall be provided in substantial accordance with Sheet 2 of the FDP, subject to the review and approval of the Urban Forester.
3. The environmental quality corridor (EQC) and tree save area, as delineated on Page 2 of the FDP shall remain undisturbed.
4. The architectural elevations and building materials of the building addition(s) shall be compatible with the existing Juvenile Detention Center building, as determined by the Department of Environmental Management (DEM).



County of Fairfax, Virginia

MEMORANDUM

DATE: January 28, 2008

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section, DOT 

FILE: 3-4 (RZ 91-W-023)

SUBJECT: PCA 91-W-023-03; FDPA 91-W-023-02 - Fairfax County Board of Supervisors
Land Identification Maps: 57-3 ((1)) 17
57-4 ((1)) 14

This department has reviewed the subject request and has no objection to its approval.

AKR/MAD



County of Fairfax, Virginia

MEMORANDUM

January 15, 2008

TO: Peter Braham, Senior Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Todd Nelson, Urban Forester II 
Forest Conservation Branch, DPWES

SUBJECT: Municipal Center/Public Safety Center; PCA 91-W-023-03

RE: Request for assistance dated December 14, 2007

This review is based on the Proffered Condition Amendment PCA 91-W-023-03 and the Final Development Plan Amendment FDPA 91-W-023-02 stamped "Received, Department of Planning and Zoning, November 26, 2007." A site visit was conducted on January 8, 2008.

Sire Description: This site is developed with the existing Juvenile Detention Center (JDC) in the Fairfax County's Public Safety Center Complex. The proposed addition will be located along the western side of the existing JDC adjacent to a sub-climax bottom land forest consisting primarily of tulip tree, red maple, black locust, and eastern redcedar. The trees and vegetation in this area appear to be in poor to fair condition and should be considered for preservation. There are several existing linden trees located at the northern portion of the site adjacent to Page Avenue and several existing maple trees located at the eastern portion of the site along Judicial Drive. These trees appear to be in fair condition and should be considered for preservation.

- 1. Comment:** It does not appear preliminary tree cover calculations have been provided and it is unclear how the tree cover requirement will be met on this site.

Recommendation: Applicant should provide preliminary tree cover calculations to demonstrate how the tree cover requirements will be met on this site.

- 2. Comment:** There is a sub-climax bottom land forest consisting primarily of tulip tree, red maple, black locust, and eastern redcedar located at the western side of the existing JDC building. The trees and vegetation in this area appear to be in poor to fair condition and should be considered for preservation.

Recommendation: A tree save area should be provided along the western side of the existing JDC building to protect the sub climax upland forest.

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



3. **Comment:** The proposed limits of clearing and grading at the western portion of the site adjacent to Judicial Drive appear to be excessive and will provide minimal protection to the existing trees proposed for preservation.

Recommendation: The proposed limits of clearing and grading at the western portion of the site should be relocated approximately 10 feet to the east so they are located adjacent to the western edge of the existing asphalt driveway.

4. **Comment:** Two existing linden trees located to the north of the existing Juvenile Detention Center are proposed for preservation, however, these trees are located inside the area to be disturbed.

Recommendation: The proposed limits of clearing and grading adjacent to the two existing linden trees at the northern portion of the site should be adjusted to show these trees inside a tree save area.

5. **Comment:** It is not clear how the Applicant proposes to landscape this site.

Recommendation: A landscape plan should be submitted that shows a variety of native tree species, of various sizes, planted throughout the site. Trees that are well suited for this location include red maple, willow oak, American holly, American beech, black gum, river birch, dogwood, arborvitae, eastern redcedar, Japanese cryptomeria and many others.

To receive additional tree cover credit, native and desirable trees should comprise at least 90% of all trees listed on site. Tree species and planting locations that are effective for energy conservation can also receive additional tree cover credit. See PFM sections 12-0501.5B and 12-0501.10D.

6. **Comment:** The proposed plantings identified on sheet 4 are unclear. Due to the unclear tree types and size specifications, UFMD is unable to accurately determine if these trees are located within 4 feet of a restrictive barrier and if adequate planting space is being provided.

Recommendation: Trees proposed to be planted should be identified as Category I, II, III, or IV evergreen trees and/or Category I, II, III, or IV deciduous trees and all trees shall be planted no closer than 4 feet from any restrictive barrier. In addition, minimum planting areas should be provided in accordance with PFM section 12-0702.1B(2).

7. **Comment:** Given the nature of the tree cover on this site, and depending upon the ultimate development configuration provided, several proffers will be instrumental in assuring adequate tree preservation and protection throughout the development process.

Recommendation: Recommend the following proffer language to ensure effective tree preservation:

Tree Preservation: “The applicant shall submit a Tree Preservation plan as part of the first and all subsequent site plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

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 10 inches in diameter and greater, and 25 feet to either side of the limits of clearing and grading shown on the PCA/FDPA for the entire site. 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 PCA/FDPA 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 any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.”

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 walk-through meeting. During the tree-preservation walk-through meeting, the Applicant’s certified arborist or landscape architect shall walk the limits of clearing and grading with an UFMD, DPWES, 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 adjustment shall be implemented. Trees that are identified 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 adjacent trees and associated understory vegetation and soil conditions.”

Limits of Clearing and Grading. “The Applicant shall conform strictly to the limits of clearing and grading as shown on the PCA/FDPA, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the PCA/FDPA, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.”

Tree Preservation Fencing: “All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form 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 or, super

silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but 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, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES."

Root Pruning. "The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete."

Demolition of Existing Structures. "The demolition of all existing features and structures within areas protected by the limits of clearing and grading areas shown on the PCA/FDPA shall be done by hand without heavy equipment and conducted in a manner that does not impact individual trees and/or groups of trees that are to be preserved as reviewed and approved by the UFMD, DPWES."

Site Monitoring. "During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES."

Municipal Center/Public Safety Center
PCA 91-W-023-03 & FDPA 91-W-023-02
January 15, 2008
Page 5 of 5

Please contact me at 703-324-1770 if you have any questions.

TLN/
UFMID #: 132886

cc: RA File
DPZ File

SELECTED EXCERPTS FROM THE ZONING ORDINANCE

ARTICLE 16

DEVELOPMENT PLANS

PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS

16-101 General Standards

A rezoning application or development plan amendment application may only be approved for a planned development under the provisions of Article 6 if the planned development satisfies the following general standards:

1. The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.
2. The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.
3. The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.
4. The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.
5. The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.
6. The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

16-102 Design Standards

Whereas it is the intent to allow flexibility in the design of all planned developments, it is deemed necessary to establish design standards by which to review rezoning applications, development plans, conceptual development plans, final development plans, PRC plans, site plans and subdivision plats. Therefore, the following design standards shall apply:

1. In order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration.
2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.
3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

GLOSSARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Abbreviations Commonly Used in Staff Reports

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