



RZ APPLICATION ACCEPTED: August 8, 2008
RZ APPLICATION AMENDED: September 30, 2008
PCA/FDPA APPLICATION ACCEPTED: September 30, 2008
PLANNING COMMISSION: November 6, 2008
BOARD OF SUPERVISORS: November 17, 2008 @ 3:30 pm

County of Fairfax, Virginia

OCTOBER 22, 2008

STAFF REPORT

APPLICATIONS PCA/FDPA 2001-MA-049 and RZ 2008-MA-013

MASON DISTRICT

BOARD OF SUPERVISORS' OWN MOTION

PRESENT ZONING:	PDH-5, HC, SC
REQUESTED ZONING:	R-5, HC, SC
PARCEL(S):	71-2 ((2)) 27 – 28 and 71-2 ((4)) 4 - 6
ACREAGE:	2.17 Acres
FAR/DENSITY:	2.30 du/ac
PLAN MAP:	2-3 du/ac
PROPOSAL:	Board's Own Motion for a Proffered Condition Amendment (PCA) and Final Development Plan Amendment (FDPA) to delete 2.17 acres from the property rezoned by RZ/FDP 2001-MA-049, in order to permit the 2.17 acres to be rezoned from the PDH-5 District to the R-5 District to allow development of up to five single family detached residences on the existing lots, at a density of 2.30 du/ac, with a waiver of minimum district size.

Kris Abrahamson

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

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 RECOMMENDATIONS:

Staff recommends approval of PCA 2001-MA-049.

Staff recommends approval of FDPA 2001-MA-049.

Staff recommends approval of RZ 2008-MA-013

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).

Final Development Plan Amendment

FDPA 2001-MA-049

Applicant: BOARD OF SUPERVISOR'S OWN MOTION
 Accepted: 09/30/2008
 Proposed: RESIDENTIAL DEVELOPMENT
 Area: 2.17 AC OF LAND; DISTRICT - MASON
 Zoning Dist Sect:
 Located: N.E. AND S.E. QUADRANTS OF THE INTERSECTION OF
 EVERGREEN LANE AND ALPINE DRIVE

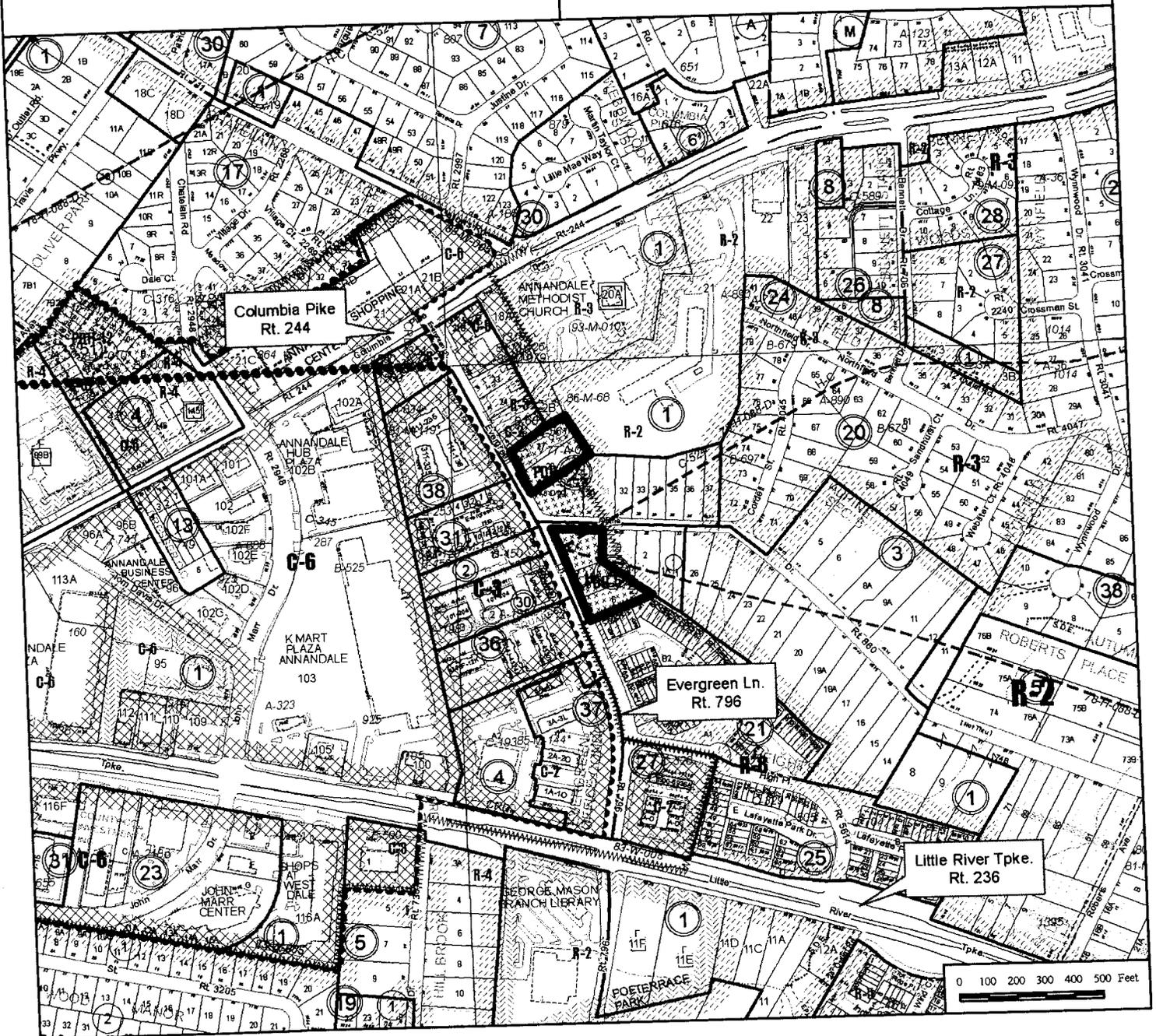
Zoning: PDH- 5
 Overlay Dist: HC SC
 Map Ref Num: 071-2- /02/ /0027 /02/ /0028
 /04/ /0004 /04/ /0005 /04/ /0006

Proffered Condition Amendment

PCA 2001-MA-049

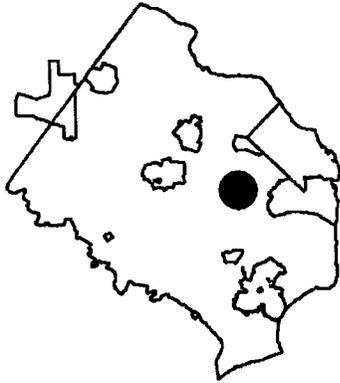
Applicant: BOARD OF SUPERVISOR'S OWN MOTION
 Accepted: 09/30/2008
 Proposed: RESIDENTIAL DEVELOPMENT
 Area: 2.17 AC OF LAND; DISTRICT - MASON
 Zoning Dist Sect:
 Located: N.E. AND S.E. QUADRANTS OF THE INTERSECTION OF
 EVERGREEN LANE AND ALPINE DRIVE

Zoning: PDH- 5
 Overlay Dist: HC SC
 Map Ref Num: 071-2- /02/ /0027 /02/ /0028
 /04/ /0004 /04/ /0005 /04/ /0006



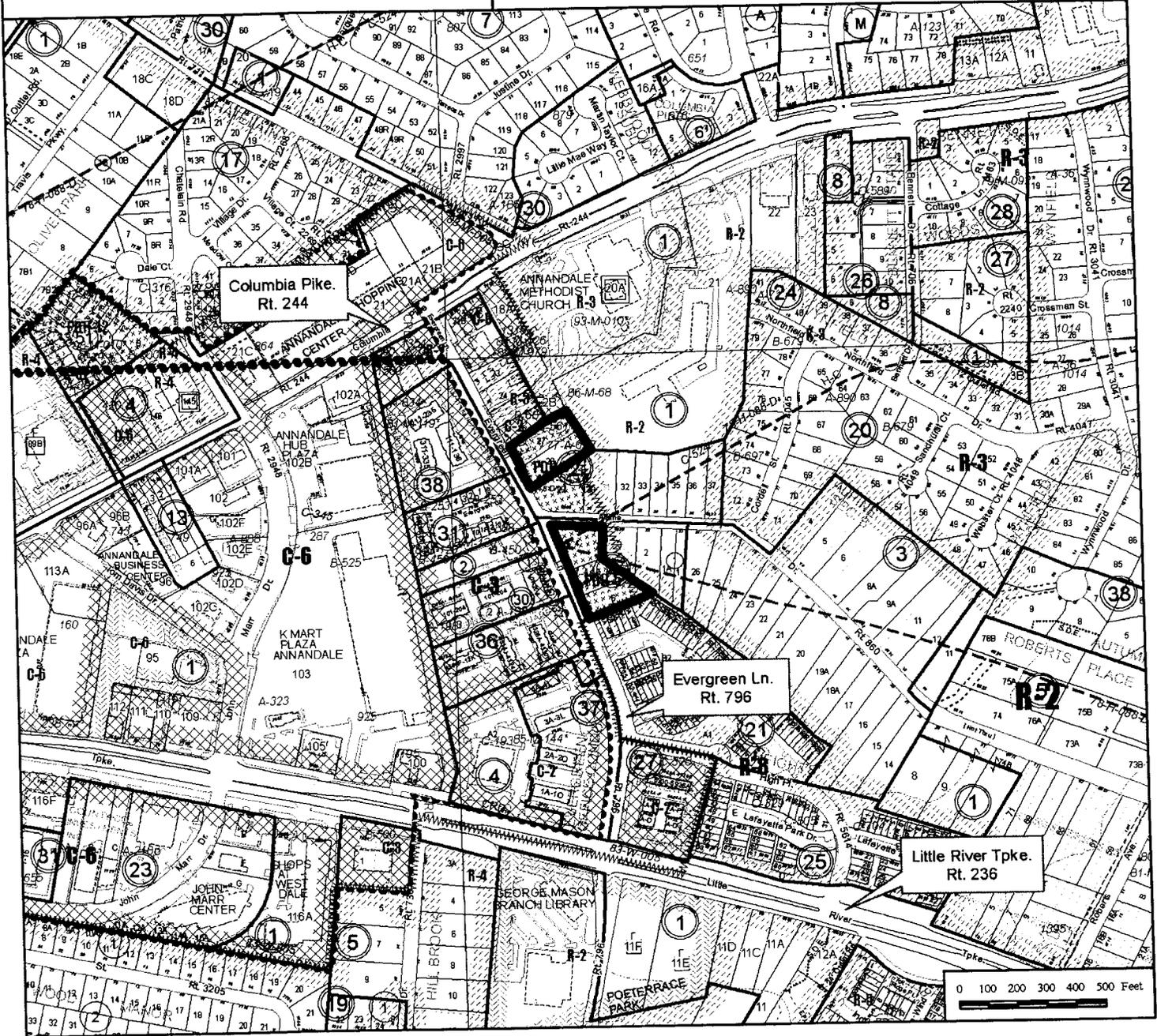
Rezoning Application

RZ 2008-MA-013



Applicant: BOARD OF SUPERVISOR'S OWN MOTION
 Accepted: 08/08/2008 AMENDED 09/30/2008
 Proposed: RESIDENTIAL
 Area: 2.17 AC OF LAND; DISTRICT - MASON
 Zoning Dist Sect: 9-610
 Located: N.E. AND S.E. QUADRANTS OF THE INTERSECTION OF EVERGREEN LANE AND ALPINE DRIVE

Zoning: FROM PDH- 5 TO R- 5
 Overlay Dist: SC HC
 Map Ref Num: 071-2- /02/ /0027 /02/ /0028
 /04/ /0004 /04/ /0005 /04/ /0006



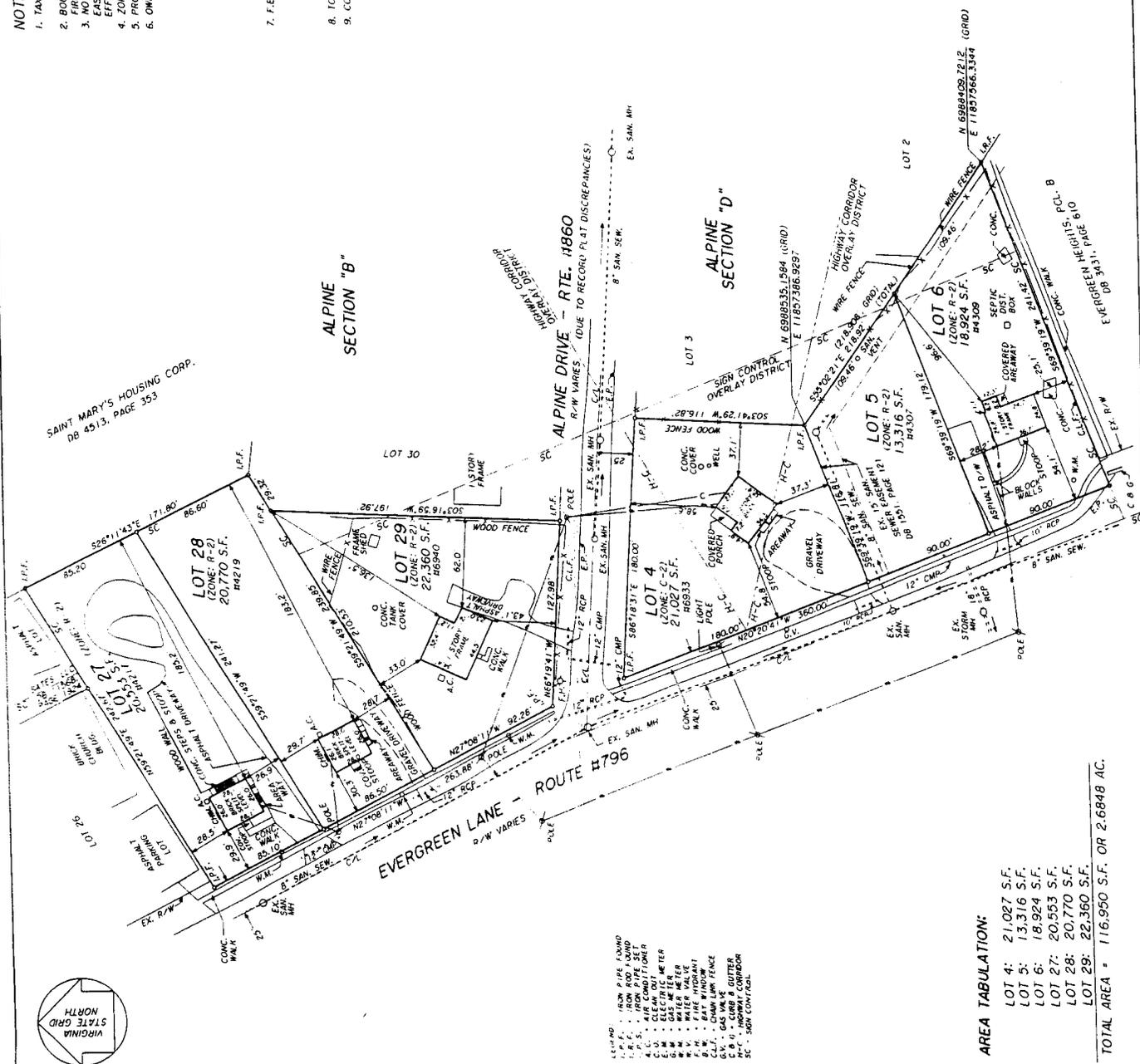
NOTES:

1. TAX MAP NO: 71-2-(14)-4, 5, 6 (SECTION "D")
71-2-(12)-27, 28, 8 29 (SECTION "B")
2. BOUNDARY INFORMATION IS BASED ON A CURRENT FIELD SURVEY BY I/MS
3. FIRM TITLE REPORT FURNISHED. ALL PREVIOUSLY RECORDED RIGHTS OF WAY, EASEMENTS OR OTHER INTERESTS OF THE COUNTY REMAIN IN FULL FORCE AND EFFECT UNLESS OTHERWISE SPECIFICALLY SHOWN ON THIS PLAN.
4. ZONE: R-2 B C-2, H-C B SC OVERLAY DISTRICTS
5. PROPOSED ZONE: PDH-B
6. OWNERS:
PARCEL 27: QUAN O. & NGAN T. NGUYEN
DB 5972; PAGE 1002
PARCEL 28: TRUSTEES OF FREDA P. DEMART
DB 9107
PARCEL 29: TRUSTEES OF FREDA P. DEMART
DB 9181; PAGE 394
PARCEL 4: QUAN O. & NGAN T. NGUYEN
DB 7302; PAGE 1706
PARCELS 5 & 6: QUAN O. & NGAN T. NGUYEN
DB 9107; PAGE 394
7. F.E.M.A./F.I.R.M. FLOOD DATA:
COMMUNITY NO: 515525
PANEL NO: 0087 0
FLOOD ZONE: X
EFFECTIVE: 03-08-1990
8. TOTAL AREA = 116,950 S.F. OR 2.6848 AC.
9. COMBINED GRD. ELEVATION FACTOR FOR THIS PROJECT = 0.999943804



RECEIVED
DEPARTMENT OF PLANNING AND ZONING
MAY 14 2011

ZONING EVALUATION DIVISION
ZONING PLAN
ALPINE
LOTS 4, 5, 6, SECTION "D"
DB D-13, PAGE 398
AND
LOTS 27, 28, 29, SECTION "B"
DB 517, PAGE 212
MASON DISTRICT
FAIRFAX COUNTY, VIRGINIA
DATE: 09-23-2001 SCALE: 1" = 50'
RUNYON, DUDLEY, ASSOCIATES, INC.
ENGINEERING - SURVEYING - PLANNING
10650 MAIN STREET - SUITE 301 FAIRFAX, VA 22030
PHONE: (703) 591-4606 - FAX: (703) 591-3982



AREA TABULATION:

LOT 4:	21,027 S.F.
LOT 5:	13,316 S.F.
LOT 6:	18,824 S.F.
LOT 27:	20,553 S.F.
LOT 28:	20,770 S.F.
LOT 29:	22,360 S.F.
TOTAL AREA = 116,950 S.F. OR 2.6848 AC.	

- L.P.F. - IRON PIPE FOUND
- R.P.S. - IRON PIPE SET
- A.C. - AIR CONDITIONER
- E.M. - ELECTRIC METER
- G.M. - GAS METER
- W.V. - WATER VALVE
- B.W. - BAPT WINDOW
- C.L.F. - CHAIN LINK FENCE
- G.V. - GAS VALVE & BUTTER
- R.C. - RAIN GUTTER
- H.C. - HIGHWAY CORRIDOR
- SC - SIGN CONTROL



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

DESCRIPTION OF THE APPLICATIONS

Proposal:	<p>The purpose of these applications is to relieve the current owners of the application property from a CDP/FDP and proffers to allow the development and use of the properties for up to five single family residences. In order to accomplish this objective, two applications have been filed:</p> <p>PCA/FDPA 2001-MA-049 are Board of Supervisors' Own Motions to permit 2.17 acres to be deleted from the proffers and Conceptual/Final Development Plan associated with RZ/FDP 2001-MA-049, in order to permit this land to be rezoned.</p> <p>RZ 2008-MA-013 is a Board of Supervisors' Own Motion to rezone 2.17 acres from the PDH-5 (Planned Development Housing, five du/ac), HC and SC Districts to the R-5 (Residential, five du/ac), HC and SC Districts to permit the development of up to five single family detached residential units, at a density of 2.30 du/ac, and a waiver of the minimum district size. There are no proffers associated with this rezoning.</p>
Location:	<p>Northeast and southeast quadrants of the intersection of Evergreen Lane and Alpine Drive, just east of the Annandale Commercial Revitalization District.</p>
Acreage:	<p>2.17 acres</p>
Proposed Density:	<p>2.30 du/ac</p>

Copies of the affidavits and Board of Supervisors' Own Motion are contained in Appendices 1 and 2, respectively.

LOCATION AND CHARACTER

Site Description:

The property, which is the subject of all three applications, is located in both the northeast and southeast quadrants of the intersection of Evergreen Lane and Alpine Drive, immediately to the east of the Annandale Commercial Revitalization District, in the Mason District. The site currently consists of a mix of uses: one older residential structure which is operating as a medical office under special exception is located on Lot 27; two new residential structures in various stages of completion are located on Lots 4 and 6; Lots 28 and 5 are vacant.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Office; Elderly Housing; Church	C-3; R-2; R-3	Retail and Other; Institutional
South	Residential Townhouses	R-8	Residential, 16-20 du/ac
East	Single Family Detached	R-2; R-3	2-3 du/ac
West	Office Townhouses	C-3; CRD	Office

BACKGROUND

Site History:

December 7, 1998 – Board of Supervisors adopted APR 98-I-2A, amending the Comprehensive Plan recommendation for the subject properties to provide an option for residential development at a density of 4-6 du/ac, subject to certain conditions being satisfied (See Appendix 3).

June 3, 2002 – Board of Supervisors approved RZ/FDP 2001-MA-049, rezoning 2.68 acres from the R-2 and C-2 Districts to the PDH-5 District to permit the development of twelve single family detached residences at a density of 4.47 du/ac, subject to proffers dated May 30, 2002. (See Appendix 4 for a reduction of the approved plans and a copy of the accepted proffers.)

January 28, 2003 – First submittal of subdivision plans for the twelve lot development was approved, in accordance with RZ/FDP 2001-MA-049.

September 24, 2003 – Grading Plans were approved for Lots 5/6 and Lot 29.

October 1, 2003 – Building Permit issued for Lot 5/6.

December 31, 2003 – Grading Plan was approved for Lot 4.

January 26, 2004 – Building Permit issued for Lots 4 and 29

March 10, 2005 – Subdivision Plats distributed to Bonding.

March 16, 2006 – Subdivision Plans Disapproved.

August 11, 2006 – PCA application for entire 2.68 acres is filed by Seville Homes/Steve Korfonta requesting to amend the proffers associated with RZ 2001-MA-049 in order to permit RUPs to be issued for three new homes under construction and to permit a change in the hours of operation for the medical office use on Lot 27.

August 22, 2006 – PCA application is determined to be insufficient during Application Acceptance review, as all property owners had not submitted the proper consent to the application; letter sent to applicant.

December 14, 2007 – RUP applications put on hold

January 10, 2008 – Letter of consent received from Dr. Nguyen (Lot 27) for PCA application.

April 16, 2008 – Lots 28, 4, 5 and 6 sold at foreclosure auction.

August 4, 2008 – Board of Supervisors directs Staff to prepare a Board's Own Motion application to rezone Lots 27, 28, 29, 4, 5 and 6 and a Special Permit for an Error in Building Location for Lot 29 (See Appendix 2 for text of Boards' Own Motion; and Background section of this report for full discussion.)

September 6, 2008 – Letter received from Steve Korfonta, Seville Homes, requesting the withdrawal of PCA 2001-MA-049 and return of fees to Seville Homes.

September 30, 2008 – Board's Own Motion rezoning application was amended to delete Lot 29; special permit application for error in building location is indefinitely deferred and partial PCA/FDPA applications are filed to delete area from the PDH-5 District, in order to allow the applications to proceed.

COMPREHENSIVE PLAN PROVISIONS (See Appendix 3)

Plan Area:	Annandale Planning District; Area I
Planning Sector:	Columbia Planning Sector (A2)
Plan Map:	2-3 du/ac

In the **FAIRFAX COUNTY COMPREHENSIVE PLAN, 2007 Edition, AREA I, Annandale Planning District**, Amended through 8-6-2007, **A2-Columbia Community Planning Sector, Page 67**, the Land Use Recommendations state:

“The Columbia Community Planning Sector east of Land Unit E of the Annandale CBC, that is, east of the center line of Evergreen Lane, contains stable residential neighborhoods. These neighborhoods should be protected and enhanced in accordance with Objectives 8 and 14 of the Policy Plan; infill development should be of compatible use, type and intensity. The Plan envisions neither the conversion of any residential property to commercial uses, nor the redevelopment of any residential areas at higher density...

1. Lots on the east side of Evergreen Lane north of Greenberry Lane -- Parcels 71-2((2)) 23-29 and 71-2((4)) 4, 5, 6 -- are planned for single-family residential development at 2-3 dwelling units per acre. These lots provide the transition between the stable residential neighborhoods that abut them to the east and the commercial activity on the west side of Evergreen Lane. Commercial development on these lots should not be permitted. However, professional office uses may be permitted in the existing single-family detached residential structures, provided that the structures and their lots retain their single-family residential appearance. As an alternative, this area may develop as residential use at 4-6 du/ac if the following conditions are met:

- Development should consist of single family detached or zero lot line/patio home units, with height limited to two stories (excluding the basement level);
- Minimum consolidation of three contiguous parcels;
- Provision of a minimum 25 foot buffer area adjacent to the single family detached housing to the east;
- Provision of consolidated access to Evergreen Lane; and
- Provision of streetscape along Evergreen Lane similar to that planned for the adjacent Annandale CBC as well as the provision of a treed or landscaped “gateway” to Alpine Drive which includes preserving existing mature trees. “

ANALYSIS**Generalized Development Plat (GDP)** (Copy at front of staff report)

Title of GDP: Zoning Plat, Alpine

Prepared By: Runyon, Dudley, Associates, Inc.
Original and Revision Dates: September 25, 2001

There is no CDPA/FDPA associated with the PCA/FDPA application. As the RZ application was initiated as a Board of Supervisors' Own Motion, the submission requirements for a Generalized Development Plan were modified to permit the use of the previous Zoning Plat. It is noted that the structures depicted on the previous zoning plat, with the exception of the former residence located on Lot 27, no longer exist; the purpose of the GDP is only to depict the lot lines of the existing subdivision for reference purposes.

Purpose of Applications

As summarized in the Background section of this report and discussed in the Boards' Own Motion (see Appendix 2), the purpose of these applications is to relieve the current owners of the application property from a CDP/FDP and proffers which condition the use of their property to a plan which was put in place by a prior owner which they had no knowledge of at the time they acquired their lots and which, collectively, they no longer wish to pursue.

Evergreen Lane is a street which forms the eastern boundary of a portion of the Annandale Commercial Revitalization District, in the Mason District. It has long been regarded by citizens of the Annandale community as the "line of demarcation" between the stable residential neighborhoods located on the east side of Evergreen Lane and the commercial uses located on the west side. However, over the years there has been increasing pressure for the adaptive re-use and replacement of the existing older homes on the east side of Evergreen Lane with more commercial uses, which has been a constant concern of the community.

In April 2000, as part of the APR cycle, a request for a Plan Amendment to permit an option for a slightly higher residential density of 4 to 6 du/ac for a small group of properties along the eastern side of Evergreen Lane was processed and approved by the Board of Supervisors (see Appendix 3). It was the hope of the community that this type of development would ensure the residential use of these properties and alleviate concerns about the impact of further commercial encroachment on their community.

On June 3, 2002, the Board of Supervisors approved a rezoning to the PDH-5 District for 2.68 acres of land located at the intersection of Evergreen Lane and Alpine Drive in the Mason District. The application area was a consolidation of six lots, upon which the developer, Seville Homes, proffered to construct a total

of twelve single-family detached residences at a density of 4.47 du/ac. Subsequent to the approval of the rezoning, the developer completed acquisition of five of the six lots, but was unable to settle on the sixth lot. Despite the failure to complete the consolidation, the developer began the subdivision process and applied for and was granted permits to construct three "model" homes on three of the existing six lots. The subdivision plans were taken through final review process, but were never sent to bonding or recorded, and therefore, were never approved. Nevertheless, construction of these homes began and continued sporadically over the next few years, until work completely ceased several years ago. Since that time there has been no further work on the properties, and the properties have not been properly maintained, causing a further hardship for the neighbors who have had to continually live with highly undesirable conditions over the years.

In April of this year, four of the original six lots were sold through foreclosure, and were acquired by a number of different individuals, who were unaware of the plans and proffers which govern the development and use of the property. Consequently, there are now (at least) six property owners who own lots bound by a Conceptual/Final Development Plan and proffers which would be extremely difficult, if not impossible, to implement. Without fulfilling the proffers, nothing further can be done to any of these properties and RUPs cannot be issued for any of the existing houses, leaving at least one of the purchasers currently homeless. In order to rectify this situation and allow the existing six lots to be used and or developed for single family residences, the Board directed staff to prepare Board's Own Motion applications to enable the property to be rezoned to the R-5 District and to prepare a special permit application for an error in building location to allow the existing new residence on Lot 29 to remain 15.5 feet from Alpine Drive. As staff worked to prepare these applications, it was determined that the legal owner of Lot 29 could not be decisively identified, and therefore the necessary information and materials for this lot could not be obtained. Rather than putting the entire project on hold until the owner of Lot 29 could be identified, staff deferred the special permit application (which only concerns Lot 29) indefinitely. A new Proffered Condition Amendment/Final Development Plan Amendment Application was prepared to allow the 2.17 acres (excluding Lot 29) to be deleted from the land area controlled by the PDH-5 District approved with RZ/FDP 2001-MA-049 and the rezoning application was amended to delete Lot 29 and to request a waiver of minimum district size. (At such time as the ownership of Lot 29 can be definitively established, the rezoning and special permit applications for that lot can be brought forward to public hearing independently.) Approval of the current Boards' Own Motion applications will enable up to five single family detached dwellings to be developed/occupied; one on each of the existing lots. There are no proffers associated with the Boards' Own Motion rezoning.

Transportation Analysis (See Appendix 5)

There are no transportation issues associated with this request.

Environmental Analysis (See Appendix 6)

There are no environmental issues associated with this request.

Public Facilities Analyses (Appendices 7 -12)

Sanitary Sewer Analysis (See Appendix 7)

The application property is located in the Cameron Run watershed and will be sewered into the Alexandria Sanitation Authority; the existing 8 inch line is deemed adequate for the proposed development at this time. There are no sanitary sewer issues associated with this request.

Water Service Analysis (See Appendix 8)

The application property is served by Fairfax Water; adequate domestic service is available for existing 6 and 10inch water mains located at the property. There are no Water Service issues associated with this request.

Fire and Rescue Analysis (See Appendix 9)

The application property is serviced by Fairfax County Fire and Rescue Department Station No. 408, Annandale, and currently meets fire protection guidelines. There are no Fire and Rescue issues associated with this request.

Schools Analysis (See Appendix 10)

There are no School issues associated with this request.

Utilities Planning and Design Analysis (See Appendix 11)

There is no Resource Protection Area (RPA) or floodplain on the site; the development will need to meet County stormwater management requirements at the time of development. There are no Utilities Planning and Design issues associated with this request.

Park Authority Analysis (See Appendix 12)

There are no Park Authority issues associated with this request.

Land Use Analysis

The Comprehensive Plan recommends single family detached development at a density of 2-3 du/ac. The existing zoning (PDH-5) was approved subject to an option in the Plan text, which recommends a density of 4-6 du/ac, if certain conditions are met. The proposed zoning would permit the property to develop in accordance with the less intensive base plan recommendation; there are no land use issues associated with this request.

It should be noted that, as the requested zoning will permit the existing five lots to each develop with one single family detached residence, consistent with the conditions that existed on the property prior to the approval of the PDH-5 District, and there is no generalized development plan proffered for review with this development, staff did not perform an analysis of the Residential Development Criteria.

ZONING ORDINANCE PROVISIONS (See Appendix 13)

Bulk Standards (R-5 District)		
Standard	Required	Provided
Lot Size	4 acres	2.17 acres*
Lot Width	50 ft. interior lots; 70 ft. corner lots	85 ft min.
Building Height	35 ft	35 ft max
Front Yard	20 ft	20 ft min
Side Yard	8 ft	8 ft. min
Rear Yard	25 ft	25 ft min
Parking Parking Spaces	2 spaces per residential lot**	All residential lots will have a minimum of 2 parking spaces**

* A waiver of the minimum district size requirement is requested with this application.

** Lot 27 is governed by SE 84-M-012, which permits an office use; the SE plat depicts six parking spaces for this use, which are currently provided on site.

There are two new residences located on Lots 4 and 6; these residences currently meet all of the applicable bulk requirements for the R-5 District. However, it is noted that the residence on Lot 6 currently has a temporary driveway which encroaches onto Lot 5; prior to a RUP being issued, either a shared driveway access will need to be approved

for these two lots or the driveway will need to be removed and relocated on to Lot 6 in accordance with the appropriate regulations.

It should also be noted that the existing older residence located on Lot 27 is currently operating as an office in accordance with the development conditions associated with SE 84-M-012; there are no changes proposed to the operation of this use with these applications; it remains in compliance with the applicable Zoning Ordinance provisions. Lots 28 and 5 are currently vacant; these lots will need to satisfy the R-5 District requirements at the time of building permit approval.

There are no Transitional Screening or Barrier requirements associated with these applications. A portion of the application property does lie within the Sign Control (SC) and Highway Corridor (HC) Overlay Districts; however, the proposed single family detached residential use is not regulated by these provisions.

Waivers and Modifications

As the minimum district size requirement for the R-5 District is 4 acres, a waiver of this requirement is necessary for this application. Sect. 9-610 of the Zoning Ordinance states that the minimum district size may be waived in association with a rezoning request, but only in accordance with the following:

- “1. Such lot has not been reduced in width or area since the effective date of this Ordinance to a width or area less than required by this Ordinance.
2. The applicant shall demonstrate that the waiver results in a development that preserves existing vegetation, topography, historic resources and/or other environmental features; provides for reduced impervious surface; maintains or improves stormwater management systems; and/or similar demonstrable impact.
3. It shall be demonstrated that development of the subject lot will not have any deleterious effect on the existing or planned development of adjacent properties or on area roadways.
4. Such waiver shall be approved only if the remaining provisions of this Ordinance can be satisfied.”

Staff believes that the unique circumstances of this rezoning application justify the waiver of minimum district size. As the effect of this application is to return the application property to its' state prior to the rezoning to the PDH-5 District, there is in essence, no change to the lots involved; as the subdivision to implement the PDH-5 District was never finalized or recorded, the original lots have never changed. The effect of rezoning to the R-5 District will be to essentially reduce the density from that approved with the PDH-5 District in half; consequently the resulting impervious surface will also undoubtedly decrease, and the resulting development will be consistent with the existing older residences located on the remainder of the original subdivisions to the east, and no deleterious impacts are anticipated.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff concludes that the subject applications are in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends approval of PCA 2001-MA-049.

Staff recommends approval of FDPA 2001-MA-049.

Staff recommends approval of RZ 2008-MA-013.

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 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.

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. Affidavits
2. Boards' Own Motion
3. Plan Citations
4. Approved RZ/FDP 2001-MA-049 Plan and proffers
5. Transportation Analysis
6. Environmental Analysis
7. Sanitary Sewer Analysis
8. Water Service Analysis
9. Fire and Rescue Analysis
10. Schools Analysis
11. Utilities Planning and Design Analysis (DPW)
12. Park Authority Analysis
13. Applicable Zoning Ordinance Provisions Checklist
14. Glossary of Terms

REZONING AFFIDAVIT

DATE: 10/7/08
 (enter date affidavit is notarized)

I, ANTHONY H. GRIFFIN, 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 101760

in Application No.(s): PCA/FDPA 2001-MA-049
 (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)
BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA	12000 GOVERNMENT CENTER PARKWAY FAIRFAX, VA 22035	APPLICANT *
ANTHONY H. GRIFFIN, CO. EXEC.	(SAME)	AGENT FOR APPLICANT
QUAN Q. NGUYEN NGAN T. NGUYEN	4217 EVERGREEN LANE ANNANDALE, VA 22003	TITLE OWNERS OF TM 071-2((2)) PARCEL 27
SUE A. MCWILLIAMS	4905 KINGSTON DRIVE ANNANDALE, VA 22003	AGENT FOR TITLE OWNERS OF TM 071-2((2)) PARCEL 27

(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: 10/7/08
(enter date affidavit is notarized)

101760

for Application No. (s): PCA/FDPA 2001-MA-049
(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)
JANE YOUNGHEE HWANG JIM SUNIL HWANG	4309 EVERGREEN LANE ANNANDALE, VA 22003	TITLE OWNERS OF TM 071-2((4)) PARCEL 6
SOONJA NAMI PURDY	4361 KNOB HILL COURT ANNANDALE, VA 22003	TITLE OWNER OF TM 071-2((2)) PARCEL 28; TM 071-2((4)) PARCEL 4
JAE G. CHO	7383 RODEO COURT ANNANDALE, VA 22003	AGENT FOR TITLE OWNER OF TM 071-2((2)) PARCEL 28; TM 071-2((4)) PARCEL 4
CAROL E. BALGLEY	8300 APPLE COURT FAIRFAX STATION, VA 22039	TITLE OWNER OF TM 071-2((4)) PARCEL 5

(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: 10/7/08
(enter date affidavit is notarized)

101760

for Application No. (s): PCA/FDPA 2001-MA-049
(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: 10/7/08
(enter date affidavit is notarized)

101760

for Application No. (s): PCA/FDPA 2001-MA-049
(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: 10/7/08
(enter date affidavit is notarized)

101760

for Application No. (s): PCA/FDPA 2001-WA-049
(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 "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: 10/7/08
(enter date affidavit is notarized)

101760

for Application No. (s): PCA/FDPA 2001-MA-049
(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:

Anthony H. Griffin

(check one)

[] Applicant

[x] Applicant's Authorized Agent

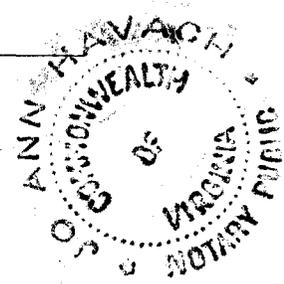
ANTHONY H. GRIFFIN, COUNTY EXECUTIVE

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

Subscribed and sworn to before me this 7TH day of OCTOBER 20 08, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

Jo Ann Hawach
Notary Public

My commission expires: July 31, 2012



REZONING AFFIDAVIT

DATE: 10/7/08
(enter date affidavit is notarized)

I, ANTHONY H. GRIFFIN, 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 101602

in Application No.(s): RZ 2008-MA-013
(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)
BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA	12000 GOVERNMENT CENTER PARKWAY FAIRFAX, VA 22035	APPLICANT (S)
ANTHONY H. GRIFFIN, CO. EXEC.	(SAME)	AGENT FOR APPLICANT
QUAN Q. NGUYEN NGAN T. NGUYEN	4217 EVERGREEN LANE ANNANDALE, VA 22003	TITLE OWNERS OF TM 071-2((2)) PARCEL 27
SUE A. MCWILLIAMS	4905 KINGSTON DRIVE ANNANDALE, VA 22003	AGENT FOR TITLE OWNERS OF TM 071-2((2)) PARCEL 27

(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).

(S) THIS APPLICATION WAS MADE PURSUANT TO A MOTION BY THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA.
FORM RZA-1 Updated (7/1/06)

Rezoning Attachment to Par. 1(a)

DATE: 10/7/06
(enter date affidavit is notarized)

101602

for Application No. (s): R2 2008-MA-013
(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)
JANE YOUNGHEE HWANG JIM SUNIL HWANG	4309 EVERGREEN LANE ANNANDALE, VA 22003	TITLE OWNERS OF TM 071-2((4)) PARCEL 6
SOONJA NAMI PURDY	4361 KNOB HILL COURT ANNANDALE, VA 22003	TITLE OWNER OF TM 071-2((2)) PARCEL 28; TM 071-2((4)) PARCEL 4
JAE G. CHO	7383 RODEO COURT ANNANDALE, VA 22003	AGENT FOR TITLE OWNER OF TM 071-2((2)) PARCEL 28; TM 071-2((4)) PARCEL 4
CAROL E. BALGLEY	8300 APPLE COURT FAIRFAX STATION, VA 22039	TITLE OWNER OF TM 071-2((4)) PARCEL 5

(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: 10/7/08
(enter date affidavit is notarized)

10/602

for Application No. (s): R2 2008-MA-013
(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: 10/7/08
(enter date affidavit is notarized)

101602

for Application No. (s): R2 2008-MA-013
(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: 10/7/08
(enter date affidavit is notarized)

101602

for Application No. (s): RZ 2003-MA-013
(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 "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: 10/7/08
(enter date affidavit is notarized)

101602

for Application No. (s): RZ 2003-MA-013
(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) [] Applicant [x] Applicant's Authorized Agent

ANTHONY H. GRIFFIN, COUNTY EXECUTIVE
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 7TH day of OCTOBER 20 08, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

Jo Ann Havach
Notary Public

My commission expires: July 31, 2012.



The proposed Wiehle Station is in the Hunter Mill District and the specific property is Tax Map 17-4((1))17A. The northern pedestrian entrance pavilion and the structured and open air parking are located on Board property associated with the Wiehle Station.

Therefore, jointly with Chairman Connolly, Supervisor Hudgins moved that the Board, as owner of the property, authorize the filing of special exception and 2232 public facility applications on behalf of WMATA on the properties identified by the Metropolitan Washington Airports Authority in coordination with the Virginia Department of Rail and Public Transportation. These properties are specifically identified as follows: Tax Map 17-4((1))17A, Tax Map Numbers 30-3((28))B3 and C1, part and 30-3((5))A1, B1, C1, D, E, and portions of Old Springhouse Road.

Supervisor Hudgins noted that approval of this motion should not be construed as a favorable recommendation of this application by the Board and does not relieve the applicant of compliance with the provision of any applicable ordinances, regulations or adopted. Supervisor Hyland seconded the motion, which carried by unanimous vote.

10a. **HUNTER MILL DISTRICT APPOINTMENTS** (3:35 p.m.)

VEHRS

(APPTS) Supervisor Hudgins moved the reappointment of Mr. Robert Dim as the Fairfax Representative #5 to the Southgate Community Center Advisory Board. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the appointment of Ms. Lin Wagener as the Hunter Mill District representative to the Commission on Aging. Supervisor Hyland seconded the motion, which carried by unanimous vote.

11a. **EVERGREEN LANE (MASON DISTRICT)** (3:36 p.m.)

STALZER

Supervisor Gross said that Evergreen Lane is a street which forms the eastern boundary of a portion of the Annandale Commercial Revitalization District in the Mason District. It has long been regarded by citizens of the Annandale community as the "line of demarcation" between the stable residential neighborhoods located on the east side of Evergreen Lane and the commercial uses located on the west side. However, over the years there has been increasing pressure for the adaptive reuse and replacement of the existing older homes on the east side of Evergreen Lane with more commercial uses, and there have been a number of applications for special exceptions, as well as a long series of zoning violations on these properties, which has been a constant concern of the community.

Supervisor Gross explained that in April 2000, as part of the Area Plans Review (APR) cycle, a request for a Plan Amendment to permit an option for a slightly higher residential density for a small group of properties along the eastern side of Evergreen Lane was processed and approved by the Board. It was the hope of the community that this type of development would ensure the residential use of these properties and alleviate concerns about the impact of further commercial encroachment on their community.

Supervisor Gross reported that on June 3, 2002, the Board approved a rezoning to the PDH-5 District for 2.68 acres of land located at the intersection of Evergreen Lane and Alpine Drive in the Mason District. The application area was a consolidation of six lots, upon which the developer, Seville Homes, proffered to construct a total of 12 single-family detached residences at a density of 4.47 du/ac.

Supervisor Gross said that subsequent to the approval of the rezoning, the developer completed acquisition of five of the six lots, but was unable to settle on the sixth lot. Despite the failure to complete the consolidation, the developer began the subdivision process and applied for and was granted permits to construct three "model" homes on three of the existing lots. The subdivision plans were taken through final review, but were never sent to bonding or recorded. Nevertheless, construction on these homes began and continued sporadically over the next few years, subject to numerous Code violations, until a stop work order was finally issued several years ago. Since that time there has been no further work on the properties, and the properties have not been properly maintained, causing a further hardship for the neighbors who have had to continually live with highly undesirable conditions over the years.

Supervisor Gross stated that in April of this year, four of the original six lots went through a foreclosure sale, and have now been acquired by a number of different individuals; it is her understanding that the fifth lot is scheduled to be foreclosed upon today. Consequently, there are now six property owners who own lots bound by a Conceptual/Final Development Plan and proffers which would be extremely difficult, if not impossible, to fulfill; without fulfilling the proffers, nothing further can be done to any of these properties and residential use permits (RUPs) cannot be issued for any of the existing houses, leaving at least one of the purchasers currently homeless.

Supervisor Gross said that there is a public interest to be served by amending the approved zoning for these properties in the most expeditious manner possible. The Comprehensive Plan recommends that these properties be developed at a density between two and six du/ac as a transition between the stable residential neighborhoods to the east of Evergreen Lane and the commercial development on the west side of Evergreen Lane.

Asserting that the public necessity, convenience, general welfare and good zoning practice require such action, Supervisor Gross moved that the Board:

- DPZ
- Initiate a Board's Own Motion application for the properties described as Tax Map 71-2 ((2)) 27-29 and 71-2 ((4)) 4-6, to rezone these properties from the PDH-5 District to the R-5 District, consistent with the intent of the Comprehensive Plan.
 - Direct staff to initiate a Special Permit application for an Error in Building Location for the existing house located on Lot 27, which does not meet the front yard setback along Alpine Drive.
 - Direct staff to schedule this action to occur as expeditiously as possible, with a public hearing by the Board to be scheduled for October 20.

Supervisor McKay seconded the motion and it carried by unanimous vote.

Supervisor Gross acknowledged the efforts of Kris Abrahamson from the Department of Planning and Zoning regarding this issue.

12a.

ECONOMIC STIMULUS CHECKS (3:41 p.m.)

FITZGERALD

Supervisor Gross said that on Friday, August 1, *The Washington Post* ran an article in the Metro section entitled "\$23 Million in Stimulus Checks Are Unclaimed." In this time of tight fiscal belt-tightening, she expressed her surprise at reading that more than 77,900 low-income senior citizens, disabled veterans, and other residents of the Washington Metropolitan area have not filed to receive economic stimulus checks that they are eligible to receive. Even more surprising is that almost 21,000 are from Northern Virginia.

With reference to her written Board Matter, Supervisor Gross noted that there are many different reasons why funds have not been claimed, including the fees that were charged by the Northern Virginia Transportation Authority for taxes and fees that were collected in January and February 2008.

Supervisor Gross said that the Department of Finance works to return unclaimed money to the rightful owners. Due diligence is exercised in attempting to locate the rightful owners. If this does not work, a report is submitted, along with the money, to the State to the owner's last known address. An online form is available to assist individuals and businesses to check for unclaimed funds held by the County.

THE Fairfax
**PLANNING
HORIZONS**

ADDENDUM

To The
Comprehensive Plan
For **Fairfax County, Virginia**

AREA I

PLANNING DISTRICTS

Annandale, Baileys, Jefferson, Lincolnia

This document includes amendments to the Area I volume of the Fairfax County Comprehensive Plan resulting from the 1997-1998 Area Plans Review that were adopted between October 27, 1998 and May 10, 1999. Included also are Out-of-Turn Plan Amendments adopted between June 27, 1995 and January 31, 2000. Any subsequent amendments will be available from the Department of Planning and Zoning, Suite 730, 12055 Government Center Parkway, Fairfax, VA 22035.

For use in conjunction with the 1991 edition of the Comprehensive Plan as amended through June 26, 1995, as noted by page reference.

Prepared by the
Department of Planning and Zoning
Fairfax County, Virginia
(703) 324-1210

April 2000

98-I-1A

MODIFY: Page 39 of the Area I volume of the Comprehensive Plan, 1991 edition, as amended through June 26, 1995, Annandale Planning District, Beltway South Industrial Area, Land Unit D to read:

"Land Unit D is characterized primarily by research and development uses which maintain an overall office appearance, for example, the Atlantic Research complex. This land unit is planned for industrial and office uses as shown on the Plan map. Future development and/or redevelopment of the industrial portion of this land unit is planned for up to .30 FAR.

There is some commercial zoning to the west and north of Shawnee Drive which has been planned and developed as office uses, with the exception of parcels 71-4 ((7)) 17 and 19, 80-2 ((1)) 55 and 58, and 80-2 ((3)) 22 and 23, which have been planned and developed with retail uses. In order to protect the stable residential neighborhood to the west and north from commercial encroachment, the existing retail area should not be expanded. Along the western and northwestern periphery of this Land Unit D, office uses . . . across Poplar Run."

MODIFY: Page 68 of the Area I volume of the Comprehensive Plan, 1991 edition, as amended through June 26, 1995, Annandale Planning District, Edsall Community Planning Sector (A4), Figure 30: Land Use Recommendations: (See map)

Modify the present boundary of Beltway South Industrial Area to include Tax Maps 71-4 ((7)) 17, 19; 80-2 ((1)) 55, 58; 80-2 ((3)) 22, 23.

MODIFY: Page 38 of the Area I volume of the Comprehensive Plan, 1991 edition, as amended through June 26, 1995, Annandale Planning District, Beltway South Industrial Area, Figure 12: Land Units: (See map)

Modify the boundary of Land Unit D to include Tax Maps 71-4 ((7)) 17, 19; 80-2 ((1)) 55, 58; 80-2 ((3)) 22, 23.

NOTE: The Comprehensive Plan map will change to include Tax Maps 71-4 ((7)) 17, 19; 80-2 ((1)) 55, 58; 80-2 ((3)) 22, 23, in the Beltway South Industrial Area.

98-I-2A

MODIFY: Page 57 of the Area I volume of the Comprehensive Plan, 1991 edition, as amended through June 26, 1995, Annandale Planning District, Columbia Planning Sector (A2), Recommendations, Land Use, recommendation #1 to read:

"1. Lots on the east side of Evergreen Lane north of Greenberry Lane -- Parcels 71-2 ((2)) 23-29 and 71-2 ((4)) 4, 5, 6 -- are planned for

single-family residential development at 2-3 dwelling units per acre. These lots provide the buffer transition between the stable residential neighborhoods that abut them to the east and the commercial activity on the west side of Evergreen Lane. Commercial development on these lots should not be permitted. However, professional office uses may be permitted in the existing single-family detached residential structures, provided that the structures and their lots retain their single-family residential appearance. As an alternative, this area may develop as residential use at 4-6 du/ac if the following conditions are met:

- Development should consist of single family detached or zero lot line/patio home units, with height limited to two stories (excluding the basement level):
- Minimum consolidation of three contiguous parcels:
- Provision of a minimum 25 foot buffer area adjacent to the single family detached housing to the east:
- Provision of consolidated access to Evergreen Lane; and
- Provision of streetscape along Evergreen Lane similar to that planned for the adjacent Annandale CBC as well as the provision of a treed or landscaped "gateway" to Alpine Drive which includes preserving existing mature trees."

NOTE: The Comprehensive Plan map will not change.



FAIRFAX COUNTY

APPENDIX 4

OF _____

BOARD OF SUPERVISORS

12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151

FAX: 703-324-3926

TTY: 703-324-3903

June 12, 2002

Ms. Jane Kelsey
Jane Kelsey and Associates, Inc.
4041 Autumn Court
Fairfax, Virginia 22030

RE: Rezoning Application
Number RZ 2001-MA-049

Dear Ms. Kelsey:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on June 3, 2002, granting Rezoning Application Number RZ 2001-MA-049 in the name of Seville Homes, LLC to rezone certain property in the Mason District from the C-2, R-2 Districts; Highway Corridor Overlay and Sign Control Overlay Districts to the PDH-5 District; Highway Corridor Overlay and Sign Control Overlay Districts, located in the northeast and southeast quadrants of the intersection of Evergreen Lane and Alpine Drive, Tax Map 71-2 ((2)) 27 - 29; 71-2 ((4)) 4 - 6, subject to the proffers dated May 30, 2002, consisting of approximately 2.68 acres.

The Conceptual Development Plan was approved; the Planning Commission having previously approved Final Development Plan FDP 2001-MA-049 on May 29, 2002, subject to the Board's approval of RZ 2001-MA-049.

The Board also waived the frontage improvements for Alpine Drive in accordance with the Conceptual and Final Development Plans.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

PROFFERS

RZ 2001-MA-049

May 30, 2002

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned, as the applicant in the above-referenced Rezoning Application and the owners of the Property, (hereinafter referred to as Applicant) which is the subject matter thereof, being approximately 2.685 acres identified as Tax Map 71-2((2))27,28, 29; and 71-2((4))4,5,6 (hereinafter referred to as the Property), hereby proffer for themselves and their successors and assigns that the development of the Property will be subject to the following terms and conditions provided that the Board of Supervisors (BOS) approves the rezoning application from the C-2, R-2, HC and SC District to the PDH-5, HC and SC Districts.

1. Substantial Conformity. The Property shall be developed in substantial conformance with the Conceptual/Final Development Plan (CDP/FDP), dated February 12, 2002, revised through May 15, 2002, CDP/FDP prepared by *Runyon, Dudley, Associates, Inc.*
2. Landscaping and Design Amenities. Landscaping shall be consistent with the quality, quantity and the locations shown on Sheet 2 of the CDP/FDP. Actual types and species of vegetation shall be determined pursuant to more detailed landscape plans submitted at the time of first submission of the subdivision plan for review and approval by the Urban Forester. Such landscape plans shall provide tree coverage and species diversity consistent with the Public Facilities Manual criteria, as determined by the Urban Forester. A sidewalk and street lights will be provided in accordance with the Annandale CBD guidelines along Evergreen Lane and in substantial conformance with Sheet 2 of the CDP/FDP, as determined by DPWES.
3. Building Design and Building Materials. The proposed dwellings shall be compatible and similar in design, square footage and materials to each other. The dwellings will be two-story single family detached residences and the exterior of the structures will be brick on the fronts of all units and at a minimum, brick on the sides of the units facing Evergreen Lane and Alpine Drive, which include Lots 1, 7, and 8. Lots 5-7 shall front on Evergreen Lane and access shall be provided from the internal private streets. Lots 8 and 9 shall be rear loaded units with access provided from the internal private streets and front Evergreen Lane. Lots 1 and 10 which have side elevations adjacent to Evergreen Lane shall include architectural features such as, but not limited to, shutters or other ornamental or

architectural features on that elevation which is visible from Evergreen Lane.

4. Stormwater Management. Unless waived or modified by DPWES, the Applicant shall provide a storm water management facility in accordance with the Public Facilities Manual regulations. In the event that the stormwater management facility is not waived, said facility shall be provided as generally shown on the CDP/FDP. Any on-site storm water management facilities shall be landscaped to the maximum extent feasible, in coordination with the Urban Forestry Division, pursuant to the policy adopted by the Board of Supervisors, using native species. The Homeowners Association shall be responsible for trimming grassy areas in and around the storm water management pond on a regular basis, subject to approval by the Department of Public Works & Environmental Services (DPWES). In the event that the requirement for an on-site stormwater management facility is waived, the area shown as a stormwater management facility will become part of the open space for the subdivision as shown on the CDP/FDP.
5. Maximum Density. The maximum density for the subdivision shall be 4.47 dwelling units per acre, or 12 lots.
6. Height Limitation. The proposed dwellings will be a maximum height of thirty (30) feet, with no more than two levels above ground and in-ground basements.
7. Minor Modification. Pursuant to Para. 4 of Sect. 16-403 of the Zoning Ordinance, minor modifications from the approved CDP/FDP may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the CDP/FDP provided such changes are in substantial conformance with the CDP/FDP and proffers, and do not increase the total number of units and access points or decrease the minimum amount of open space and buffer area.
8. Garages. The Applicant shall place a covenant on each garage unit that prohibits the use of the garage for any purpose which precludes motor vehicle storage. This covenant shall be recorded among the land records of Fairfax County prior to the sale of lots and shall run to the benefit of the HOA and to the Board. Prior to recordation, the covenant shall be approved by the Fairfax County Attorney's office. The HOA documents shall expressly state this use restriction.
9. Open Space. At the time of recordation of the subdivision plan for each section, the Applicant shall convey all open space parcels and all open space areas outside

private lot lines including the 25' buffer area to the Homeowners Association for ownership and maintenance. The HOA documents shall expressly state that the HOA shall be responsible for the maintenance of the open space serving the development.

10. Ingress/Egress. Ingress/egress for the subdivision shall be via Evergreen Lane, Route #796.

11. Tree Preservation: The Applicant shall prepare a tree preservation plan to be submitted as part of the first subdivision plan submittal. The tree preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape professional. The tree preservation plan reviewed and subject to the approval of the Urban Forestry Division. The purpose of the Plan is primarily to preserve the four (4) large trees to the right of Alpine Drive if at all possible. These trees are identified on the CDP/FDP as 20" maple - R=25', 20" oak - R=25', 16" oak, R-20' and 20" multi-maple, R-20'. In addition, two trees on the left side of Alpine will be saved if at all possible: a 30" oak R-35' and a 36" Oak, R-40'. To help ensure the survival of these trees, the trees will be pruned, fertilized and mulched according to the American National Standards Institute (ANSI) A300-1995 pruning standards. The Urban Forestry Division will be notified when the work is to be performed. If any other trees within the subdivision can be saved, in the opinion of the Project Arborist in consultation with the Urban Forester, those trees shall be included on the Plan. If any of these trees are damaged during construction, such tree(s) shall be replaced by the Applicant with a healthy tree of the same species of the size which gives a tree of that species the best chance of survival according to the Project Arborist and Urban Forester. The condition analysis shall be prepared using methods outlined in the latest edition of The Guide for Plant Appraisal. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be incorporated into the tree preservation plan. Activities include, but are not limited to, crown pruning, root pruning, mulching, and fertilization.

All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing, consisting of four foot high, 14 gauge welded wire attached to a 6 foot steel posts driven 18 inches into the ground and placed no farther than 10 feet apart, shall be placed at the limits of clearing and grading as shown on the erosion and sedimentary control sheets in all areas. The tree protection fencing shall be made clearly visible to all construction personnel. The tree protection fencing shall be installed prior to the performance

of any clearing and grading activities on the site, including the demolition of any existing structures. All tree preservation activities, including installation of tree protection fencing, shall be performed under the supervision of the Project Arborist. Three (3) days prior to the commencement of any clearing, grading, or demolition activities on the site, the Project or to the commencement of any clearing, grading, or demolition activities on the site, the Project Arborist shall verify in writing that the tree protection fencing has been properly installed and the Urban Forestry Division shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been clearly installed.

The demolition of existing features and structures shall be conducted in such a manner as to minimize the impact on individual trees to be preserved, as determined by the Urban Forester. Methods to preserve existing trees may include but not be limited to the following: use of super silt fence, welded wire tree protection, root pruning, fertilizer, mulching, and others.

Before or during the pre-construction meeting, the Applicant/Project Arborist and the Urban Forester shall walk the limits of clearing and grading around the trees to be saved to determine if adjustments to the clearing limits can be made to increase the survivability of the trees. If for any reason, during the inspection of the trees, the Project Arborist in conjunction with the Urban Forester determine that a tree or trees are not likely to survive, the Applicant shall remove such trees as part of the clearing operation and the trees shall be replaced in accordance with the above.

The Homeowners Association covenants shall require that no structures or fences shall be erected in HOA open space or tree save areas, and that trees in HOA open space areas and tree save areas will not be disturbed except for (i) the removal of diseased, dead, dying, or hazardous trees or parts thereof; and/or (ii) selective maintenance to remove noxious and poisonous weeds.

12. Construction Access and Parking. Access to the Property by construction vehicles and workers shall be from Evergreen Lane. The Applicant shall include a provision in its agreement with contractors and specialty trades working on the Property that such contractors shall not to use any street in the adjacent residential subdivision as construction access to the Property. In addition, the Applicant will provide on-site parking for construction workers and their vehicles.
13. Demolition of Existing House. The existing houses on the property shall be

removed prior to the issuance of any Residential Use Permit for any new home on the Property.

14. Right of Way Dedication. Right-of-way along the Evergreen Lane frontage of the site as shown on the CDP/FDP, shall be dedicated and conveyed in fee simple to the Board of Supervisors upon demand by the Virginia Department of Transportation (VDOT) or Fairfax County whichever occurs first. Such dedication shall occur at the time of subdivision plan approval. The applicant shall provide road improvements along Evergreen Lane in accordance with the CDP/FDP, including the construction of curb, gutter, sidewalk and a minimum of seventeen (17) feet of pavement from the centerline of Evergreen Lane to provide a minimum fifty-two (52) foot wide cross section for Evergreen Lane, subject of VDOT approval. The applicant shall provide off-site road improvements of curb, gutter, and sidewalk between the southernmost property line and the intersection of Evergreen and Greenberry Lane which may include scarification, repaving and replanting, in order to provide a smooth transition between developments, subject to VDOT approval.

Along Alpine Drive, the curb and gutter will be constructed in accordance with that shown on the CDP/FDP, if standards are modified or waived by the Board of Supervisors or DPWES.

15. Private Streets. All private streets will be constructed with materials and depth of pavement standards consistent with public street standards in accordance with the Public Facilities Manual, as determined by DPWES. The entrances from Evergreen Lane shall be provided in accordance with VDOT standards. The Homeowners Association (HOA) shall be responsible for the maintenance of all private streets. The HOA documents shall expressly state that the HOA shall be responsible for the maintenance of the private streets serving the development.
16. Recreation Facilities: Prior to subdivision plan approval, a contribution of \$955.00 per unit shall be made to the Fairfax County Park Authority for the purpose of contributing to the recreational facilities off-site in a near-by park or acquisition of park land in the Mason District.
17. Hours of Operation for Construction of Subdivision. No outdoor work shall be conducted on the Property before 7:00 a.m. or after 7:00 p.m. weekdays, from 8:00 a.m. to 6:00 p.m. on Saturday, and from 10:00 a.m. to 6:00 p.m. on Sundays.

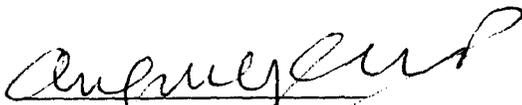
18. Signs: No temporary signs (included “popsicle” style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia, shall be placed on or off-site by the Applicant or at the Applicant’s direction to assist in the initial sale of homes on the Property.

19. Noise: In order to mitigate noise for the lots along Evergreen Lane, the Applicant shall construct the dwelling units on Lots 1, 5-10 with the following acoustical measures:
 1. Construction materials and techniques known to have physical properties or characteristics suitable to achieve an laboratory and transmission class (STC) of at least 39 for interior walls.
 2. Doors (excluding garage doors) and glazing shall have a laboratory STC rating of at least 28. If glazing (excluding garage doors) constitute more than twenty percent (20%) of any facade, then the windows shall have the same STC rating as that facade.
 3. Measures to seal and caulk between surfaces should follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
 4. As an alternative to the above, the Applicant may elect to have a refined acoustical analysis performed, subject to the approval of the DPWES to determine the appropriate noise attenuation measures necessary to meet established County standards and/or to determine which buildings may have sufficient shielding to permit reduction in the mitigation measures described above. The Applicant shall implement said mitigation measures subject to whatever reductions are permitted pursuant to this paragraph.

20. Housing Trust Fund: The Applicant shall, at the time of final subdivision plan approval, contribute one-half (½ %) percent of the estimated sales price of each new dwelling to Fairfax County for the County’s Housing Trust fund for the provision of affordable housing. The projected sales price shall be determined by the applicant in consultation with the staff of the Fairfax County Department of Housing and Community Development and Dept. of Environmental Management & Environmental Services. The timing and amount of such contribution may be modified at the Applicant’s sole discretion based on the adoption of a future amendment to the formula adopted by the Board of Supervisors.

- 21. Energy Efficiency: All homes constructed on the property shall meet the thermal Standards of the CABO Model Energy Program for energy efficient homes, or its equivalent, as determined by DPWES, for either gas or electric energy systems .
- 22. Front Yards of Lots Fronting Evergreen. The HOA documents and the covenants which run with the land shall expressly state that the front yards of the properties which front Evergreen Lane do not extend to the sidewalk and that land beyond their properties to include the sidewalk and curb is owned by the Virginia Department of Transportation.

TITLE OWNERS:

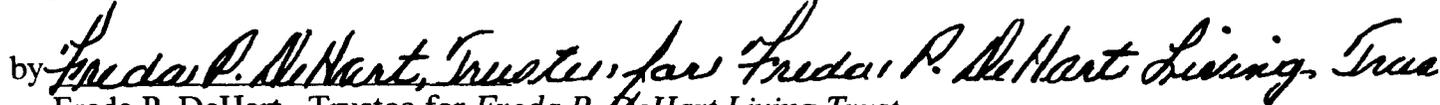

 Quan O. Nguyen

Title Owner of lots located on tax map 71-2((2))Lot 27 and 71-2((4))Lots 5, 6.


 Ngan T. Nguyen

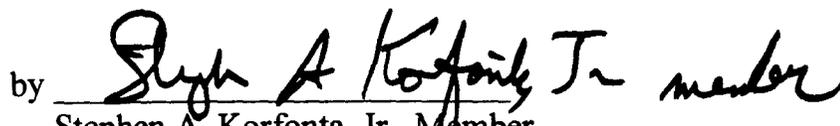
Title Owner of lots located on tax map 71-2((2))Lot 27 and 71-2((4))Lots 5, 6.

FREDA P. DeHART LIVING TRUST

by 
 Freda P. DeHart, Trustee for Freda P. DeHart Living Trust

Title Owner of lots located on tax map 71-2((2))Lots 28, 29.

SEVILLE HOMES, LLC

by 
 Stephen A. Korfonta, Jr., Member
 Seville Homes, LLC

Contract Purchaser of Lots located on tax map 71-2((2))27, 28, and 29 and 71-2((4))5 and 6, and Title Owner of lot located on tax map 71-2((4))Lot 4

FINAL DEVELOPMENT CONDITIONS

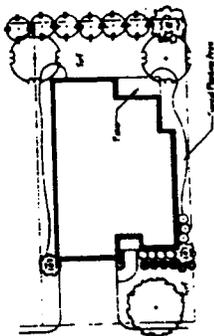
FDP 2001-MA-049

May 22, 2002

If it is the intent of the Planning Commission to approve FDP 2001-MA-049 for a single family detached development located at Tax Maps 71-2 ((2)) 27, 28, 29 and 71-2 ((4)) 4, 5 and 6 staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions.

1. Development of the property shall be in substantial conformance with the Final Development Plan consisting of two sheets entitled "Alpine" prepared by Runyon, Dudley, Associates dated August 9, 2001, as revised through May 15, 2002.
2. If provided, subdivision signs shall be subject to Article 12 of the Zoning Ordinance. If lighted, the sign shall be front-lit only, with the lights directed downward or directly onto the sign to minimize glare.
3. The final sidewalk location along Evergreen Lane shall be subject to VDOT approval. The final location of landscaping may be modified in accordance with the final location of the sidewalk; however, the landscaping shall be in substantial conformance with the quality and quantity as depicted on Sheet 2 of the CDP/FDP. In addition to the landscaping depicted on Sheet 2 of the CDP/FDP a hedge shall be installed along the Evergreen Lane frontage for Lots 8 and 9 to define the right-of-way dedication area. The hedge shall be consistent with the proposed hedge located along the right-of-way dedication area for Lots 5-7 north of Alpine Drive along the Evergreen Lane.
4. The Evergreen Lane frontage shall be posted as "No Parking", subject to VDOT approval.

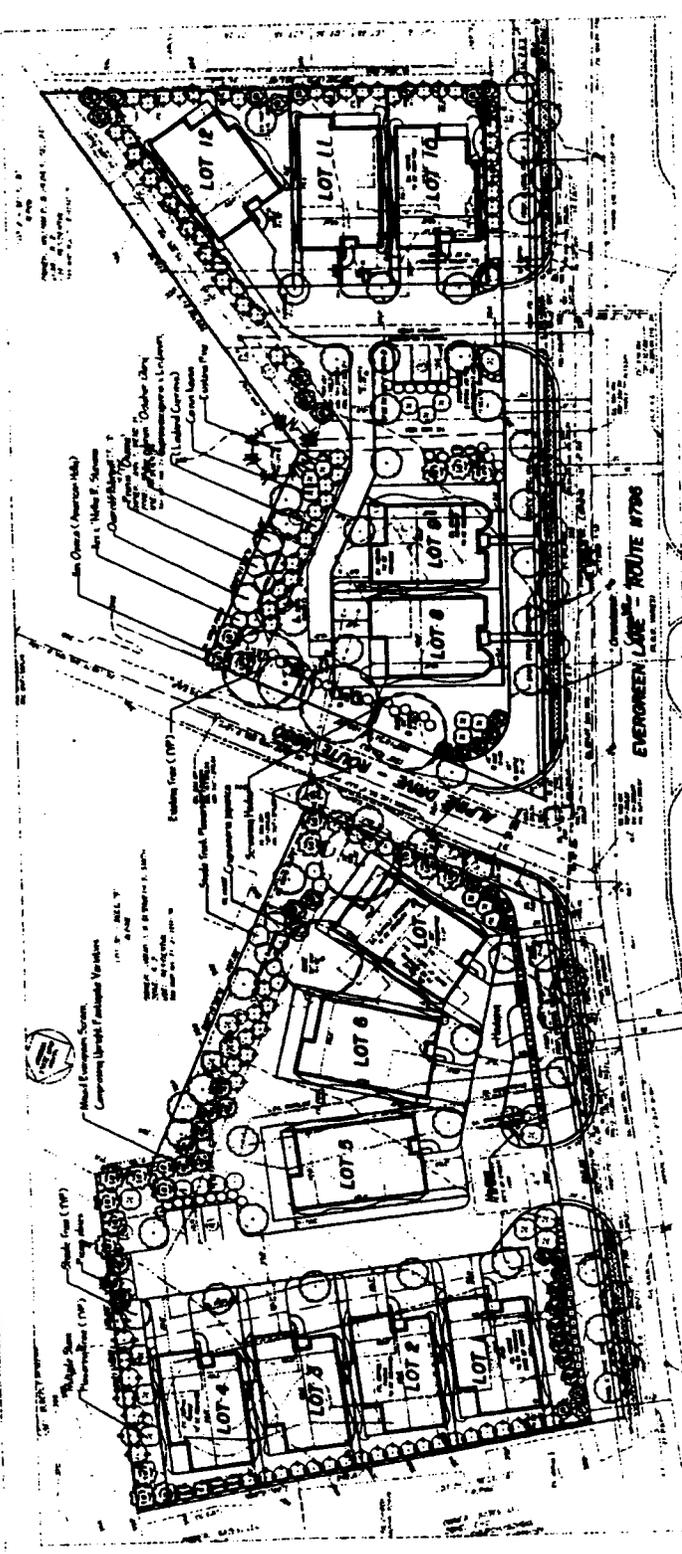
The proposed conditions are staff recommendations and do not reflect the position of the Planning Commission unless and until adopted by that Commission.



Conceptual Unit Landscape

Plan View
Scale: 20'-1"

- Key:
- (16) Cryptomeria japonica (Japanese Cedar)
 - (17) Acer Opaca (American Hick)
 - (18) Hybrid Hick, var. "Nuttall's Staves" or var. "Forsyth's #2"
 - (19) Cupressocyparis Leylandii (Leyland Cypress)
 - (20) Large Hybrid Deciduous Tree (Red Maple or Red Oak)
 - (21) Multi-Trunked Flowering Deciduous Tree (Cornus lancea, Lappacestronia (Chinese Dogwood, Cornus Myrtle, etc.)
 - (22) Single Trunked Deciduous Flowering Tree (Prunus species, Cornus rubra, etc.)
 - (23) Yoshino Cherry, Okame Cherry, Hybrid Dogwood, etc.



Conceptual Landscape Plan

Plan View
Scale: 20'-1"

LANDSCAPE PLAN

LOTS 4 THRU 12 - SECTION 8

ALPINE

RURTON, BIRLEY, ASSOCIATES, INC.

2 OF 2

DATE: 11/14/10

SCALE: 20'-1"

PROJECT: ALPINE

ADDRESS: 10000 170TH AVE, SUITE 100, EVERETT, WA 98203

PHONE: (206) 881-1100 FAX: (206) 881-1100

WWW.RURTONBIRLEY.COM



County of Fairfax, Virginia

MEMORANDUM

DATE: September 8, 2008

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

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

FILE: 3-4 (RZ 2008-MA-013)
3-6 (RZ 2008-MA-079)

SUBJECT: Transportation Impact

REFERENCE: RZ 2008-MA-013 / SP 2008-MA-079; Board of Supervisors Own Motion
Land Identification Map: 71-2((2)) 27, 28, 29
71-2((4)) 4, 5, 6

Transmitted herewith are the comments of the Department of Transportation with respect to the referenced application. These comments are based on plans/plats made available to this department dated September 25, 2001.

The proposed application would not create any significant additional impacts on the surrounding public street system. Therefore, this department would not object to the approval of the subject application.

AKR/crt



County of Fairfax, Virginia

MEMORANDUM

October 6, 2008

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief *PKN*
Environment and Development Review Branch, DPZ

SUBJECT: Environmental Assessment: RZ 2008-MA-013 / SP 2008-MA-079, Evergreen Lane

Dawn Dhavale reviewed the proposed development. No significant environmental impacts are anticipated with the proposed development.

PGN: DMD



County of Fairfax, Virginia

MEMORANDUM

DATE: August 29, 2008

TO: Staff Coordinator
Zoning Evaluation Division
Department of Planning & Zoning

FROM: Lana Tran (Tel: 703 324-5008)
Wastewater Planning & Monitoring Division
Department of Public Works & Environmental Services

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ2008-MA-013
Tax Map No. 071-2-/02/ /00027,28,29; 071-2-/04/ /0004,0005,0006

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

- The application property is located in the Cameron Run (I3) watershed. It would be sewered into the Alexandria Sanitation Authority (ASA).
- Based upon current and committed flow, there is excess capacity in the ASA at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
- An existing 8 inch line located in street is adequate for the proposed use at this time.
- The following table indicates the condition of all related sewer facilities and the total effect of this application.

<u>Sewer Network</u>	<u>Existing Use + Application</u>		<u>Existing Use + Application Previous Rezonings</u>		<u>Existing Use + Application + Comp Plan</u>	
	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>
Collector	<u>X</u>	<u>---</u>	<u>X</u>	<u>---</u>	<u>X</u>	<u>---</u>
Submain	<u>X</u>	<u>---</u>	<u>X</u>	<u>---</u>	<u>X</u>	<u>---</u>
Main/Trunk	<u>X</u>	<u>---</u>	<u>X</u>	<u>---</u>	<u>X</u>	<u>---</u>
Interceptor	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>
Outfall	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>

- Other pertinent information or comments:

Department of Public Works and Environmental Services
Wastewater Planning & Monitoring Division
12000 Government Center Parkway, Suite 358
Fairfax, VA 22035-0052
Phone: 703-324-5030, Fax: 703-324-3946





FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

**PLANNING & ENGINEERING
DIVISION**

Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

August 15, 2008

Ms. Regina Coyle, Director
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: RZ 08-MA-013
SE 08-MA-079

Dear Ms. Coyle:

The following information is submitted in response to your request for a water service analysis for the above application:

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available at the site from existing 10-inch and 6-inch water mains located at the property. See the enclosed water system map.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

If you have any questions regarding this information please contact Dave Guerra at (703) 289-6343.

Sincerely,

A handwritten signature in cursive script that reads "Traci K. Goldberg".

Traci K. Goldberg, P.E.
Manager, Planning Department

Enclosure



See (71-1) (1-13)



County of Fairfax, Virginia

MEMORANDUM

DATE: August 14, 2008

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

FROM: Eric Fisher (246-3501)
Information Technology Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Rezoning RZ 2008-MA-013 associated with Special Permit SP 2008-MA-079

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #408, **Annandale**
2. After construction programmed _____ this property will be serviced by the fire station _____
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is _____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.





FAIRFAX COUNTY
PUBLIC SCHOOLS

Department of Facilities and Transportation Services
Office of Design and Construction Services
City Square Building, Suite 400
10640 Page Avenue
Fairfax, Virginia 22030

September 5, 2008

Regina Coyle, Director
Zoning Evaluation Division
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 800
Fairfax, Virginia 22035

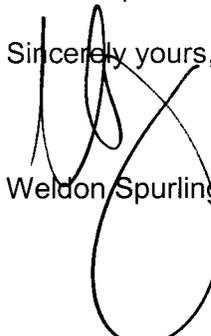
Ladies and Gentlemen:

Re: Below Listed Recently Filed Development Plan Analysis

RZ 2008-MA-013 associated with SP 2008-MA-079

This office has reviewed the subject Proffered Condition Amendment and Special Exception Application, and has no comments with respect to school acquisition.

Sincerely yours,


Weldon Spurling, II, PE

WS/vm

cc: Facilities Planning Services, FCPS, (w/attach.)
File



County of Fairfax, Virginia

MEMORANDUM

SEP 19 2008

DATE:

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

FROM: Qayyum Khan, Chief Stormwater Engineer *QK*
Stormwater and Geotechnical Section
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Rezoning and Special Permit Application, RZ 2008-MA-013 and SP 2008-MA-079, Nguyen Property, LDS Project 1759-ZONA-001-1, Tax Map #071-2-02-0027, 0028, 0029 and 071-2-04-0004, 0005, 0006, Mason District

We have reviewed the subject application and offer the following comments:

Chesapeake Bay Preservation Ordinance

There is no Resource Protection Area on site.

Floodplain

There is no floodplain on the site.

Stormwater Management

The development will need to meet the County stormwater management requirements for rezoning.

If further assistance is desired, please contact me at 703-324-1720.

QK/dah

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES
Zoning Application File





FAIRFAX COUNTY PARK AUTHORITY

M E M O R A N D U M



TO: Regina M. Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sandy Stallman, Branch Manager.
Planning and Development Division

DATE: August 18, 2008

SUBJECT: RZ 2008-MA-013, BOS Motion
Tax Map Number(s): 71-2((2)) 29

The Park Authority staff has reviewed the above referenced plan. Based on that review, staff has determined that this application bears no adverse impact on land or resources of the Park Authority.

FCPA Reviewer: Patricia Rosend

Copy: Cindy Walsh, Acting Director, Resource Management Division
Chron Binder
File Copy

FAIRFAX COUNTY ZONING ORDINANCE

PART 5 3-500 R-5 RESIDENTIAL DISTRICT, FIVE DWELLING UNITS/ACRE**3-501 Purpose and Intent**

The R-5 District is established to provide for a planned mixture of single family dwelling types at a density not to exceed five (5) dwelling units per acre; to provide for affordable dwelling unit developments at a density not to exceed six (6) dwelling units per acre; to allow other selected uses which are compatible with the residential character of the district; and otherwise to implement the stated purpose and intent of this Ordinance.

3-502 Permitted Uses

1. Accessory uses and home occupations as permitted by Article 10.
2. Affordable dwelling unit developments.
3. Dwellings, single family detached.
4. Dwellings, single family attached.
5. Dwellings, mixture of those types set forth above.
6. Public uses.

3-503 Special Permit Uses

For specific Group uses, regulations and standards, refer to Article 8.

1. Group 3 - Institutional Uses, limited to:
 - A. Churches, chapels, temples, synagogues and other such places of worship
 - B. Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education
 - C. Convents, monasteries, seminaries and nunneries
 - D. Group housekeeping units
 - E. Home child care facilities
2. Group 4 - Community Uses.
3. Group 5 - Commercial Recreation Uses, limited to:
 - A. Commercial swimming pools, tennis courts and similar courts
4. Group 8 - Temporary Uses, limited to:

RESIDENTIAL DISTRICT REGULATIONS

- A. Carnival, circus, festival, fair, horse show, dog show, steeplechase, music festival, turkey shoot, sale of Christmas trees or other seasonal commodities and other similar activities
 - B. Construction material yards accessory to a construction project
 - C. Contractors' offices and equipment sheds to include trailers accessory and adjacent to an active construction project
 - D. Subdivision and apartment sales and rental offices
 - E. Temporary dwellings or mobile homes
 - F. Temporary farmers' markets
 - G. Temporary mobile and land based telecommunications testing facility
 - H. Temporary portable storage containers
5. Group 9 - Uses Requiring Special Regulation, limited to:
- A. Home professional offices
 - B. Accessory dwelling units

3-504 Special Exception Uses

For specific Category uses, regulations and standards, refer to Article 9.

- 1. Category 1 - Light Public Utility Uses.
- 2. Category 3 - Quasi-Public Uses, limited to:
 - A. Alternate uses of public facilities
 - B. Child care centers and nursery schools
 - C. Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education
 - D. Colleges, universities
 - E. Conference centers and retreat houses, operated by a religious or nonprofit organization
 - F. Congregate living facilities
 - G. Cultural centers, museums and similar facilities

FAIRFAX COUNTY ZONING ORDINANCE

- H. Dormitories, fraternity/sorority houses, rooming/boarding houses, or other residence halls
 - I. Independent living facilities
 - J. Medical care facilities
 - K. Private clubs and public benefit associations
 - L. Private schools of general education
 - M. Private schools of special education
 - N. Quasi-public parks, playgrounds, athletic fields and related facilities
3. Category 4 - Transportation Facilities, limited to:
- A. Electrically-powered regional rail transit facilities
 - B. Regional non-rail transit facilities
4. Category 5 - Commercial and Industrial Uses of Special Impact, limited to:
- A. Commercial off-street parking in Metro Station areas as a temporary use
 - B. Convenience centers
 - C. Funeral chapels
 - D. Golf courses, country clubs
 - E. Marinas, docks and boating facilities, commercial
 - F. Offices
5. Category 6 – Miscellaneous Provisions Requiring Board of Supervisors’ Approval:
- Refer to Article 9, Special Exceptions, Part 6, Miscellaneous Provisions Requiring Board of Supervisors’ Approval, for provisions which may qualify or supplement these district regulations.

3-505

Use Limitations

- 1. No sale of goods or products shall be permitted, except as accessory and incidental to a permitted, special permit or special exception use.
- 2. All uses shall comply with the performance standards set forth in Article 14.

3-506

Lot Size Requirements

RESIDENTIAL DISTRICT REGULATIONS

1. Minimum district size: 4 acres
2. Minimum lot area
 - A. Single family detached dwellings: 5,000 sq. ft.
 - B. Single family attached dwellings: No Requirement
 - C. Non-residential uses: 14,000 sq. ft.
3. Minimum lot width
 - A. Single family detached dwellings:
 - (1) Interior lot - 50 feet
 - (2) Corner lot - 70 feet
 - B. Single family attached dwellings: 18 feet
 - C. Non-residential uses:
 - (1) Interior lot - 75 feet
 - (2) Corner lot - 100 feet

3-507

Bulk Regulations

1. Maximum building height
 - A. Single family dwellings: 35 feet
 - B. All other structures: 65 feet
2. Minimum yard requirements
 - A. Single family detached dwellings
 - (1) Front yard: 20 feet
 - (2) Side yard: 8 feet
 - (3) Rear yard: 25 feet
 - B. Single family attached dwellings
 - (1) Front yard: Controlled by a 15° angle of bulk plane, but not less than 5 feet

FAIRFAX COUNTY ZONING ORDINANCE

- (2) Side yard: Controlled by a 15° angle of bulk plane, but not less than 10 feet
- (3) Rear yard: Controlled by a 30° angle of bulk plane, but not less than 20 feet
- (4) A privacy yard, having a minimum area of 200 square feet, shall be provided on each lot.

C. All other structures

- (1) Front yard: Controlled by a 30° angle of bulk plane, but not less than 20 feet
- (2) Side yard: Controlled by a 25° angle of bulk plane, but not less than 10 feet
- (3) Rear yard: Controlled by a 25° angle of bulk plane, but not less than 25 feet

3. Maximum floor area ratio: 0.35 for uses other than residential
4. Refer to Sect. 13-301 for provisions that may qualify the minimum yard requirements set forth above.
5. Refer to Par. 4 of Sect. 2-307 for provisions that qualify the minimum yard requirements for individual units in single family attached dwellings.
6. The minimum yard requirements presented in Par. 2B above may be waived by the Board in accordance with the provisions of Sect. 9-613.

3-508 Maximum Density

Five (5) dwelling units per acre

3-509 Open Space

25% of the gross area shall be open space

3-510 Affordable Dwelling Unit Developments

Affordable dwelling unit developments may consist of single family detached and attached dwelling units. In addition, multiple family dwelling units are permitted, provided that no more than fifty (50) percent of the total number of dwelling units allowed within an affordable dwelling unit development shall be multiple family dwelling units. The following regulations shall apply to dwelling units in affordable dwelling unit developments:

1. Minimum lot area

RESIDENTIAL DISTRICT REGULATIONS

- A. Single family detached dwellings: 4,000 sq. ft.
 - B. Single family attached dwellings: No Requirement
 - C. Multiple family dwellings: No Requirement
2. Minimum lot width
- A. Single family detached dwellings:
 - (1) Interior lot - 40 feet
 - (2) Corner lot - 56 feet
 - B. Single family attached dwellings: 14 feet
 - C. Multiple family dwellings: No Requirement
3. Maximum building height
- A. Single family detached dwellings: 35 feet
 - B. Single family attached dwellings: 40 feet
 - C. Multiple family dwellings: 50 feet
4. Minimum yard requirements
- A. Single family detached dwellings
 - (1) Front yard: 16 feet
 - (2) Side yard: 8 feet
 - (3) Rear yard: 20 feet
 - B. Single family attached dwellings
 - (1) Front yard: Controlled by a 15° angle of bulk plane, but not less than 5 feet
 - (2) Side yard: Controlled by a 15° angle of bulk plane, but not less than 8 feet
 - (3) Rear yard: Controlled by a 25° angle of bulk plane, but not less than 16 feet
 - C. Multiple family dwellings
 - (1) Front yard: Controlled by a 25° angle of bulk plane, but not less than 20 feet

FAIRFAX COUNTY ZONING ORDINANCE

- (2) Side yard: Controlled by a 25° angle of bulk plane, but not less than 10 feet
 - (3) Rear yard: Controlled by a 25° angle of bulk plane, but not less than 25 feet
5. Refer to Par. 4 of Sect. 2-307 for provisions that qualify the minimum yard requirements for individual units in single family attached dwellings.
 6. All other structures shall be subject to the lot size requirements and bulk regulations of Sections 506 and 507 above.
 7. The maximum density shall be six (6) dwelling units per acre.
 8. 20% of the gross area shall be open space.

3-511

Additional Regulations

1. Refer to Article 2, General Regulations, for provisions which may qualify or supplement the regulations presented above, including the shape factor limitations contained in Sect. 2-401. The shape factor limitations may be modified by the Board in accordance with the provisions of Sect. 9-626.
2. Refer to Article 11 for off-street parking, loading and private street requirements.
3. Refer to Article 12 for regulations on signs.
4. Refer to Article 13 for landscaping and screening requirements.
5. Refer to Article 17 for uses and developments which are subject to site plan provisions.

FAIRFAX COUNTY ZONING ORDINANCE

7. All lighting fixtures used to illuminate such off-street parking areas shall be in conformance with the performance standards for outdoor lighting set forth in Part 9 of Article 14.
8. All such off-street parking shall comply with the provisions for landscaping and screening set forth in Article 13.

9-610 Provisions for Waiving Minimum Lot Size Requirements

The Board may approve, either in conjunction with the approval of a rezoning or as a special exception, the waiving of the minimum district size and/or lot width requirement for an R District, except for all cluster subdivisions, the minimum lot area and/or lot width requirements for a C district or the minimum district size requirement for the C-9 District, and the minimum district size, lot area and/or lot width requirements for an I district, but only in accordance with the following:

1. Such lot has not been reduced in width or area since the effective date of this Ordinance to a width or area less than required by this Ordinance.
2. The applicant shall demonstrate that the waiver results in a development that preserves existing vegetation, topography, historic resources and/or other environmental features; provides for reduced impervious surface; maintains or improves stormwater management systems; and/or similar demonstrable impact.
3. It shall be demonstrated that development of the subject lot will not have any deleterious effect on the existing or planned development of adjacent properties or on area roadways.
4. Such waiver shall be approved only if the remaining provisions of this Ordinance can be satisfied.

9-611 Provisions for Approving Drive-In Financial Institutions, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Station/Mini-Marts in a Highway Corridor Overlay District

The Board may approve a special exception for the establishment or for the enlargement, extension, relocation or increase in intensity of a drive-in financial institution, fast food restaurant, quick-service food store, service station or service station/mini-mart in a Highway Corridor Overlay District, but only in accordance with the provisions of Part 6 of Article 7.

9-612 Provisions for Waiving Open Space Requirements

Except for cluster subdivisions in the R-2 District and cluster subdivisions in the R-3 and R-4 Districts which have a minimum district size of three and one-half (3.5) acres or greater, the Board may approve, either in conjunction with the approval of appropriate proffered conditions or as a special exception, the waiving of the open space requirement presented for a given zoning district and/or the open space requirement for cluster subdivisions in the R-C, R-E and R-1 Districts and cluster subdivisions in the R-3 and R-4 Districts which have a minimum

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		