



**APPLICATION ACCEPTED:** June 3, 2008  
**PLANNING COMMISSION:** October 30, 2008  
**BOARD OF SUPERVISORS:** not scheduled

## County of Fairfax, Virginia

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**October 15, 2008**

### **STAFF REPORT**

**APPLICATION SE 2008-MA-020**

#### **MASON DISTRICT**

**APPLICANT:** Woodlake Towers Condominium Unit Owners Association

**ZONING:** R-30

**LOCATION:** 6001 Arlington Boulevard, Units T-13A, T-13B

**PARCEL(S):** 51-4 ((13)) (1) 13A, 13B

**ACREAGE:** 1,407 square feet

**PLAN MAP:** Residential, 16-20 DU/AC

**SE CATEGORY:** Category 5: Offices

**PROPOSAL:** Convert two residential units in an existing high-rise residential structure to office use.

#### **STAFF RECOMMENDATIONS:**

Staff recommends approval of SE 2008-MA-020 subject to the proposed development conditions in Appendix 1.

Staff recommends approval of a modification of the transitional screening requirement in favor of existing on-site landscaping.

Staff recommends approval of a waiver of the barrier requirement in favor of existing on-site landscaping.

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**Christopher M. DeManche**

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, 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 Special Exception 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.

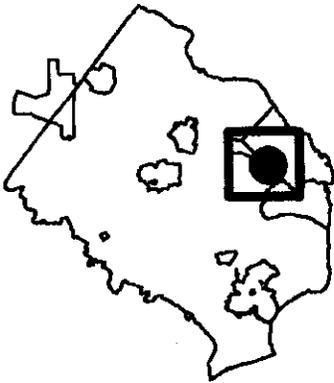
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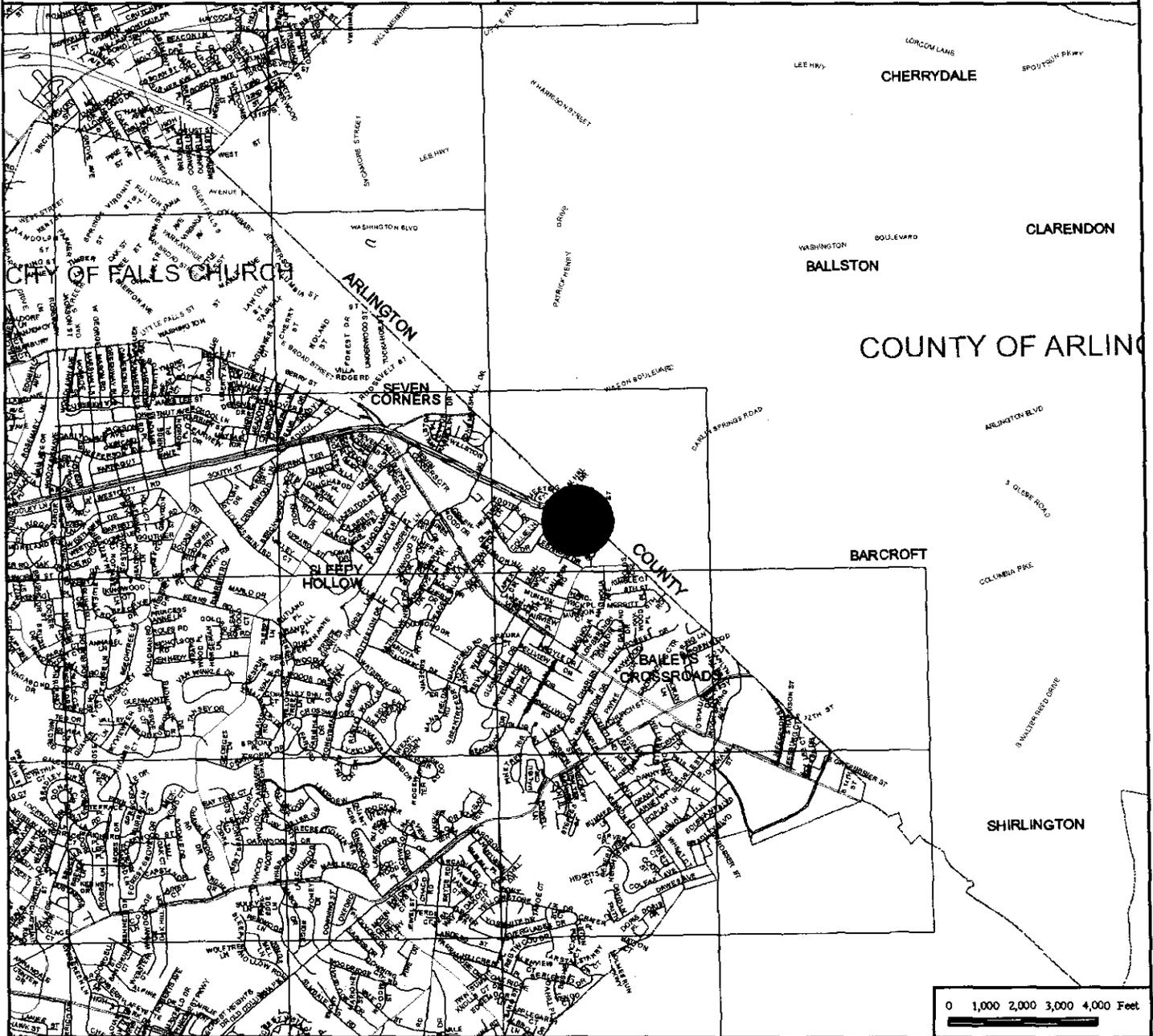
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Exception

SE 2008-MA-020

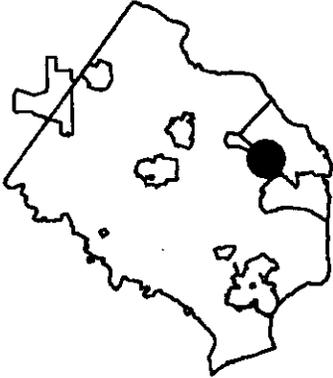


Applicant: WOODLAKE TOWERS CONDOMINIUM  
Accepted: 06/03/2008  
Proposed: COMMERCIAL OFFICE  
Area: 1,407 SF OF LAND; DISTRICT - MASON  
Zoning Dist Sect: 03-3004  
Art 9 Group and Use: 5-17  
Located: 6001 ARLINGTON BOULEVARD  
Zoning: R-30  
Plan Area: 1,  
Overlay Dist:  
Map Ref Num: 051-4 /13/01/0013A /13/01/0013B

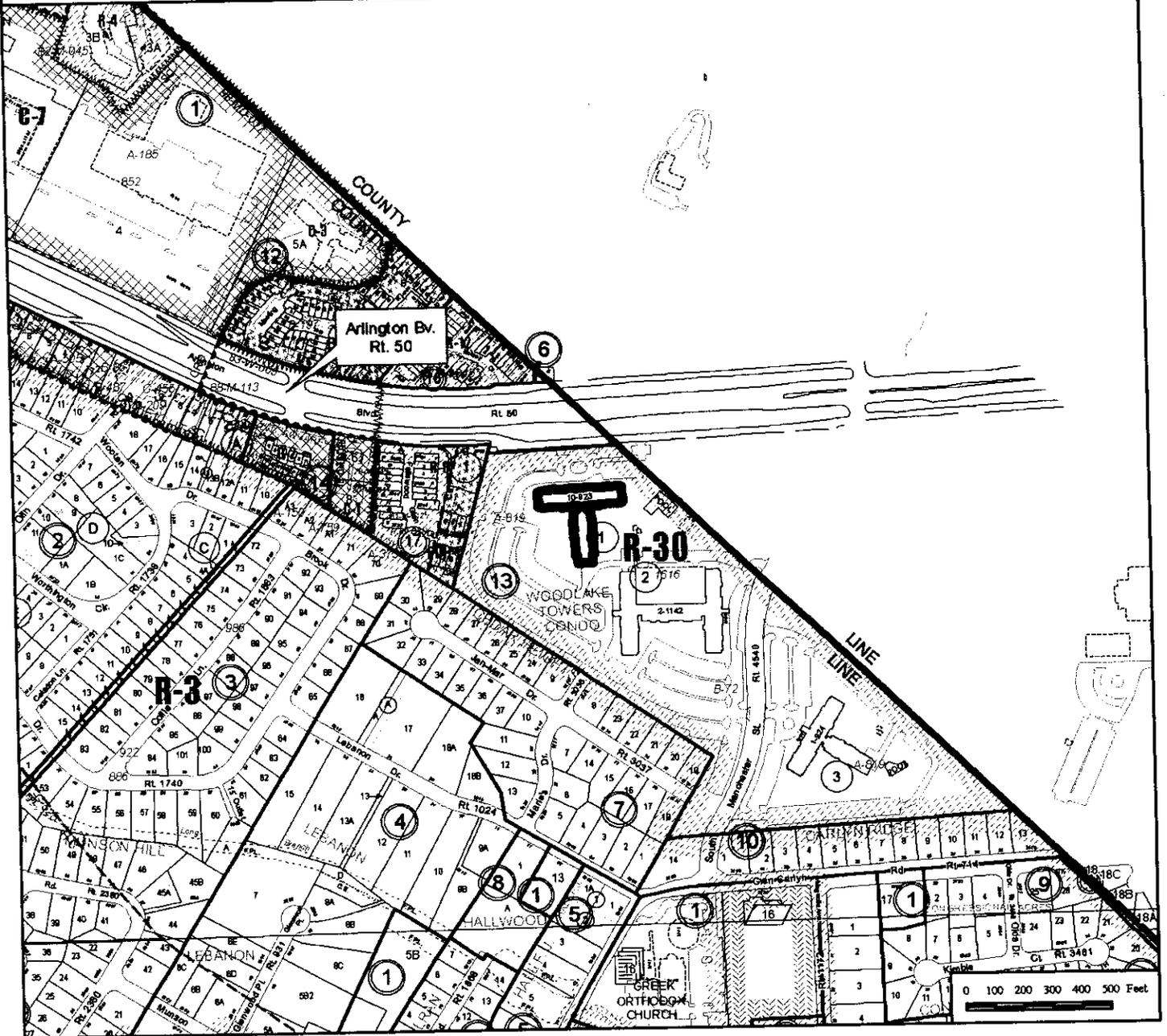


# Special Exception

SE 2008-MA-020



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Zoning: R-30  
Plan Area: 1,  
Overlay Dist:  
Map Ref Num: 051-4- /13/01/0013A /13/01/0013B



**SURVEYOR'S CERTIFICATE**

I, JOHN T. MORGAN, A CERTIFIED LAND SURVEYOR, HEREBY CERTIFY THAT THESE PLATS, MAPS, AND RECORDS (HEREINAFTER COLLECTIVELY REFERRED TO AS "THE RECORDS") COMPLY WITH THE PROVISIONS OF SECTION 88-72.03 (6) OF THE CODE OF VIRGINIA, AND THE BUILDINGS SHOWN THEREON ARE SUBSTANTIALLY COMPLETED IN ACCORDANCE THEREWITH.

JOHN T. MORGAN  
 CERTIFICATION NO. 818  
 DATE: 10/10/80



**LEGEND**  
 — DENOTES FENCE  
 + DENOTES LIGHTPOLE

**NOTES:**  
 1. THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED ON MAP NO. 51-40-12, 12A, 13, 14.  
 2. THIS PROPERTY IS SUBJECT TO EASEMENT AGREEMENT #1 DB 281 AT PG. 178, DB 280 AT PG. 48, DB 281 AT PG. 51, AND DB 4 IN 78 AT PG. 47.  
 3. THE PROPERTY SHOWN HEREON WAS ACQUIRED BY WOODLAKE IN 78 AT PG. 47.

ARLINGTON BOULEVARD U.S. ROUTE 50

DEDICATION FOR SERVICE ROAD DB 287 PG 280

APPROX. LOCATION OF SERVICE ROAD DB 287 PG 280

APPROX. LOCATION OF SERVICE ROAD DB 287 PG 280

MARIE F. & BILLIE BRYAN

PARCEL 5A11  
 MANCHESTER VENTURE

POOL

BUILDING NO. 1  
 4001 ARLINGTON BOULEVARD

APPROX. LOCATION OF SERVICE ROAD DB 287 PG 280

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**AREA TABULATION**

UNITS (EST)	— 6,847 AC
SERVICE DRIVE	— 0.288 AC
S. MANCHESTER ST.	— 1.088 AC
TOTAL AREA	— 8.123 AC

**DENSITY TABULATION**

TOTAL AREA	— 8.123 AC
UNITS PER ACRE	— 75.4

AMERICAN TRADING COMPANY, INC.  
 WOODLAKE TOWERS II CONDOMINIUM  
 4001 ARLINGTON BOULEVARD  
 ARLINGTON, VIRGINIA 22204

PLAT SHOWING  
 SUBMITTED LAND, CONVERTIBLE LAND  
 ADDITIONAL LAND, INTERESTABLE LAND  
 THE LOCATION AND DIMENSIONS OF ALL  
 EXISTING IMPROVEMENTS AND ENCUMBRANCES

**WOODLAKE TOWERS  
 CONDOMINIUM**  
 MASON DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 50' OCTOBER, 1980

DEWBERRY, NEALON AND DAVIS  
 ENGINEERS, ARCHITECTS AND SURVEYORS  
 8447 ARLINGTON BOULEVARD, SUITE 100  
 FAIRFAX COUNTY, VIRGINIA 22031

EXHIBIT "D" SHEET 1 OF 1

VIRGINIA STATE GRID NORTH

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

**DESCRIPTION OF THE APPLICATION**

**Proposal:** The applicant, Woodlake Towers Condominium Unit Owners Association, requests approval of a Special Exception to allow the conversion of two residential units in the existing high-rise residential structure for office use.

**Number:** Two offices (Units T-13A and T-13B) totaling 1,407 square feet.

**Hours:** Monday through Friday: 9:00 am to 6:00 pm

**Employees:** Fifteen employees between the two units.

**LOCATION AND CHARACTER**

The project site is comprised of the Wood Lake Towers Condominium complex, which includes three condominium buildings with a total of 829 units on 10.41 acres of land. The condominium complex has access onto a service drive along the Arlington Boulevard frontage. The development is landscaped with mature trees and shrubbery and is surrounded by residential uses consisting of multi-family, single-family attached and single-family detached dwelling units.

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	SF Attached Dwellings	R-12	8-12 DU/AC
<b>South</b>	SF Detached Dwellings	R-3	2-3 DU/AC
<b>East</b>	SF Attached Dwellings	Arlington County	Arlington County
<b>West</b>	SF Detached Dwellings, SF Attached Dwelling	PDH-8	2-3 DU/AC

**BACKGROUND**

The Special Exception requests to convert Units T-13A and T-13B for offices uses. Unit T-13A totals 553 square feet and Unit T-13B totals 854 square feet, for a

combined total of 1,407 square feet between the units. A number of non-residential uses have operated within the Woodlake Towers Condominium complex by right as accessory service uses pursuant to Section 10-202 of the Zoning Ordinance. Such accessory service uses have included a beauty shop and quick service food store within Buildings 1 and 2.

Special Exceptions have been previously approved in Building 2 for a medical office in Unit T-4 and a realty office in Unit T-6. This Special Exception request by the Woodlake Towers Condominium Unit Owners Association would allow for the conversion of Units T-13A and T-13B for office use.

#### **Site History:**

- Based on County records, the Woodlake Towers Condominium site was constructed in 1970, and consists of 829 residential units.
- **SE 86-M-020 (Aram Chusid, M.D.)**, approved June 30, 1986, for a medical office in Unit T-4 of Building 2. Development conditions for the use include:
  1. Hours of operation shall be no earlier than 9:00 am and no later than 5:00 pm on Mondays through Fridays; and no earlier than 9:00 am or no later than 2:00 pm on Saturdays.
  2. The maximum number of patients visiting the office per day shall be fifteen (15).
  3. There shall be a maximum of six (6) reserved parking spaces located in close proximity to the entrance of the office which are reserved exclusively for this use during the hours of operation.
  4. The maximum number of employees, to include the physician that shall be permitted on site at any one time shall be two (2).
- **SE 90-M-033 (Mead Properties, Inc.)**, approved September 16, 1991, for a real estate brokerage office in Unit T-6 of Building 2. Approval was subject to a development condition for a three year time limitation period requiring approval from the Zoning Administrator for additional three year periods. The Special Exception is active, with the most recent extension approved on August 18, 2006, for a period beginning September 16, 2006 to September 16, 2009.
- Over the past several years, Units T-13A and T-13B, which are subject to this Special Exception application, had been leased to Master's Health and Wellness Center by the Woodlake Towers Condominium Unit Owners Association without Special Exception approval. The units are currently vacant and have been proposed for future office use.

## **COMPREHENSIVE PLAN PROVISIONS**

**Plan Area:** Baileys Planning District, Area I

**Planning Sector:** B2 Glen Forest

**Plan Map:** Residential, 16-20 DU/AC

**No parcel specific plan text for this site.**

## **ANALYSIS**

### **Special Exception Plan**

As no site modifications are proposed, the requirement to submit a Special Exception Plat was modified to allow the general plat of Woodlake Towers to be submitted for reference purposes. A copy of this plat is attached to the front of this report for reference.

### **Land Use Analysis**

Comprehensive Plan guidance indicates that the B2 Glen Forest Planning Sector is developed with a variety of residential and commercial uses ranging from commercial and medium density residential use in the northern portion, to the central portion that is characterized by stable, low-density residential neighborhoods. Much of the southern portion of the sector lies within the Baileys Crossroads Community Business Center. Like the northern portion, commercial and medium density residential uses are predominant. The residential uses include townhouses, garden apartments, condominiums, and mid- and high-rise apartment buildings and are primarily located along major thoroughfares.

Based upon a review of the Comprehensive Plan land use recommendations for the B2 Glen Forest Planning Sector, it has been determined that no land use issues are associated with this application.

### **Transportation Analysis (Appendix 4)**

The Transportation Department has reviewed the subject application and suggests the following:

- The applicant should provide additional sidewalk and crosswalks to provide a clear and contiguous pedestrian path from the existing bus shelter located on Arlington Boulevard, across the service drive, and around the outside perimeter of the site entrance traffic circle.

*Staff has proposed a development condition that would require the applicant to install a clear and contiguous pedestrian path from the existing bus shelter along Arlington Boulevard to the site entrance traffic circle prior to the issuance of Non-Residential Use Permits (Non-Rups) for Units T-13A and T-13B.*

**ZONING ORDINANCE PROVISIONS**

<b>Bulk Standards (R-30)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
<b>Lot Size (Total Site)</b>	3.0 Acres	10.41 Acres
<b>Density</b>	30 d/u acre	79.63 d/u acre *
<b>Front Yard (Building One)</b>	20.0	153.28
<b>Side Yard (Building One -East)</b>	10.0	99.71
<b>Side Yard (Building One -West)</b>	10.0	198.0
<b>Rear Yard</b>	25.0	47.0
<b>Parking (Total Site)</b>		
<b>Parking Spaces</b>	1,275	1,291

\* The subject parcel was created prior to the advent of the 1978 Zoning Ordinance; therefore, although the parcel does not meet the Ordinance requirements, it is grandfathered under the provisions of Sect. 2-405.

The project site is in conformance with the bulk standards for the R-30 District. The application requires modifications to the transitional screening requirements and a waiver to the barrier requirements proposed for the office uses that would be located adjacent to a mix of lower density residential uses.

**-Wavers/Modifications:**

- *Modification of transitional screening requirement*

A modification to the transitional screening requirement has been requested with this application to allow existing vegetation to be utilized for screening purposes. The office uses proposed under the Special Exception application would be located in Building 1 of the Woodlake Towers Condominium complex. The office uses would be surrounded by multi-family dwellings, single-family attached, and single-family

detached dwelling units. The Zoning Ordinance pursuant to Section 13-302, requires Transitional Screening # 1 and 2, to buffer the surrounding properties from the office uses proposed for Units T-13A and T-13B.

Specifically, Transitional Screening # 1 requires an unbroken strip of open space totaling a minimum of twenty-five feet in width with large evergreen trees totaling forty feet or greater in height for every ten linear feet and medium evergreen trees totaling twenty to forty feet in height for every five linear feet. Transitional Screening # 2 requires an unbroken strip of open space totaling a minimum of thirty-five feet in width and planted with varying sized evergreen and deciduous trees.

The proposed offices would be located on the ground floor of Building 1, with separate internal and external entrances. Specifically, the external entrances are located in a courtyard that is heavily landscaped with trees, and with sidewalk access to nearby parking areas and various facilities serving residents and guests. The office uses would not be visible from adjacent properties due to their location on the south side of Building 1, the presence of mature landscaping, and the overall size of the Woodlake Towers condominium complex.

A development condition is proposed that would require the existing vegetation to be maintained in good condition and replaced as necessary to ensure adequate screening throughout the life of the site. Staff does not object to allowing the proposed modification of the transitional screening requirements based on the presence of mature on-site landscaping.

- *Waiver of barrier requirement*

A modification to the barrier requirement is requested with this application. The office uses proposed under the Special Exception application would be located in building one of the Woodlake Towers Condominium complex. The office uses would be surrounded by multi-family, single-family attached dwellings, and single-family detached dwelling units. The Zoning Ordinance pursuant to Section 13-303, requires the project site to provide a Type D or F barrier in addition to the transitional screening requirements.

A Type D barrier consists of a forty-two to forty-eight inch chain link fence and may be required by the Director to have inserts in the fence fabric, to be coated, or to be supplemented by trees and/or shrubs. A Type F barrier consists of a six foot high solid wood or otherwise architecturally solid fence.

The barrier requirement without the requested waiver would result in the placement of fencing along each property line abutting the surrounding uses. The project site is landscaped extensively with mature trees and shrubbery along all lot lines, ensuring that a natural and adequate barrier separates the various residential uses. In addition,

the office uses would not be visible from surrounding properties due to their location on the south side of Building 1, the presence of mature landscaping, and the overall size of the Woodlake Towers Condominium complex.

A development condition is proposed that requires the existing vegetation to be maintained in good condition and replaced as necessary to ensure adequate screening throughout the life of the site. Staff does not object to the waiver of the barrier requirements based upon the presence of mature on-site landscaping.

### **Other Zoning Ordinance Requirements:**

#### **Special Exception Requirements (Appendix 5)**

##### General Special Exception Standards (Sect. 9-006)

The General Special Exception Standards require that the proposal be in harmony with the Comprehensive Plan, that there is a finding of no significant negative impacts on surrounding properties, safe and adequate vehicular and pedestrian access be provided, adequate screening and landscaping be provided on-site, and that the provisions of Article 12 relating to signage be met.

Based upon staff's review and analysis of the proposed Special Exception, it has been determined that the proposed Special Exception use would be in harmony with the Comprehensive Plan, and no significant negative impacts on surrounding properties would result due to the size of the project site and the location of the offices on the south side of Building 1. The project site provides sufficient area for vehicular and pedestrian circulation, and adequate screening in the form of mature trees and shrubbery is provided. Pursuant to Article 12 of the Zoning Ordinance, office uses in the R-30 District are not permitted a sign.

*Staff believes the proposed Special Exception meets each of the General Special Exception Standards.*

##### Standards for all Category 5 Uses (Sect. 9-503)

The Category 5 Standards require that the proposed use comply with lot size and bulk regulations for the R-30 District, comply with performance standards, and be subject to site plan review. As there are no site modifications proposed, the proposed office uses continue to meet these standards.

##### Additional Standards for Offices (Sect. 9-515)

Par. 4 of Sect. 9-515 of the Zoning Ordinance applies to offices in the R-30 District, and requires the following:

1. Such use shall be located only on the lower two floors of the primary building, or in an accessory structure as may be approved by the Board.

*The proposed office units are located on the ground floor of Building 1.*

2. The aggregate floor area of all non-residential uses, to include offices, shall not exceed fifteen percent of the total gross floor area.

*Units T-13A and T-13B total 1,407 square feet in area. The Woodlake Towers condominium complex contains approximately 716,903 square feet of gross floor area. Approximately fifteen percent of this total area would equal 107,535 square feet. The total square footage among all existing non-residential units, including the two subject units, is 5,620 square feet or 5.2% of the total gross floor area, which is well below the 15% threshold, and thus meets this requirement.*

3. Adequate off-street parking shall be provided in accordance with the provisions of Par. 4 of Sect. 11-102.

*The Woodlake Towers condominium complex provides approximately 1,291 parking spaces, with 1,275 assigned to uses based upon a parking tabulation sheet on file with the County. The parking requirement for two office units based upon 1,407 square feet of area would be 5.06 parking spaces. The parking requirement is met by the availability of sixteen surplus off-street parking spaces within the condominium complex. An updated parking tabulation will be required prior to the issuance of a Non-Residential Use Permit (Non-Rup).*

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

All applicable standards have been satisfied with the proposed development conditions.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

Based upon the above analysis and with the adoption of the proposed development conditions, staff finds that the proposal for offices within Units T-13A and T-13B is in harmony with the intent of the Comprehensive Plan and the applicable Zoning Ordinance provisions.

**Recommendation**

Staff recommends approval of SE 2008-MA-020 subject to the proposed development conditions in Appendix 1.

Staff recommends approval of a modification of the transitional screening requirements in favor of existing on-site landscaping.

Staff recommends approval of a waiver of the barrier requirements in favor of existing on-site landscaping.

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.

The approval of this special exception 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.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

**APPENDICES**

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Transportation Analysis
5. Applicable Zoning Ordinance Provisions Checklist
6. Glossary

**PROPOSED DEVELOPMENT CONDITIONS****SE 2008-MA-020****October 15, 2008**

If it is the intent of the Board of Supervisors to approve SE 2008-MA-020 located at 6100 Arlington Boulevard, Tax Map 051-4 ((13)) (01) 13A and 13B for Office use within Units T-13A and T-13B consisting of approximately 1,407 sf, pursuant to Sect. 9-515 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions. Other by-right, special permit and/or special exception uses may be permitted on the Application Property without the approval of a Special Exception Amendment if such uses do not affect this Special Exception.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. All existing vegetation on the property is to be maintained in good condition and replaced as necessary throughout the life of the site.
5. Hours of operation shall be limited to 9:00 am to 6:00 pm, Monday through Friday.
6. A maximum of fifteen employees shall be on-site at any one time between the two units.
7. Prior to the issuance of Non-Residential Use Permits (Non-Rups) for Units T-13A and T- 13B, the applicant shall install a clear and contiguous pedestrian path from the existing bus shelter along Arlington Boulevard to the site entrance traffic circle, as approved by DPWES in consultation with Fairfax County Department of Transportation.
8. Prior to the issuance of Non-Residential Use Permits (Non-Rups) for Units T-13A and T-13B, all necessary building permits shall be obtained for the conversion of the units from residential to commercial purposes.

9. Prior to the issuance of Non-Residential Use Permits (Non-Rups) for Units T-13A and T-13B, the applicant will revise the parking tabulation sheet on file with the County to reflect the usage of the subject units as office.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted as evidenced by the conversion of at least one of the two residential units to office use. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

**SPECIAL EXCEPTION AFFIDAVIT**DATE: September 22, 2008  
(enter date affidavit is notarized)I, Sheyna Nicole Burt, 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

101504a

in Application No.(s): SE 2008-MA-020  
(enter County-assigned application number(s), e.g. SE 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 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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Woodlake Towers Condominium Unit Owners Association	3100 S. Manchester Street, Falls Church, VA 22044	Applicant/Title Owner
Chadwick, Washington, Moriarty, Elmore & Bunn, P.C.	9990 Fairfax Boulevard, Suite 200, Fairfax, VA 22030	Attorney/Agent
Brendan P. Bunn, Esq.	9990 Fairfax Boulevard, Suite 200, Fairfax, VA 22030	Attorney/Agent
Sheyna N. Burt, Esq.	9990 Fairfax Boulevard, Suite 200, Fairfax, VA 22030	Attorney/Agent
Howard Cihak	3100 S. Manchester Street, Falls Church, VA 22044	Agent
Michael Kastre	3100 S. Manchester Street, Falls Church, VA 22044	Agent

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 22, 2008  
(enter date affidavit is notarized)

101504a

for Application No. (s): SE 2008-MA-020  
(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:

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

CORPORATION INFORMATION

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

Chadwick, Washington, Moriarty, Elmore & Bunn, P.C.  
9990 Fairfax Boulevard, Suite 200  
Fairfax, VA 22030

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

Kenneth E. Chadwick  
Wilbert Washington  
Steve H. Moriarty  
Brendan P. Bunn  
Andrew G. Elmore  
Daniel B. Streich  
Allen B. Warren

(check if applicable)  There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 22, 2008  
(enter date affidavit is notarized)

101504 a

for Application No. (s): SE 2008-MA-020  
(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, and 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 "Special Exception Affidavit 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 22, 2008  
(enter date affidavit is notarized)

101509a

for Application No. (s): SE 2008-MA-020  
(enter County-assigned application number(s))

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

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

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

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

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

NONE

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

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: September 22, 2008  
(enter date affidavit is notarized)

101504a

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 "Special Exception Attachment to Par. 3" form.

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

WITNESS the following signature:

(check one)

Applicant

Applicant's Authorized Agent

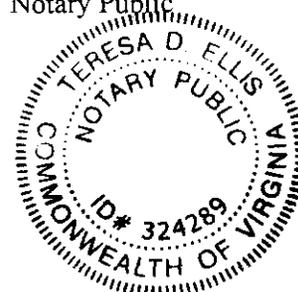
Sheyna N. Burt, Attorney/Agent

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

Subscribed and sworn to before me this 22nd day of September 2008, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: 8-31-10

Teresa D. Ellis  
Notary Public



Kenneth E. Chadwick (VA, MD)  
Wilbert Washington II (VA, MD, DC)  
Stephen H. Moriarty (VA)  
Andrew G. Elmore (VA)  
Brendan P. Bunn (VA, DC)  
Daniel B. Streich (VA, DC)  
Allen B. Warren (VA, DC)



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Jerry M. Wright, Jr. (VA)  
Sara J. Ross (VA)  
Sheyna Nicole Burt (VA, DC)  
Alexandra Spaulding (VA)  
M. N. Peacock (VA)  
C. Craze (VA)  
Bruce H. East (VA)  
Kristin West (VA, WV)  
**RECEIVED**  
**Department of Planning & Zoning**  
**SEP 12 2008**  
**Zoning Evaluation Division**

September 11, 2008

**Christopher M. DeManche**  
Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

**Re: Revised Statement of Justification for Woodlake Towers Condominium Special Exception Application**

Dear Mr. DeManche:

As you know, our office represents Woodlake Towers Condominium Unit Owners Association (“Association”) in its efforts to secure a special exception that will allow it to use two of its Units as offices, specifically, Units 13A and 13B located at 6001 Arlington Boulevard, Falls Church, Virginia 22044 (Parcel ID numbers 0514 13010013A and 0514 13010013B). This document is intended to serve as a revised and updated Statement of Justification.

**A. Type of operation(s).**

Units 13A and 13B had been previously rented by Master’s Health and Wellness Center, d/b/a Arlington Hydrotherapy Center. The tenants have since been evicted and the Units are now vacant for future office purposes by Special Exception approval.

**B. Hours of operation.**

The hours will vary slightly based on the nature of the office use, but generally will be 9:00 AM to 6:00 PM, Monday through Friday.

**C. Estimated number of patrons/clients/patients/pupils/etc.**

The Association is committed to having a nominal impact on pedestrian and vehicular traffic. Accordingly, any office use is anticipated to be limited to businesses with fewer than twenty-five client visits per week. This usage will be controlled by the terms of the lease between the Association and the business renter.

**D. Proposed number of employees/attendants/teachers/etc.**

Given the limited amount of space in the two Units, the Association anticipates having fewer than fifteen employees onsite at any given time.

**E. Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day.**

The Association anticipates that the impact of vehicular and pedestrian traffic should be minimal, given the small number of clients and employees that can be accommodated in the Units. The Association hereby acknowledges the concerns expressed by members of the staff about the need for additional crosswalks and sidewalks and is willing to install them. Because this will require the expenditure of funds not currently budgeted for, the Association must find the necessary funds for this endeavor. To prevent any impediments to the Special Exception application process, the Association would be amenable to the imposition of a development condition requiring that the sidewalks be installed before the Units are used as office space.

**F. Vicinity or general area to be served by the use.**

The vast majority of the clientele will come from Fairfax, but a few Maryland or DC resident are likely.

**G. Description of building façade and architecture of proposed new building or additions.**

The conversion of these Units will have no impact on the current exterior of the building.

**H. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Parts 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers.**

To the best of our knowledge and belief, there will be no hazardous or toxic substances or wastes generated, utilized, stored, treated, and/or disposed of on site.

**I. A statement of how the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, or, if any waiver, exception or variance is sought by the applicant from such ordinances, regulations, standards and conditions, such shall be specifically noted with the justification for any such modification.**

The proposed use is absolutely compatible with the development in the Woodlake Towers community. It will conform to the applicable ordinances, specifically, the R-30, Category 5 special exception for office uses. Section 9-515(D) of the Fairfax County Zoning Ordinance imposes the following standards for office special uses:

- Such use shall be located only on the lower two (2) floors of the primary building, or in an accessory structure as may be approved by the Board;

- The aggregate floor area of all non-residential uses, to include offices, shall not exceed fifteen (15) percent of the total gross floor area; and
- Adequate off-street parking shall be provided in accordance with the provisions of Par. 4 of Sect. 11-102.

The Association has satisfied these requirements. Michael R. Congleton, then-Deputy Zoning Administrator for Zoning Permit Review Branch for Fairfax County, noted in a letter dated February 15, 2002 that the first two standards are satisfied:

As noted above, Units 13A and 13B are located on the first floor of Building I and our records indicate that the Woodlake Towers development contains approximately 716,903 square feet of GFA and, as such, fifteen percent of this total area would equal 107,535 square feet. Units 13A and 13B contain a total of 1,407 square feet of GFA. It is noted that the addition of this area to what our records indicate to be the existing square footage devoted to non-residential uses within the Woodlake Towers development would result in the total area devoted to non-residential uses to remain well below the allowed fifteen percent.

With respect to the off-street parking requirement, in May of 1993 the Association submitted to the County a parking tabulation revision for Woodlake Towers. As it indicates, even anticipating commercial use of Units 13A and 13B, the total number of required parking spaces is 1,275. A total of 1,291 spaces are actually located on the Association's property, thus the off-street parking requirement is also satisfied.

Note also that pursuant to the requirements of the Association's Condominium Instruments, no exterior signage will be permitted, thus ensuring that the usage conforms to applicable regulations.

Finally, enclosed please find the Association's amended Application for a Special Exception. This amendment correctly captures the full name of the Association.

Sincerely,



Sheyna Nicole Burt

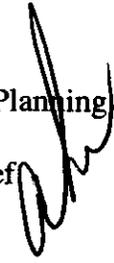


# County of Fairfax, Virginia

## MEMORANDU

**DATE:** August 11, 2008

**TO:** Regina Coyle, Director  
Zoning Evaluation Division,  
Department of Comprehensive Planning

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

**FILE:** 3- 5 (SE 2008-MA-020)

**SUBJECT:** Transportation Impact

**REFERENCE:** SE 2008-MA-020; Woodlake Towers Condominium  
Traffic Zone: 1427  
Land Identification Map: 51-4 ((13)) (01) 13A, 13B

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the applicant's statement of justification of use dated June 10, 2008.

The applicant requests a special exception to convert two existing residential units to office use.

This department has reviewed the subject application and suggests the following:

- The applicant should provide additional sidewalk and crosswalks to provide a clear and contiguous pedestrian path from the existing bus shelter on Arlington Boulevard, across the service drive, and around the outside perimeter of the site entrance traffic circle.

AKR/AK C:SE2008MA020WoodlakeTowers  
CC: Michelle Brickner, Director, Design Review, DPW & ES



# COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.  
COMMISSIONER

DEPARTMENT OF TRANSPORTATION  
14685 Avion Parkway  
Chantilly, VA 20151  
(703) 383-VDOT (8368)

August 4, 2008

Ms. Regina Coyle  
Director of Zoning Evaluation  
Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5511

Re: SE 2008-MA-020 , Woodlake Towers Condominiums  
Tax Map No.: 051-4 /13/ /01/ /0013A /13/01//0013B

Dear Ms. Coyle,

This office has reviewed the special exception letter relative to special exception application 2008-MA-020 and offers the following comments.

The application has been filed for a condominium to convert two of its Units for office uses.

There will be minimal impact to peak hour traffic therefore this office has no additional comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Noreen H. Maloney".

Noreen H. Maloney  
Transportation Engineer

cc: Ms. A. Rodeheaver

### **9-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

### **9-503 Standards for all Category 5 Uses**

In addition to the general standards set forth in Sect. 006 above, all Category 5 special exception uses shall satisfy the following standards:

1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.

2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14.

3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

### **9-515 Additional Standards for Offices**

1. The following standards shall apply to offices in residential districts:

A. Such a use shall be located only within a Community Business Center (CBC) as shown in the adopted comprehensive plan or such other area where such use is specifically designated in the adopted comprehensive plan.

B. Such a use shall be permitted only in a single family detached dwelling which was erected prior to February 26, 1973; additions erected subsequently may not be used for such activities.

C. Notwithstanding the provisions of Sect. 014 above, offices in residential districts approved prior to January 24, 1977 may be renewed for one five (5) year period under the ordinances in effect at the time the permit/exception was originally granted, provided that the principal user is the same as the one who originally received the special permit or exception. Thereafter, any renewal shall be subject to the provisions of this Ordinance.

D. Notwithstanding the provisions of Par. A through C above, in the R-30 District, offices shall be subject only to the following standards:

(1) Such use shall be located only on the lower two (2) floors of the primary building, or in an accessory structure as may be approved by the Board.

(2) The aggregate floor area of all non-residential uses, to include offices, shall not exceed fifteen (15) percent of the total gross floor area.

(3) Adequate off-street parking shall be provided in accordance with the provisions of Par. 4 of Sect. 11-102.

## 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. 9-815 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		