



APPLICATION ACCEPTED: March 23, 2008  
PLANNING COMMISSION: February 4, 2009  
BOARD OF SUPERVISORS: Not Scheduled

# County of Fairfax, Virginia

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January 21, 2009

## STAFF REPORT

APPLICATION RZ/FDP 2008-MD-003

LEE & MOUNT VERNON DISTRICTS

**APPLICANT:** Hilltop Sand & Gravel Company, Inc.

**PRESENT ZONING:** R-1 – 25.46 acres  
I-3 – 7.54 acres

**REQUESTED ZONING:** PDC

**PARCELS:** 100-1 ((1)) 9 pt., 11A, 11A1, 14, 15

**ACREAGE:** 33.00 acres

**FLOOR AREA RATIO (FAR):** 0.26

**OPEN SPACE:** 287,000 SF (20 percent)

**PLAN MAP:** Private Recreation

**PROPOSAL:** Develop a Mixed Use Center (367,000 sq. ft.) with Office (113,000 sq. ft.); Retail Establishment – Large (150,000 sq. ft.), Retail (94,000 sq. ft.) and two Drive-In Financial Institutions (5,000 sq. ft. each)

### STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2008-LE-003 subject to the execution of the draft proffers contained in Appendix 1 and approval of the Conceptual Development Plan subject to the development conditions contained in Appendix 2.

Staff further recommends that the Final Development Plan be approved by the Planning Commission subject to the Board of Supervisors approval of RZ 2008-LE-003 and the associated conceptual development plan.

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Peter Braham/St. Clair Williams

Staff further recommends that the transitional screening yard requirement be modified along all boundaries and that the barrier requirement be modified/waived along all boundaries in favor of that shown on the Conceptual/Final Development Plan, referenced in the proffers and required by the proposed development conditions.

Staff further recommends that the Board of Supervisors approval at P-district variance in accordance with the provisions of Par. 8 of Sect. 16-401 to allow the proposed secondary uses in Hilltop Village Center to exceed 25 percent of the proposed principal uses.

Staff further recommends that the Board of Supervisors direct the Director, DPWES to approve a waiver of the required loading spaces for the two proposed drive-in financial institutions and a modification to allow the loading spaces for the retail uses as shown on the proffered Conceptual/Final Development Plan.

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.

*O:\pbraha\WPDOCS\RZ\Hilltop Cases\Documents - Village Center\Village Center Cover.doc*



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).

# Rezoning Application

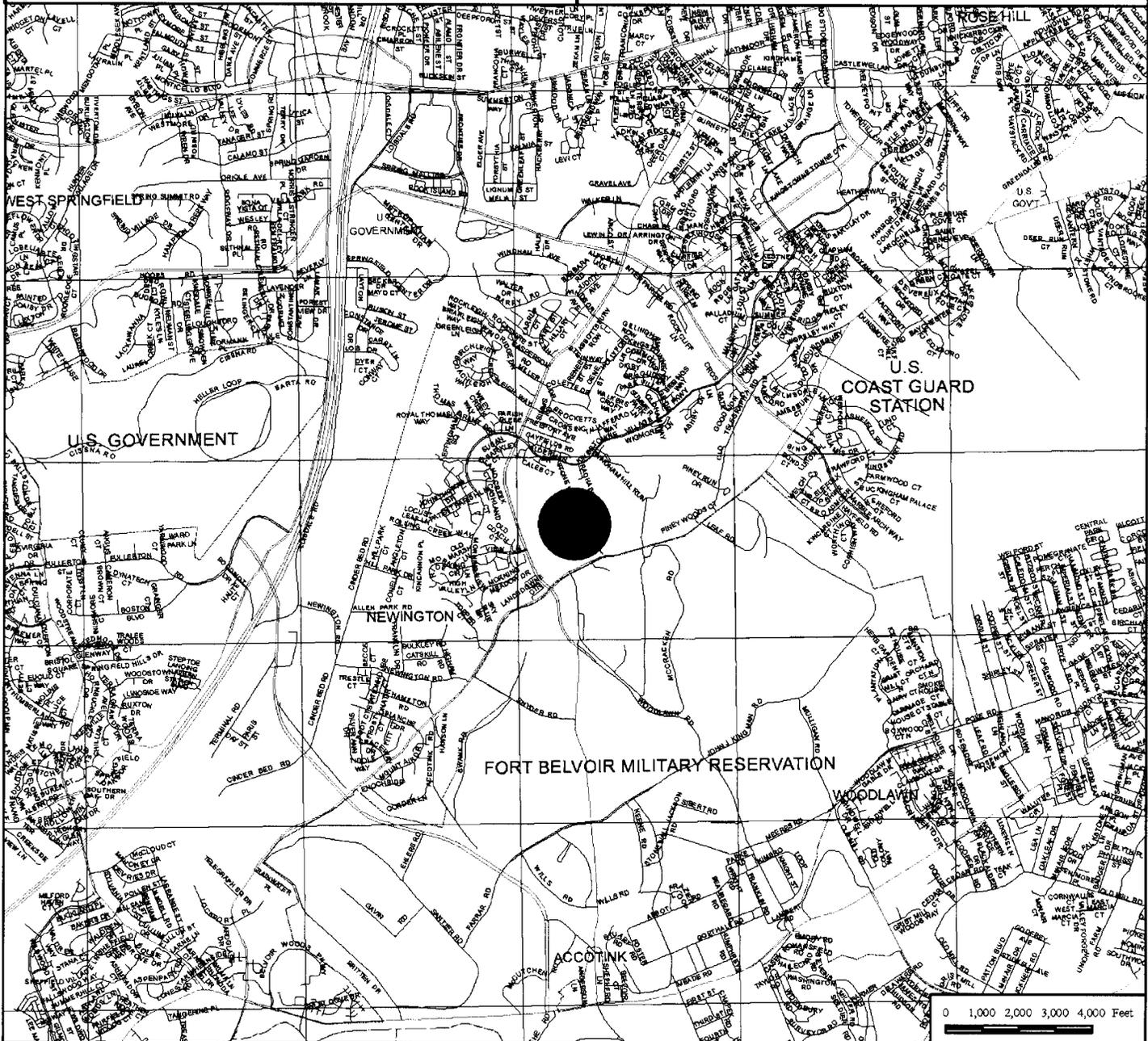
## RZ 2008-MD-003

# Final Development Plan

## FDP 2008-MD-003

Applicant: HILLTOP SAND AND GRAVEL COMPANY, INC.  
 Accepted: 03/25/2008  
 Proposed: MIXED USE DEVELOPMENT, OFFICE, RETAIL ESTABLISHMENT LARGE  
 Area: 33 AC OF LAND; DISTRICT - LEE  
 Zoning Dist Sect:  
 Located: NORTHEAST QUADRANT OF THE INTERSECTION OF BEULAH STREET AND TELEGRAPH ROAD  
 Zoning: FROM I- 3 AND R- 1 TO PDC  
 Overlay Dist: NR  
 Map Ref Num: 100-1- /01/ /0009 pt. /01/ /0011A /01/ /0011A1 /01/ /0014 /01/ /0015

Applicant: HILLTOP SAND AND GRAVEL COMPANY, INC.  
 Accepted: 03/25/2008  
 Proposed: MIXED USE DEVELOPMENT TO PERMIT OFFICE, RETAIL ESTABLISHMENT LARGE, 2 DRIVE-IN BANKS  
 Area: 33 AC OF LAND; DISTRICT - LEE  
 Zoning Dist Sect:  
 Located: NORTHEAST QUADRANT OF THE INTERSECTION OF BEULAH STREET AND TELEGRAPH ROAD  
 Zoning: PDC  
 Overlay Dist: NR  
 Map Ref Num: 100-1- /01/ /0009 pt. /01/ /0011A /01/ /0011A1 /01/ /0014 /01/ /0015



# Rezoning Application

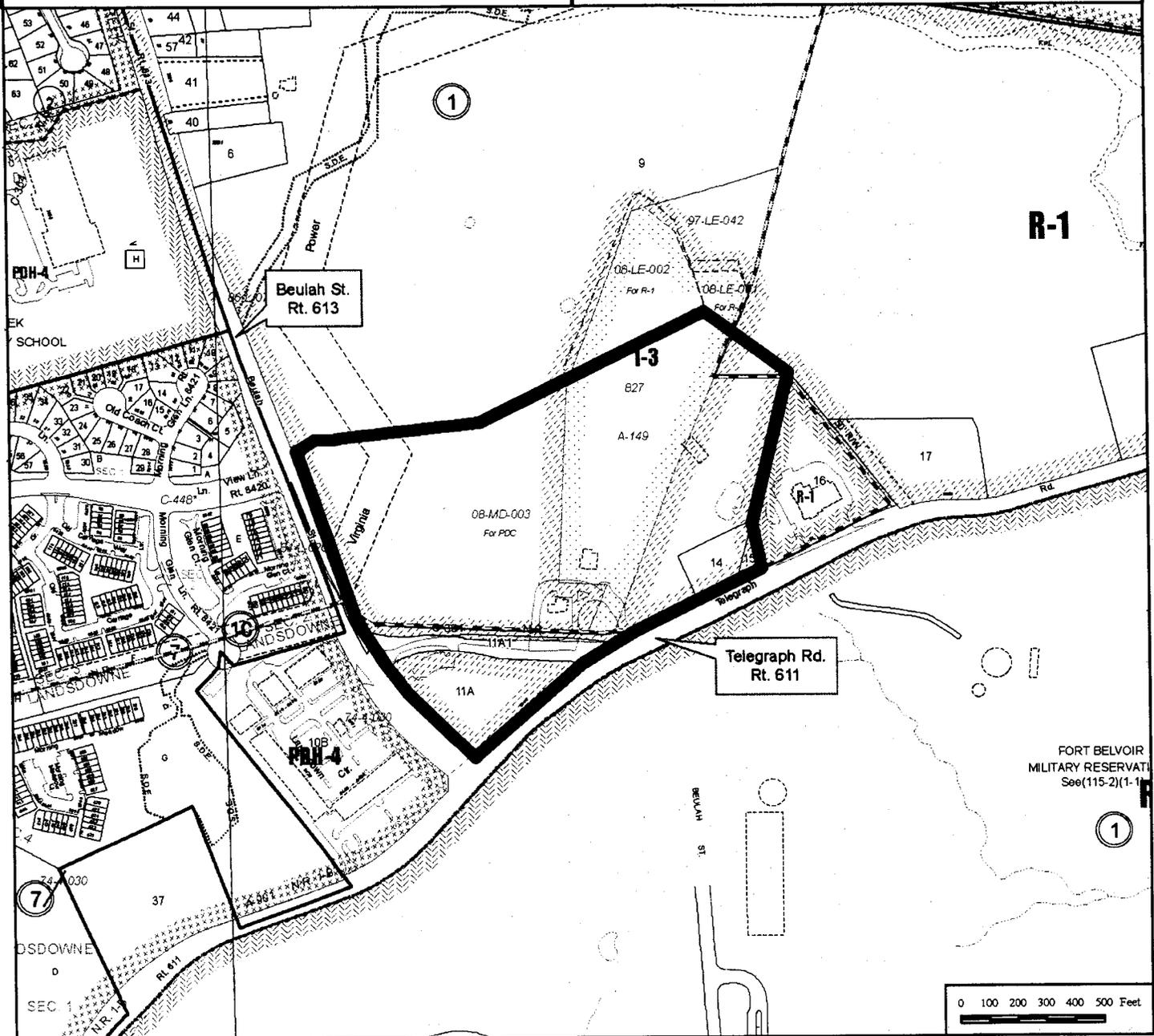
RZ 2008-MD-003

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Zoning: FROM I- 3 AND R- 1 TO PDC  
Overlay Dist: NR  
Map Ref Num: 100-1- /01/ /0009 pt. /01/ /0011A /01/ /0011A1 /01/ /0014 /01/ /0015

# Final Development Plan

FDP 2008-MD-003

Applicant: HILLTOP SAND AND GRAVEL COMPANY, INC.  
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Located:  
Zoning: PDC  
Overlay Dist: NR  
Map Ref Num: 100-1- /01/ /0009 pt. /01/ /0011A /01/ /0011A1 /01/ /0014 /01/ /0015

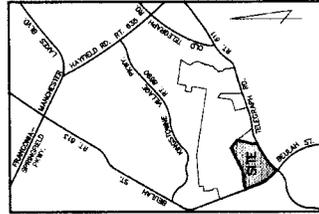




# HILLTOP VILLAGE CENTER

Lee & Mount Vernon Districts Fairfax County, Virginia

## CONCEPTUAL DEVELOPMENT PLAN / FINAL DEVELOPMENT PLAN RZ 2008-MD-003



VICINITY MAP  
SCALE: 1" = 200'

### Applicant:

Hilltop Sand and Gravel Company, Inc.  
7950 Telegraph Road  
Alexandria, VA 22315

#### Sheet Index

1. COVER SHEET - DEVELOPMENT PLAN / FINAL DEVELOPMENT PLAN
2. SITE PLAN
3. CONCEPT MARKING
4. NOTES AND TABULATION
5. LANDSCAPE PLAN
6. PENETRATION SCHEDULE & PERSPECTIVES
7. STORMWATER MANAGEMENT - OUTFALL NARRATIVE
8. STORMWATER MANAGEMENT - NARRATIVES
9. STORMWATER MANAGEMENT
10. STORMWATER MANAGEMENT

RZ 2008-MD-003  
Hilltop Village Center  
Conceptual Development Plan /  
Final Development Plan



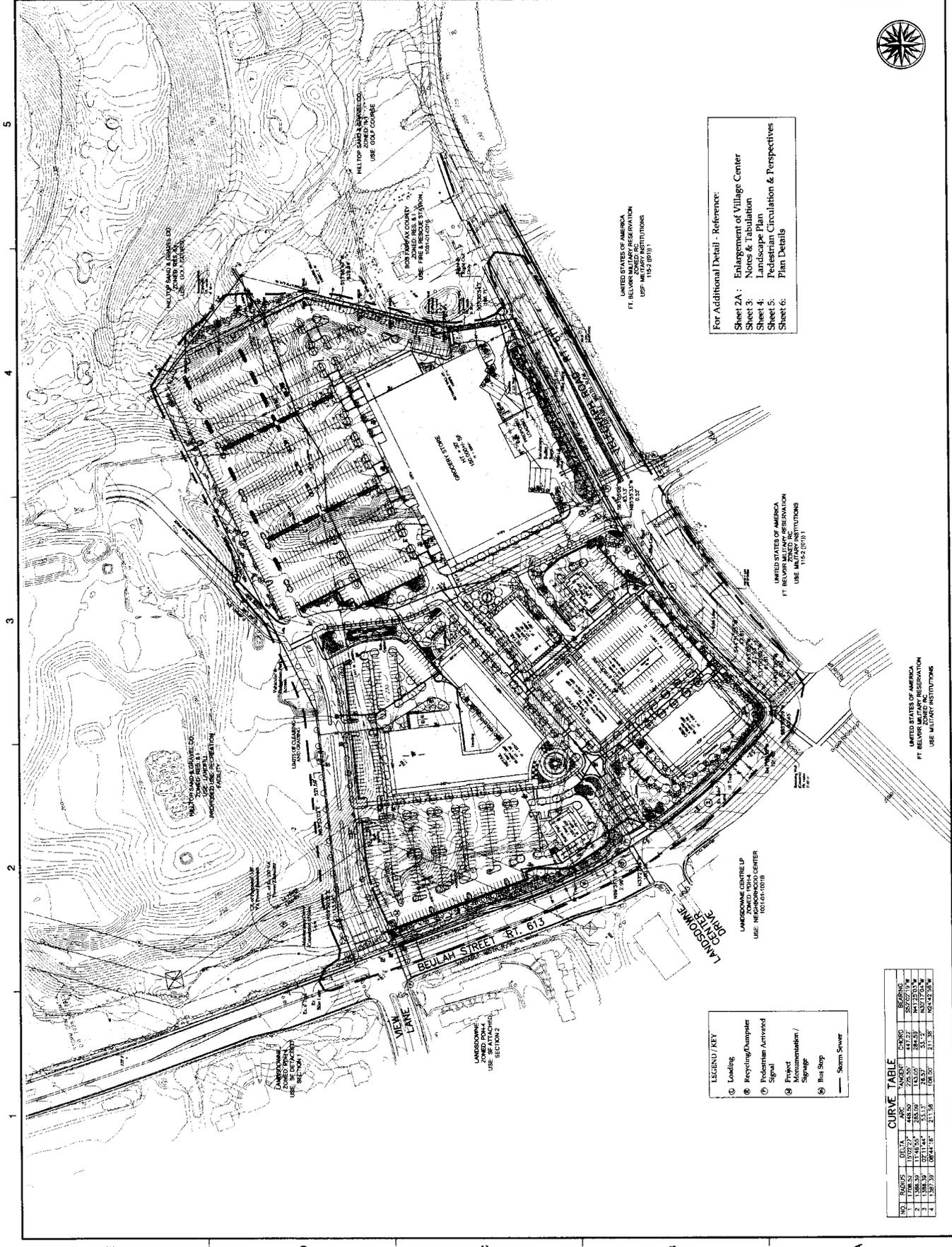
KPP PLAN



No.	DATE	BY	DESCRIPTION
1	12.04.06	DMC	REV. LAYOUT
2	12.04.06	DMC	REV. LAYOUT
3	01.16.07	DMC	REV. LAYOUT

DESIGNED BY: A/W  
 APPROVED BY: LM  
 CHECKED BY: LM  
 DATE: February 12, 2008  
 TITLE: Hilltop Village Center

PROJECT NO.: GDP / FDP



**For Additional Detail - Reference:**  
 Sheet 2A : Enlargement of Village Center  
 Sheet 3 : Notes & Tabulation  
 Sheet 4 : Landscape Plan  
 Sheet 5 : Pedestrian Circulation & Perspectives  
 Sheet 6 : Plan Details

UNITED STATES OF AMERICA  
 FT. BELVOIR MILITARY RESERVATION  
 USE MILITARY INSTITUTIONS  
 1162 (0118) 1

UNITED STATES OF AMERICA  
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 USE MILITARY INSTITUTIONS  
 1162 (0118) 1

UNITED STATES OF AMERICA  
 FT. BELVOIR MILITARY RESERVATION  
 USE MILITARY INSTITUTIONS

LANDSCAPE CENTER  
 USE: RECREATION CENTER  
 1001-01-10018

**LEGEND / KEY**

- Loading
- ⊗ Recycling/Dumpster
- ⊙ Pedestrian Activated Signal
- ⊕ Project Monumentation / Signage
- ⊙ Bus Stop
- Storm Sewer

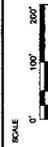
**CURVE TABLE**

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	BEARINGS
1	1786.51	157°27.7'	448.50	720.26	417.27	S20°22'01"W
2	1386.39	071°14.4'	53.13	283.57	183.17	S37°17'04"W
3	1387.39	08°54.1'	211.58	08.50	211.38	N92°42'58"W





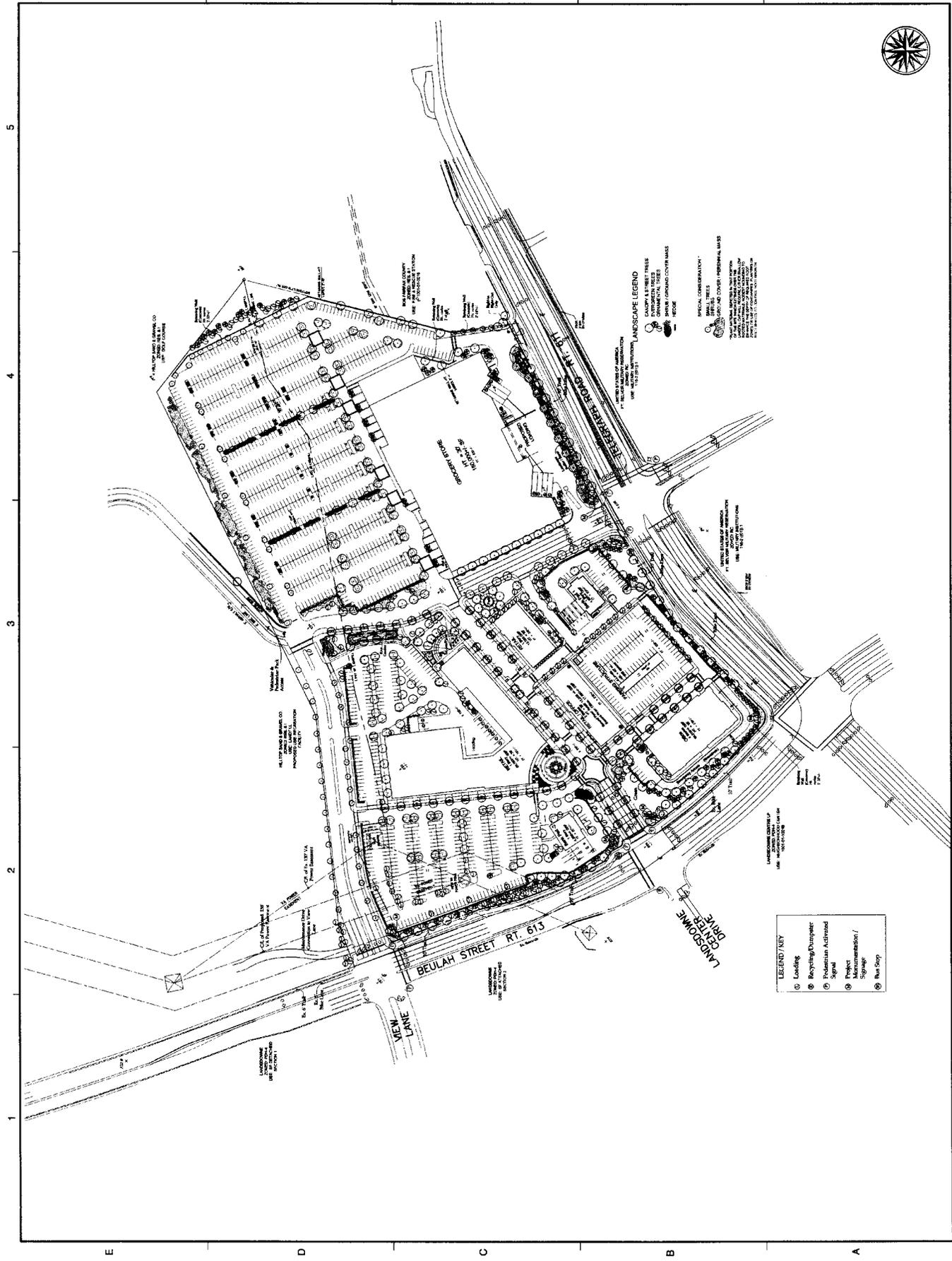
REV PLAN



REV	DATE	BY	DESCRIPTION
3	01/17/08	DMAC	Update
2	02/02/08	DMAC	Update
1	01/17/08	DMAC	New Sheet

DESIGNED BY: ASW  
 APPROVED BY: LM  
 CHECKED BY: LM  
 DATE: FEBRUARY 12, 2008  
 TITLE: Hilltop Village Center LANDSCAPE PLAN

PROJECT NO. \_\_\_\_\_



**LANDSCAPE LEGEND**  
 CANOPY & STREET TREES  
 1. 10' - 12' TALL  
 2. 12' - 15' TALL  
 3. 15' - 20' TALL  
 4. 20' - 25' TALL  
 5. 25' - 30' TALL  
 6. 30' - 35' TALL  
 7. 35' - 40' TALL  
 8. 40' - 45' TALL  
 9. 45' - 50' TALL  
 10. 50' - 55' TALL  
 11. 55' - 60' TALL  
 12. 60' - 65' TALL  
 13. 65' - 70' TALL  
 14. 70' - 75' TALL  
 15. 75' - 80' TALL  
 16. 80' - 85' TALL  
 17. 85' - 90' TALL  
 18. 90' - 95' TALL  
 19. 95' - 100' TALL  
 20. 100' - 105' TALL  
 21. 105' - 110' TALL  
 22. 110' - 115' TALL  
 23. 115' - 120' TALL  
 24. 120' - 125' TALL  
 25. 125' - 130' TALL  
 26. 130' - 135' TALL  
 27. 135' - 140' TALL  
 28. 140' - 145' TALL  
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 31. 155' - 160' TALL  
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 197. 985' - 990' TALL  
 198. 990' - 995' TALL  
 199. 995' - 1000' TALL

**LEGEND / KEY**  
 (1) Loading  
 (2) Recycling/ Dumpster  
 (3) Pedestrian Activated Signal  
 (4) Project Monumentation / Signage  
 (5) Bus Stop

Dewberry & Davis LLC  
 10000 Park Lakeshore  
 Fairfax, VA 22031  
 Tel: 703-261-1200  
 Fax: 703-261-1201  
 www.dewberry.com

HILLTOP VILLAGE CENTER  
 CONCEPTUAL DEVELOPMENT PLAN /  
 FINAL DEVELOPMENT PLAN  
 LEE AND MOUNT VERNON DISTRICTS  
 FAYFAX COUNTY, VIRGINIA



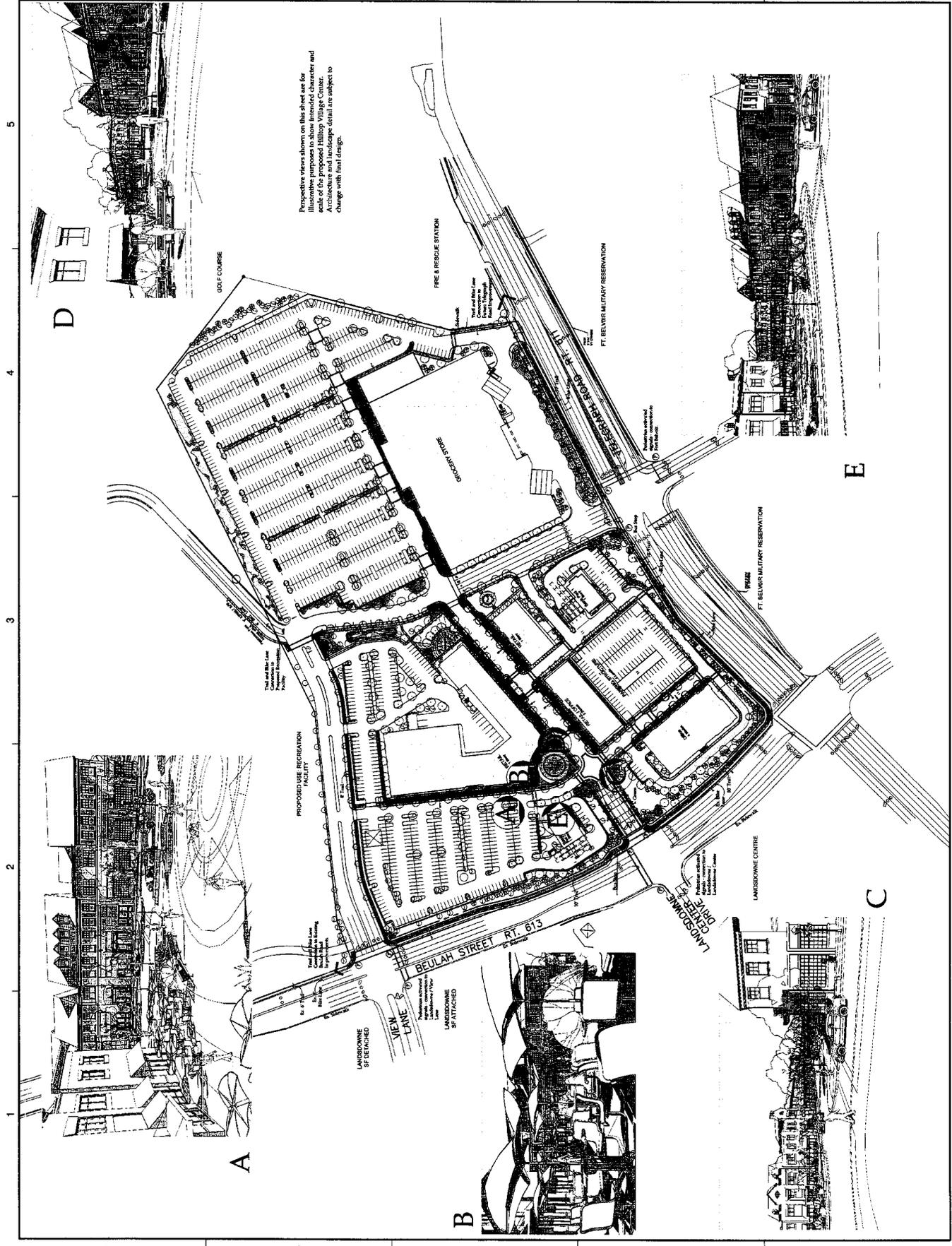
KEY PLAN

SCALE  
 0' 100' 200'

NO.	DATE	BY	DESCRIPTION
1	12.04.08	DAE	REV. LAYOUT
2	12.02.08	DAE	BACKLASH / COMMENTS
3	01.18.09	DAE	FINAL

DESIGNED BY: ARN  
 APPROVED BY: [Signature]  
 CHECKED BY: LA  
 DATE: FEBRUARY 12, 2008  
 TITLE: Hilltop Village Center  
 Pedestrian Circulation & Perspective Views  
 CDP / FDP

PROJECT NO. \_\_\_\_\_

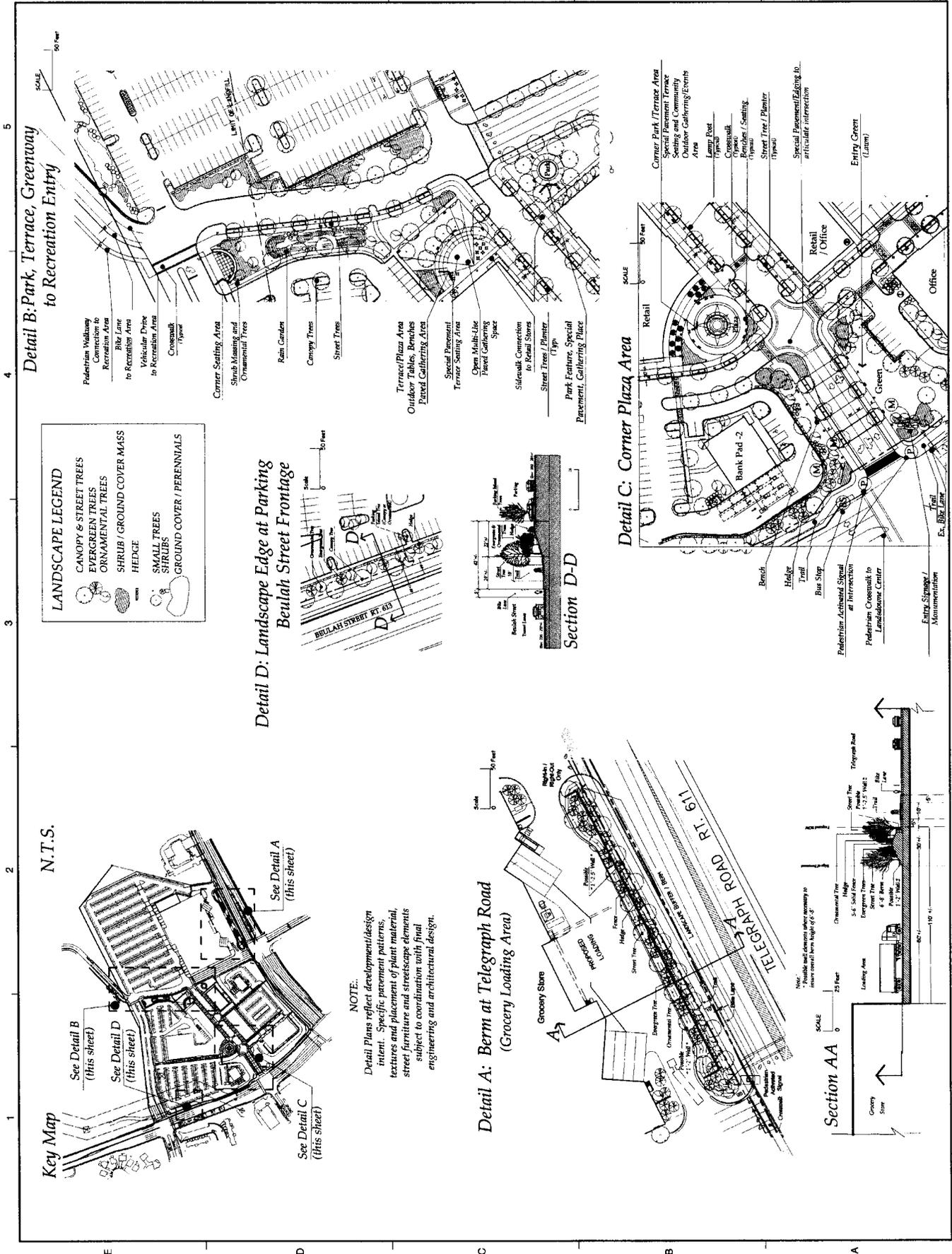




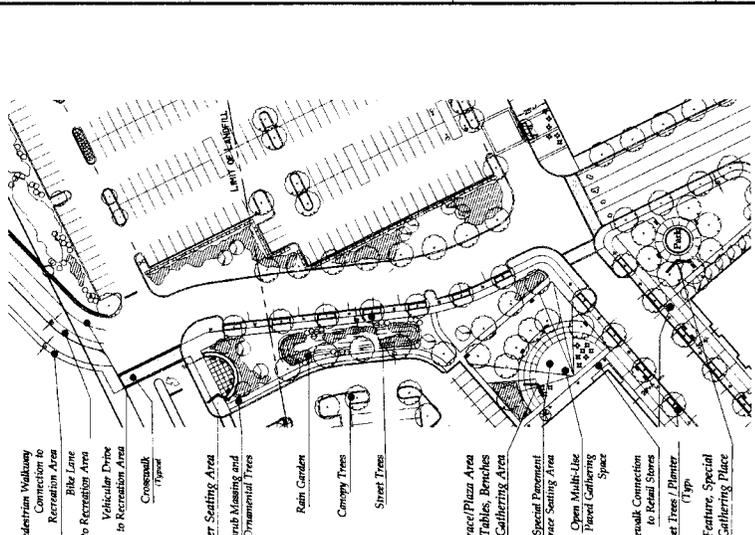
NO.	DATE	BY	DESCRIPTION
1	07/10/08	DAC	New Sheet
2	10/08/08	DAC	Revised/Added
3	01/10/09	DAC	Added Section B & Section C

REVISIONS  
 DRAWN BY: DAC  
 APPROVED BY: DAC  
 CHECKED BY: DAC  
 DATE: FEBRUARY 12, 2009  
 TITLE: HILLTOP VILLAGE CENTER  
 CDP / FDP  
 Details

PROJECT NO.:  
 SHEET NO.: **6**  
 OF 11  
 M-10695



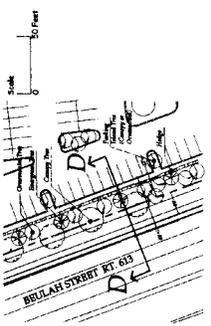
**Detail B: Park, Terrace, Greenway to Recreation Entry**



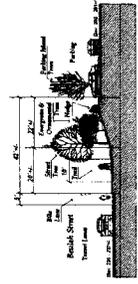
**LANDSCAPE LEGEND**

- CANOPY & STREET TREES
- EVERGREEN TREES
- ORNAMENTAL TREES
- SHRUB / GROUND COVER MASS
- HEDGE
- SMALL TREES
- SHRUBS
- GROUND COVER / PERENNIALS

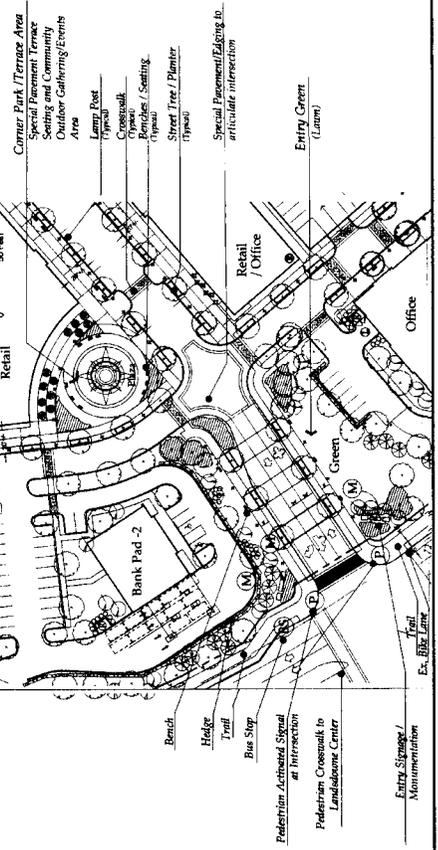
**Detail D: Landscape Edge at Parking Beulah Street Frontage**



**Section D-D**

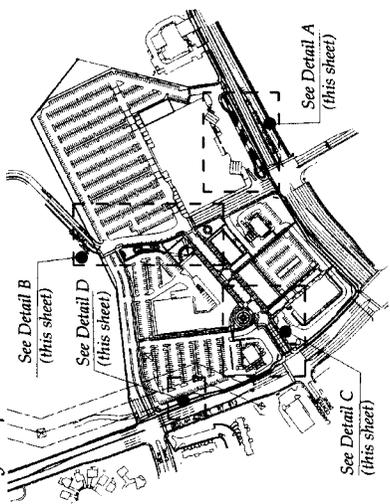


**Detail C: Corner Plaza Area**



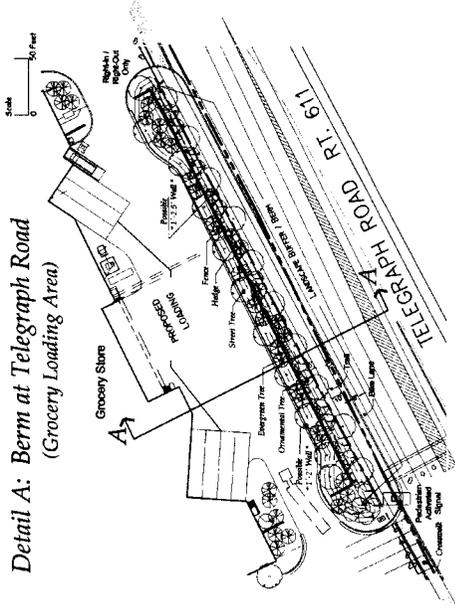
N.T.S.

**Key Map**

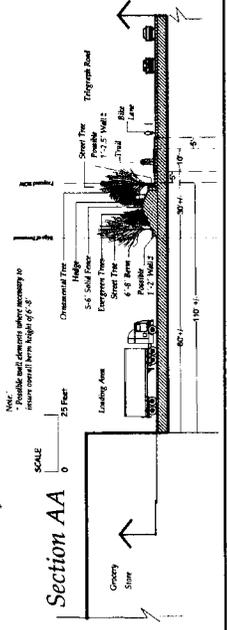


**NOTE:**  
 Detail Plans reflect development/design intent. Specific pavement patterns, textures and placement of plant material, street furniture and streetscape elements subject to coordination with final engineering and architectural design.

**Detail A: Berm at Telegraph Road (Grocery Loading Area)**



**Section AA**







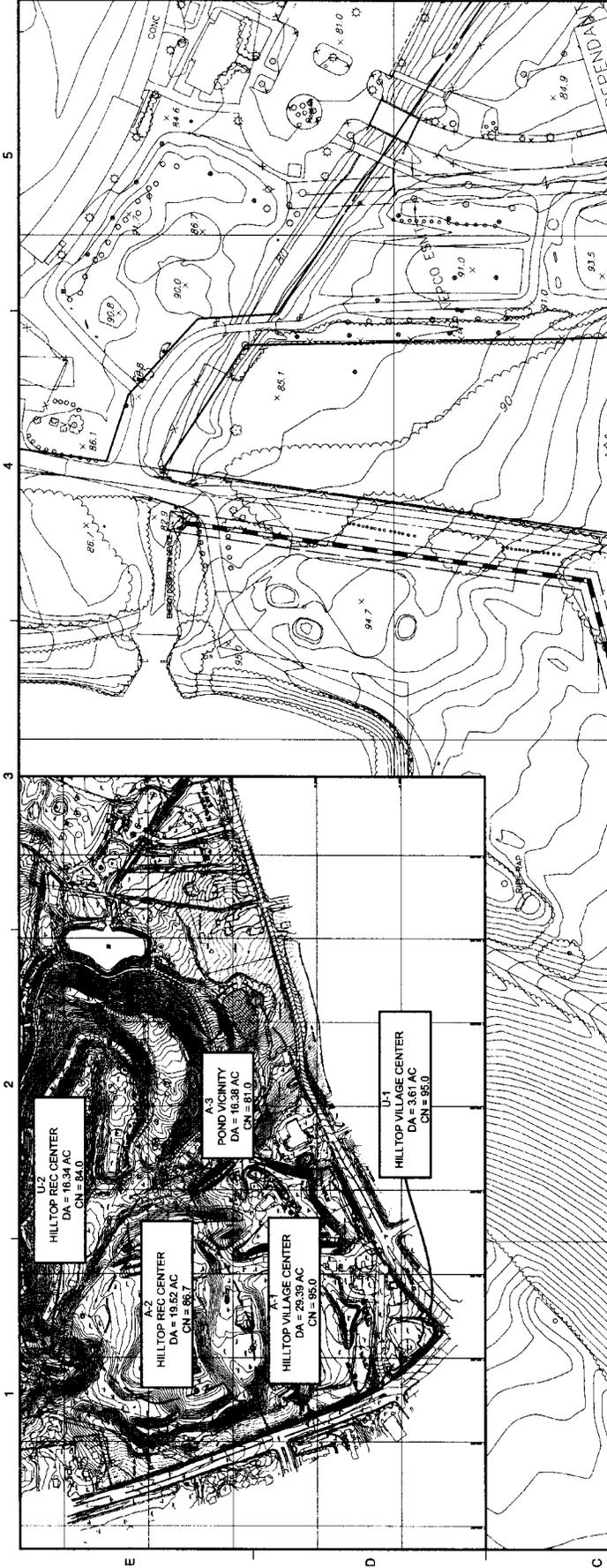
REF PLAN

SCALE

No.	DATE	BY	Description
1	10/12/06	AM	Initial
2	01/16/07	JMC	Rev. Change
3	10/12/06	JMC	Rev. Change

DRAWN BY: AM  
 APPROVED BY: LJ  
 CHECKED BY: LJ  
 DATE: February 12, 2008  
 TITLE: Hilltop Village Center  
 CDP / FDP  
 Stormwater Narratives

PROJECT NO:



**BMP Narrative**

Plan Name: Hilltop  
 Plan Number: CDP  
 Engineer: [Signature]

**Water Quality Narrative**  
 The proposed wet pond will address BMP requirements for the proposed site. The wet pond will be designed to meet the minimum 40% reduction in runoff volume for the site. This wet pond is to be privately owned and maintained.

The best management requirements for the site were determined as reflected in the computations on this sheet.

**Watershed Information**  
 Part 1. List all of the Subareas and C-Regions listed in the BMP Computation Table.

Subarea	Description	Area (Acres)	C Factor	Runoff (CFS)
A-1	Wet Pond Hilltop Village Center	26.39	0.06	1.00
A-2	Wet Pond Hilltop Village Center	18.52	0.35	18.52
A-3	Wet Pond Hilltop Village Center	3.61	0.65	3.61
M-1	Uncontrolled Hilltop Village Center	18.34	0.35	6.42
M-2	Uncontrolled Recreational Facility	65.24	0.35	22.84
<b>Total</b>		<b>132.10</b>		<b>44.19</b>

Part 2. List all of the Subareas and C-Regions listed in the BMP Computation Table.

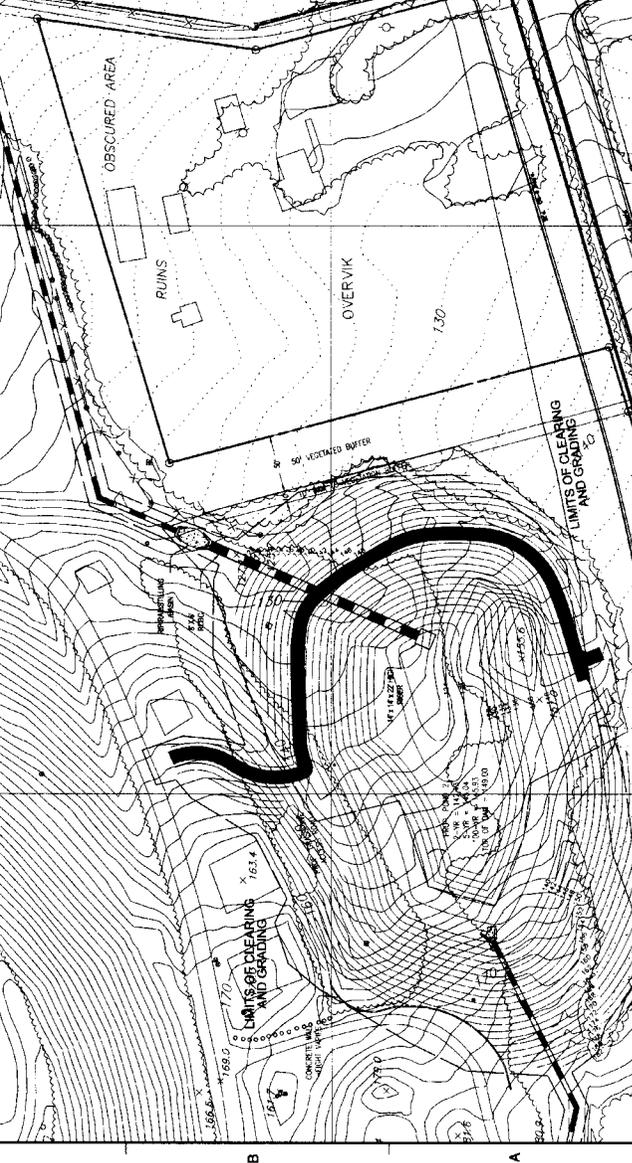
Subarea	Description	Area (Acres)	C Factor	Runoff (CFS)
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M-1	Uncontrolled Hilltop Village Center	18.34	0.35	6.42
M-2	Uncontrolled Recreational Facility	65.24	0.35	22.84
<b>Total</b>		<b>132.10</b>		<b>44.19</b>

Part 3. Compute the Total Discharge Volume for the Site.

Subarea	Description	Area (Acres)	C Factor	Runoff (CFS)
A-1	Wet Pond Hilltop Village Center	26.39	0.06	1.00
A-2	Wet Pond Hilltop Village Center	18.52	0.35	18.52
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M-1	Uncontrolled Hilltop Village Center	18.34	0.35	6.42
M-2	Uncontrolled Recreational Facility	65.24	0.35	22.84
<b>Total</b>		<b>132.10</b>		<b>44.19</b>

Part 4. Determine Compliance with Poststorm Runoff Requirements.

Subarea	Description	Area (Acres)	C Factor	Runoff (CFS)
A-1	Wet Pond Hilltop Village Center	26.39	0.06	1.00
A-2	Wet Pond Hilltop Village Center	18.52	0.35	18.52
A-3	Wet Pond Hilltop Village Center	3.61	0.65	3.61
M-1	Uncontrolled Hilltop Village Center	18.34	0.35	6.42
M-2	Uncontrolled Recreational Facility	65.24	0.35	22.84
<b>Total</b>		<b>132.10</b>		<b>44.19</b>







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

**DESCRIPTION OF THE APPLICATION**

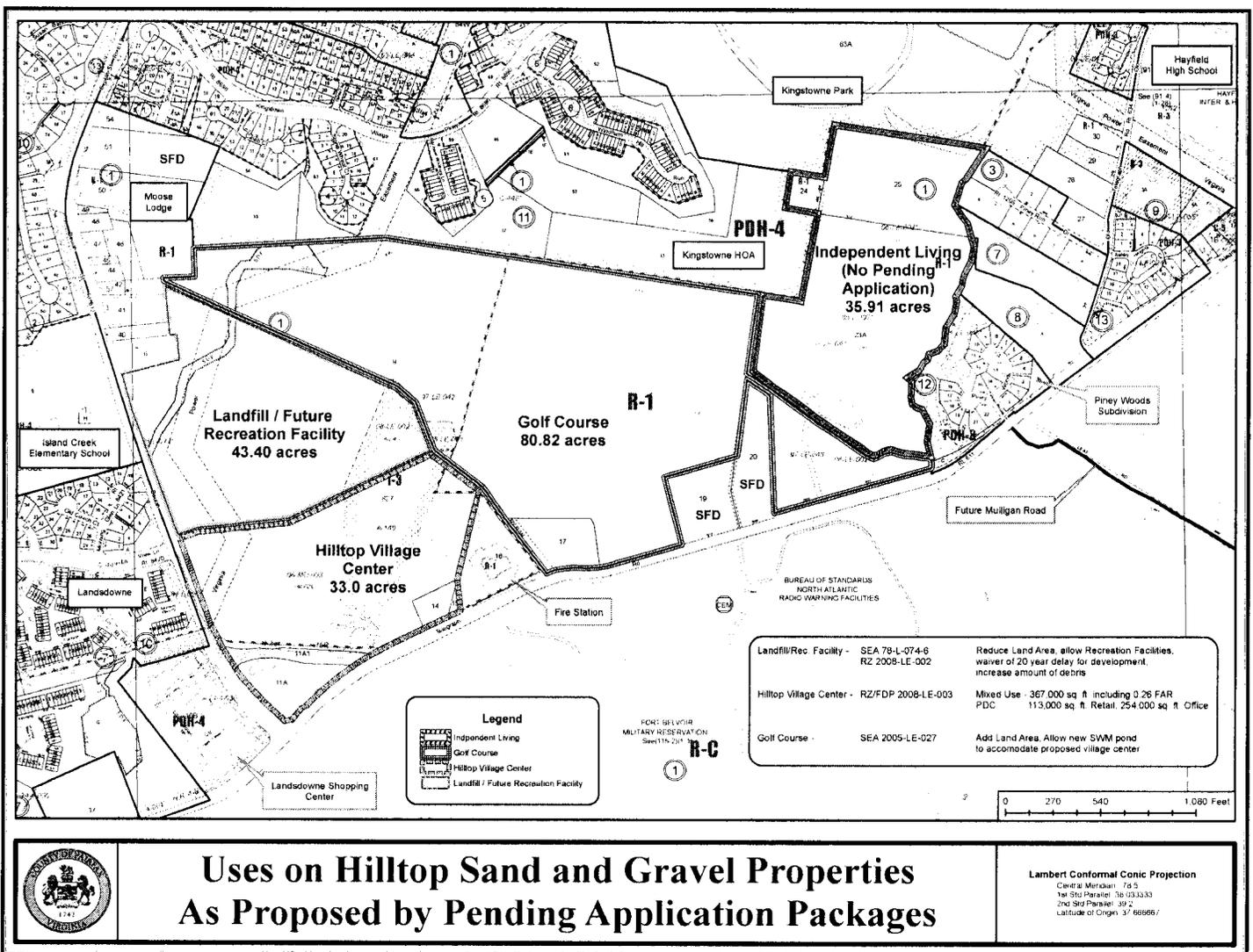
The applicant, Hilltop Sand & Gravel, Inc., has filed an application proposing to rezone approximately 33.0 acres from the R-1 (Residential – One Dwelling Unit per Acre) and the I-3 (Low Intensity Industrial) Districts to the PDC (Planned Development Commercial) District. Portions of the property are in the Natural Resources (NR) overlay district. The applicant is proposing to construct Hilltop Village Center, a mixed use development consisting of a 96,000 square foot office building, 94,000 SF of retail, an additional 17,000 SF of office located above the retail, two drive-in financial institutions and a 150,000 SF large retail establishment (identified as Grocery Store on the plans). The total gross floor area proposed is 366,000 SF for a floor area ratio (FAR) of 0.255; twenty percent (20%) of the site is proposed to be open space. The large retail establishment is a secondary use in the PDC District. Since secondary uses in a PDC District are limited to a maximum of twenty-five percent (25%) of the principal uses pursuant to Par. 5 of Sect. 6-206 and the proposed grocery store and drive-in financial institutions are approximately 42% of the proposed principal uses, the applicant has requested that the Board of Supervisors approve a P-District variance pursuant to the provisions of Par. 8 of Sect. 16-401 to allow the secondary uses to exceed 25% of the principal uses.

The application includes the following waivers and modifications:

- Modification of the transitional screening yard requirement along the southern boundary (Telegraph Road), the western boundary (Beulah Street), the northern boundary and the northwestern boundary to that shown on the CDP/FDP;
- Waiver of the barrier requirements along the southern and western boundaries;
- Waiver of the loading space requirement for each of the two proposed drive-in financial institutions; and,
- Modification of the loading space requirements for the retail uses to allow the locations shown on the CDP/FDP.

This application has been filed in conjunction with two other application packages affecting other portions of the land holdings of the applicant in this vicinity. The genesis for all of these applications is the application addressed by this report (Hilltop Village Center). To accomplish this, the other two application packages have been filed to amend the current approvals for a landfill and a golf course. Most of the 33 acres proposed to be rezoned to the PDC District to allow the development of the shopping center are currently included in the special exception approval for the existing construction and demolition debris (CDD) landfill, SEA 78-L-074-05. While most of the 33.0 acres supports the existing CDD landfill operation; approximately 7.0 acres are

part of the active landfill. SEA 78-L-074-06, has been filed to reduce the land area from 64.78 acres to 35.88 acres, to increase the amount of fill permitted in the remaining portion of the CDD landfill and gain approval of the recreation facilities that will be constructed by the applicant upon closure of the landfill operation. RZ 2008-LE-002 has been filed to rezone 3.51 acres within the bounds of the remaining landfill area from the I-3 District to the R-1 District; the remaining of the landfill property is in the R-1 District. Two applications have been filed on the 81.41 acres that have been developed with the Hilltop Golf Course, approved pursuant to SE 2005-LE-027, to accommodate a stormwater management/best management facility for the proposed shopping center and to increase the land area to 82.71 acres. Filed concurrently with that application is RZ 2008-LE-001 to rezone 0.73 acres within the golf course from I-3 to R-1; the remainder of the land in the golf course is zoned R-1.



A reduced copy of the proposed combined Conceptual Development Plan/Final Development Plan (CDP/FDP) for Hilltop Village Center is included in the front of this report. The applicant's draft proffers for RZ 2008-LE-003 are included as Appendix 1. The proposed Conceptual Development Plan conditions are included as Appendix 2. The applicant's affidavit is in Appendix 3 and the applicant's statements regarding the application are included as Appendix 4. Appendix 5 includes the combined locator map

and the GDP/SEA Plat submitted with the applications to reduce the land area of the existing landfill, SEA 78-L-074-06 and RZ 2008-LE-002. Appendix 6 includes a copy of the combined locator map for SEA 2005-LE-027 and RZ 2008-LE-001, which affect the golf course, along with a reduction of the GDP/SEA Plat.

An application for a PDC District is subject to the general standards and the design standards contained in Part 1 of Article 16, Development Plans. The most relevant standards are contained in the Excerpts from the Zoning Ordinance found in Appendix 15.

**LOCATION AND CHARACTER**

The application property is located in the northwest corner of the intersection of Beulah Street and Telegraph Road. The site is a portion of the Hilltop Sand & Gravel Landfill. Of the 33.0 acre application property only the northern approximately 7.00 acres was part of the actual landfill, the remaining portion of the property contains offices and other structures that support the landfill. The offices are located in a former single family detached house and a temporary building. A power line easement is located in the northwestern corner of the property. The site also contains a privately developed and operated youth baseball field, developed by the property owner and leased to the Pioneer Baseball League for a nominal amount (see Appendix 4).

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan Map</b>
<b>North</b>	Hilltop Golf Course	R-1	Private Recreation
	Hilltop Landfill	R-1	Private Recreation
<b>South</b>	Fort Belvoir	R-C	Government & Institutional
<b>East</b>	Hilltop Golf Course	R-1	Private Recreation
	Kingstowne Fire Station	R-1	3-4 du/ac
<b>West</b>	Landsdowne Shopping Center	PDH-4	3-4 du/ac
	Single Family Dwellings (Landsdowne)	PDH-4	3-4 du/ac

**BACKGROUND**

Hilltop Sand & Gravel Properties Zoning History Summary

The holdings of the Hilltop Sand & Gravel in this vicinity extend from Beulah Street on the west to Piney Run on the east and from Telegraph Road on the south to Kingstowne on the north. Much of the property was originally developed with a sand

and gravel mining operation which then was converted to a construction and demolition debris landfill.

The easternmost portion of the property, adjacent to Piney Run, was not included in the mining or landfill operations and is currently developed with a golf driving range and a portion of the golf course. Pursuant to the approval of RZ 2006-LE-003 and SE 2005-LE-028 on July 10, 2006, the golf driving range and some vacant property to the north were approved for the development of a 376 unit independent living facility. Approximately seven acres of land located between the independent living facility and Telegraph Road were approved to be part of the golf course, expanded parking areas and a clubhouse pursuant to RZ 2006-LE-002 and SE 2005-LE-027. These records are on file with the Department of Planning and Zoning (DPZ).

The central portion of the overall Hilltop Sand & Gravel properties has been developed with a nine-hole golf course, which is located on a portion of the landfill which has been closed. The golf course was originally approved pursuant to special permit, SP 97-L-037, which upon amendment of the Zoning Ordinance to require approval of a special exception rather than a special permit for a golf course, was amended pursuant to SE 2005-LE-027. The property located closest to Beulah Street is currently part of the landfill operation. It also contains a private recreation facility, a little league ball field near the intersection of Beulah Street and Telegraph Road.

The following provides a more detailed history of the various zoning cases affecting the property of the applicant, including those areas not included in the application property but addressed in this staff report.

#### SE 78-L-074 et. seq.

Part of the debris landfill operated by the applicant, Hilltop Sand and Gravel Company, Inc., previously included the portion of the application property where Holes 2 through 9 of the golf course have been constructed. That part of the landfill has been closed; the landfill operation continues to the west between the golf course and Beulah Road. The debris landfill was originally granted zoning approval pursuant to SE 78-L-074 (approved December 18, 1978), which was subsequently amended to increase the size of the land area and to permit other modifications. In 1998, SEA 78-L-074-5 was approved to reduce the land area included in the debris landfill from 135.97 acres to 64.78 acres and to allow (in conjunction with several other applications which are addressed below) construction of the golf course, the golf driving range and other as of yet un-built commercial recreation facilities, including a miniature golf course. This application also included a request to waive the additional SE standard which prohibits construction upon a landfill prior to the twenty years after closure in order to allow the golf course. The 33.0 acres included in RZ/FDP 2008-LE-003 and addressed in this staff report are within the land area for SEA 78-L-074-5. The Clerk to the Board's letter regarding the approval of SEA 78-L-074-5 are in

Appendix 7. The records for the previous approvals for the landfill are on file with DPZ.

#### RZ 85-L-092 & RZ 1997-LE-041

Pursuant to RZ 85-L-092, Parcel 23A, located adjacent to Piney Run was rezoned from the R-1 to the PDH-4 District to allow the development of fifty single family detached dwelling units. Subsequently, on June 5, 1995, PCA 85-L-092 was approved to allow a reduction in the number of dwelling units and allow a driving range as a secondary use in the PDH-4 District. The PDH-4 District was rezoned back to the R-1 District pursuant to RZ 1997-LE-041, which in conjunction with other cases, allowed the development of the golf course and the associated facilities. These approvals were superseded by the approval of RZ 1997-LE-041, which permitted the construction of the golf driving range; this approval was subsequently superseded by the 2006 approval of RZ 2006-LE-003 and SE 2006-LE-028 to allow the construction of an independent living facility on 35.91 acres of land located adjacent to Piney Run (see below). The records with regard to RZ 85-L-092, PCA 85-L-092 and RZ 1997-LE-041 are on file with DPZ.

#### Golf Course and Driving Range

The existing golf course and driving range and the un-constructed miniature golf course were approved in 1998 pursuant to the approval of five concurrent and associated zoning applications as follows:

- SEA 78-L-074-5: As noted above, this application reduced the size of the debris landfill to 64.78 acres and included a modification of the additional standard to waive that additional SE standard which prohibits construction upon a landfill for 20 years after its closure in order to allow that portion of the landfill to be redeveloped as a golf course.
- RZ 1997-LE-041: This application rezoned the 25.64 acres of the area from the PDH-4 District to the R-1 District to allow this land to be part of the 106.19 acre golf course and golf driving range (as noted above, this zoning was superseded by RZ 2006-LE-003).
- RZ 1997-LE-042: This application rezoned 2.72 acres from the I-3 and NR Districts to the R-1 and NR Districts to allow this land to be included in the 106.19 acre golf course because a golf course was not an allowed use in the I-3 District at that time (a golf course is now allowed in the I-3 District with the approval of a special exception). The proffers associated with this approval are not affected by the pending application, as this property is located within that portion of the golf course which is not being changed. This property is included within SE 2005-LE-027, which replaced the previous special permit approval for the golf course. The records for this approval are on file with DPZ and can be found as

appendices of the staff report for the associated applications to amend the golf course (SEA 2005-LE-027 and RZ 2008-LE-002). A copy of the locator map for the two pending applications and the submitted GDP/SEA Plat are included in Appendix 6 of this report.

- RZ 1997-LE-043: This application rezoned 6.63 acres located in the southern portion of Parcel 23A from the PDH-4 District to the C-6 District to allow the as of yet un-constructed miniature golf course. This property was subsequently rezoned from the C-6 District to the R-1 District pursuant to application RZ 2006-LE-002. Concurrently, SE 2005-LE-027 was approved and the miniature golf course deleted from the golf course approval in favor of additional parking and a new clubhouse for the golf course. The records with regard to RZ 1997-LE-043 are on file with DPZ.
- SP 97-L-037: When the golf course, golf driving range and miniature golf course were proposed in 1997, the golf course and the associated golf driving range were allowed pursuant to the approval of a special permit application. Subsequently, the Zoning Ordinance was amended to change this use to a special exception use. This approval was amended pursuant to the approval of SE 2005-LE-027: to reduce the land area to 80.80 acres, to convert the previously approved miniature golf course to practice activities associated with the golf course; to allow the access road serving the proposed independent living facility to be located within the application property; to continue the approval to allow a clubhouse to be constructed for the golf course; and to accommodate minor changes to the layout of the access road and parking to reflect the changes associated with the proposed independent living facility. The land to be removed from the previously approved golf course and associated facilities is to be included, with additional property, in the independent living facility approved pursuant to RZ 2006-LE-003 and SE 2005-LE-028. The records for SP 97-L-037 are on file with DPZ.

#### Independent Living Facility (RZ 2006-LE-003 and SE 2005-LE-028)

As noted above, an independent living facility was approved on 35.91 acres of land, located adjacent to Piney Run and in the easternmost portion of the property held by the applicant. This facility will be constructed generally in the area where the golf driving range is currently located. The green for the first hole of the golf course will remain located on land included in the approvals for the independent living facility. The Locator Map for these previously approved concurrent applications is found in Appendix 8. Other records regarding this approval, which is not affected by the pending applications, are on file with DPZ.

**COMPREHENSIVE PLAN PROVISIONS (Appendix 9)**

<b>Plan Area:</b>	IV
<b>Planning District:</b>	Rose Hill Planning District
<b>Planning Sector:</b>	Lehigh Community Planning Sector (RH4)

The Comprehensive Plan provides the following guidance on the land use and the intensity/density for the property.

On page 3 of the Rose Hill Planning District of the 2007 edition of the Area IV Plan, under the heading, "Major Objectives", the Plan states:

**MAJOR OBJECTIVES**

Planning objectives in the Rose Hill Planning District include the following:

- Preserve stable residential neighborhoods with appropriate and compatible infill development;
- Achieve appropriate development in the Van Dorn Transit Station Area given access and environmental constraints;
- Manage pressure for commercial expansion along Franconia Road and other arterials;
- Achieve development which is sensitive to environmental constraints and opportunities, especially the need to plan, design and construct uses recognizing the presence of marine clays and slope failure areas;
- Protect Huntley Meadows Park;
- Determine future uses of Federal properties if they are declared surplus, and of the Hilltop Landfill when it ceases operation;
- Identify and preserve significant heritage resources;
- Develop trails and mass transportation resources to provide access to the Van Dorn Metro Station and the Joe Alexander Transportation Center; and
- Protect wetlands and Environmental Quality Corridors in the district.

On page 69 of the Rose Hill Planning District of the 2007 edition of the Area IV Plan, as a result of the adoption of Amendment No. 2007-10 by the Board of Supervisors on December 8, 2008, under the sub-heading "Rest of the Sector," the Plan states, in part:

**Rest of Sector**

Much of the rest of the sector is substantially developed in stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity and in accordance with the guidance provided by the Policy

Plan under Land Use Objectives 8 and 14. The densities planned and approved for Kingstowne and Manchester Lakes are, in many cases, greater than those planned for the residential areas surrounding these developments. These two large developments were approved after extended study and careful consideration of their size and characteristics including the amenities and public improvements provided. Other areas adjacent to or near these developments are planned for lower densities.

Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in a well-designed, efficient manner and provide for the development of unconsolidated parcels in conformance with the Area Plan.

...

44. The parcels along the east side of Beulah Street, south of Kingstowne Village Parkway and north of the Hilltop landfill, are planned for residential use at 1-2 dwelling units per acre. As an option, development at 3-4 dwelling units per acre may be considered if development achieves substantial parcel consolidation and provides consolidated access, adequate internal circulation, and interparcel access if appropriate.
45. At such time as the Hilltop landfill ceases operation and is properly reclaimed, any alternative use of the site will require extensive review and significant engineering measures. The property is planned for private recreation; however, residential use at 2-3 dwelling units per acre may be considered on portions of the property if sufficient documentation can be provided to verify that the landfill site is suitable and safe for building. Consolidation with parcel 100-1((1)) 11A, which is planned for residential use at 3-4 du/ac, is encouraged. Restoration or re-use of any historic structures on the property should be explored. See recommendation 47 for an additional option.
46. Parcels 100-1((1)) 14, 15, 17, 19, 20, and 23A are planned for private recreation with an option for residential use at 2-3 dwelling units per acre. It is recommended that they be consolidated, with any private recreation development that takes place on the site of the Hilltop landfill. A commercial recreation facility may be appropriate on the southern part of parcel 23A with screening sufficient to minimize its off-site impacts. If parcels 19 & 20 are consolidated and develop independently of the recreational area, interparcel access to parcel 23A should be provided.
47. As an option to the guidance found in recommendations 45 and 46, retail and office use up to .30 FAR may be appropriate on a total site area of approximately 33 acres that includes approximately 29 acres of parcel 100-1((1))9pt, and parcels 100-1((1))11A, 11A1, 14, and 15, if all parcels are consolidated and the site design creates a cohesive and walkable environment. To achieve this goal, high-quality architecture should be provided. In addition, buildings should be oriented to streets and sidewalks, and sufficient open space should be interspersed with retail and office uses to provide usable public gathering areas. Also, the following conditions should be met:
  - Taller structures should be located at a sufficient distance from Telegraph Road to avoid conflict with Fort Belvoir security standards. Coordination on any development in the affected area should be made with the Fort Belvoir Director of Plans, Training, Mobilization, and Security. Building

tapering, vegetative buffering and screening should be provided as needed on the periphery to create a transition to the surrounding areas. Lighting and sound from any development should be designed so that it is not intrusive to adjacent residential development.

- Any freestanding office building(s) is encouraged to meet at least U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) silver standards or other comparable programs with third party certification. Retail users are encouraged to meet applicable U.S. Green Building Council's LEED standards, or other comparable programs, in design and construction to promote sustainable development. The impervious nature of hard surfaces should be offset through approaches such as providing vegetated planting strips in surface parking lots;
- A grocery store use is appropriate on the eastern portion of the property. An outdoor café or seating area is desirable as a technique to help integrate this use with the other retail uses proposed on the remainder of the site;
- Multi-story office buildings should include ground-floor retail use and other services where possible;
- Internal roadways, trails, sidewalks and street crossings should connect buildings and open spaces, and link the site to adjoining communities, Fort Belvoir and the Lansdowne Shopping Center. Streetscape treatments should include trees, landscaping, sidewalks, bicycle facilities, street furniture, and various paving textures, to the extent possible;
- If the existing ball field located at the corner of Beulah Street and Telegraph Road is removed as a result of the proposed development, new recreational facilities such as fields, tot lots and pavilions should be provided at some other location on the Hilltop Sand and Gravel property, or a commitment made to make improvements to nearby park/recreation facilities;
- Occupancy is phased to transportation improvements so that an Approach Level of Service D is maintained at relevant intersections. If such improvements are not possible, intensity should be reduced accordingly;
- The portion of Telegraph Road adjacent to the proposed development should be considered for additional right-of-way to accommodate turn lanes. A turning movement analysis should be conducted to ensure that queues do not spill back into the through lanes of Telegraph Road; and
- Bus transit stops and accompanying shelters should be provided along Telegraph Road and Beulah Street.”

The Comprehensive Plan Map shows this property to be planned for 3-4 du/ac and private recreation.

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

Title of CDP/FDP:	Hilltop Village Center
Prepared By:	Dewberry & Davis LLC
Original and Revision Dates:	February 12, 2008 as revised through January 16, 2009

<b>Conceptual/Final Development Plan (Hilltop Village Center)</b>	
<b>Sheet #</b>	<b>Description of Sheet</b>
1 of 11	Cover Sheet including Vicinity Map
2 of 11	Conceptual/Final Development Plan including Existing Topography
2A of 11	Enlargement of the CDP/FDP
3 of 11	Notes and Tabulations
4 of 11	Landscape Plan
5 of 11	Pedestrian Circulation and Perspective Views
6 of 11	Landscape Details
7-10 of 11	Stormwater Management Information

The following uses are shown on the combined CDP/FDP:

Retail Establishment - Large	150,000 SF (grocery store)
Other Retail	94,000 SF (one-story retail)
Office Building	96,000 SF (four –story building)
Office above Retail	17,000 SF
Drive-in Financial Institutions	9,000 SF (2 at 4,500 SF each)
<b>TOTAL</b>	<b>366,000 SF</b>

The following features are depicted on the CDP/FDP:

- Site Layout. The site can be viewed in two parts, the eastern portion with the retail establishment – large, which is identified as a grocery store, and the western portion containing the other proposed uses. The proposed grocery store will be located adjacent to Telegraph Road with the rear of the store facing that road. The loading area at the rear of the store will be screened from Telegraph Road by a 30 foot deep landscape strip with a six- to eight-foot tall berm. The main customer entrance to the large grocery store will be located on the northern side of the building and face a large surface parking lot.

The western portion of the site can be further divided into two portions that are split by a private street (main spine street) between two retail structures that will face onto that street. This road will connect to Beulah

Street opposite the entrance to the Landsdowne Shopping Center. There are two small park areas shown at either end of this road. The southern area, between the main shopping street and Telegraph Road, will contain:

- a 12,000 SF one-story retail building;
- a two story building with 17,000 SF of retail on the ground floor and a similar amount of office space on the second floor;
- one of the two drive-in financial institution pad sites is located near the entrance to this portion of the site from Telegraph Road; and,
- the proposed 4-story office building is to be located in the southwestern corner of the site adjacent to the intersection of Beulah Street and Telegraph Road.

Most of the parking in this portion of the site will be located within a proposed 4-level parking structure located to the east of proposed office building.

The northern area of the western half of Hilltop Village Center is shown to be developed with a V-shaped 65,000 SF one-story retail structure and a drive-in financial institution. This area also contains two plaza or park like areas. The drive-in financial institution in the northwest area is to be located adjacent to Beulah Street. Parking for this portion of the site is to be located in a surface parking lot along Beulah Street and to the north of the proposed 65,000 sq. ft retail building. The applicants propose to move one of the poles within the power line easement which crosses the northwestern portion of the site in order to better accommodate the proposed development.

- Vehicular Access. Four vehicular access points to this property are proposed (two on Telegraph Road and two on Beulah Street). On Telegraph Road, the proposed vehicular access points will be located on either side of the proposed grocery store. The easternmost entrance is adjacent to the Kingstowne Fire Station and will be right-in and right-out only. The draft proffers include a commitment to construct a 300-foot long deceleration lane along the frontage of the Kingstowne Fire Station, subject to the obtainment of right-of-way and easements at no cost from the County. The second entrance to the site will be located mid-way between the eastern boundary of the application property and Beulah Street and opposite an existing entrance to an office complex within Fort Belvoir. The draft proffers include commitments to provide dual left turns and a right turn into the application property at this intersection. In addition, the draft proffers state that an additional third through lane will be constructed on Telegraph Road between the westernmost entrance and Beulah Street. A separate right-turn lane from southbound Telegraph Road is proffered at Beulah Street. The proffered frontage improvements along Telegraph Road include a five or six foot wide bike lane and a 10-foot wide trail.

One of the two entrances proposed along Beulah Street is to be located opposite the entrance to the Landsdowne Shopping Center. This entrance is currently used for access to the landfill and the youth baseball field. Under this proposal, this entrance will be reconfigured so that the movements leaving the site will be limited to right-turns and access to the shopping center opposite. A right-turn lane from northbound Beulah Street into this entrance is proposed. In addition, the existing left turn access from Beulah Street into Landsdowne Shopping Center will be retained, while additional left-turn storage for southbound Beulah Street is to be provided into the proposed Hilltop Village Center. The main vehicular access to the site from Beulah Street will be opposite the existing intersection of Beulah Street and Morning View Lane. This intersection will be reconstructed as a full intersection and the draft proffers include commitments to provide a traffic signal, a right-turn lane and left turn lane into the site. The proffered improvements include replacing, as necessary, the existing on-road bike lane and trail on Beulah Street.

- *Pedestrian Access.* The CDP/FDP includes sidewalks from the abutting trails into the site at all entrances, along the proposed internal streets and in front of the retail buildings and office building. A pathway to the proposed future recreation facilities on the remaining landfill operation north of Hilltop Village Center is also shown on the CDP/FDP.
- *Topography and Finished Grades.* The existing topography within the 33.0 acre application property reflects the past mining and landfill operations on the property. The site is raised several feet above the intersection of Telegraph Road and Beulah Street, but then dips to below the grade of Telegraph Road in the eastern portion of the application property. Accordingly, the site will be extensively graded to accommodate the proposed mixed use development. Once graded, the finished site will generally match the road grades along Telegraph Road and Beulah Street. It should be noted that Beulah Street rises in elevation north of Telegraph Road. Adjacent to the Kingstowne Fire Station and the golf course, along the western boundary, a retaining wall that is up to ten feet tall is proposed.
- *Open Space, Plazas and Other Urban Design Elements.* Twenty percent, or approximately 6.9 acres of Hilltop Village Center, is to be open space. While some of the open space consists of areas typical to a shopping center (i.e. peripheral and parking lot landscaping), Hilltop Village Center includes three plaza/park areas as well as landscaped open space along the internal private street. For example, upon entering the site from Beulah Street, the entrance is flanked by open space areas that are a minimum of 60 feet in depth. After crossing an intersection with the travel aisle providing access to parking to the north and the office building to the south, there is a plaza area in the corner of the 65,000 SF retail building that forms the northern side of the spine road. The main spine street will include stores on either side of the road with a streetscape consisting of

the store fronts, a 15-foot wide sidewalk and a row of street trees with on-street parking. The spine street leads into the travel aisle in front of the proposed grocery store. The second private street through the site runs between Telegraph Road on the south and the landfill/future recreation facilities on the north. This road is flanked by street trees and sidewalks from Telegraph Road to the main spine street. Where the north/south road and the main spine street intersect there, are two plaza/park areas north and south of the main spine road. Between the main spine road and the landfill/future recreation facilities the road is flanked by major landscaped strips between the road and the adjacent parking areas.

Landscaping: In addition to the landscaping noted above, the travel aisles are all flanked by street trees. The large parking lot in front of the grocery store building includes two ten foot wide landscape strips running parallel with the parking aisles and the parking aisles are split into to parts by landscaped islands. Similarly, the access road along the northern boundary is also flanked by street trees. The large parking lot between Beulah Street and the 65,000 SF retail building is broken up by two landscaped islands that are parallel to the parking rows and by landscaped islands at either end of the parking rows. The two drive-in financial institutions have landscaping around them. Landscaping is also to be provided around the proposed parking structure and along the rear and sides of all the retail buildings, including the grocery store. The landscaping to be planted within the area of former landfill activities is shown to be smaller in size than the other landscaping in recognition of the planting restrictions necessary to ensure that the landscaping does not penetrate the cap on the landfill providing a route for water to infiltrate into the landfill material.

Stormwater Management: A stormwater management/best management facility for the shopping center is proposed to be located off-site on the abutting golf course. Approval of this facility is being sought with Special Exception Amendment Application, SEA 2005-LE-027.

### **Land Use Analysis (Appendix 9)**

This 33.0 acre property is currently part of a privately operated CDD landfill covering 64.78 acres. The applicant is seeking to redevelop 33.0 acres with office, retail, and recreational uses as a mixed use center called Hilltop Village Center. This proposal has been filed pursuant to the optional text added to the Plan pursuant to the adoption of Amendment No. 2007-10 on December 8, 2008. Under the applicant's proposal, the remaining land currently in landfill uses will continue as a landfill as contours shown on the SEA Plat for SEA 78-L-074-06. Upon closure of the landfill, 11.0 acres at the top of the landfill will be converted to recreational uses, which are intended to be operated by the Fairfax County Park Authority. (See the separate staff report on SEA 78-L-074-06 and RZ 2008-LE-002 for the landfill and the comments above for additional information on the landfill).

The proposed uses and intensity for Hilltop Village Center are consistent with those recommended under the new Comprehensive Plan option for the site. The proposed Hilltop Village Center includes up to 366,000 SF at of uses 0.255 FAR, which is below the maximum 0.30 FAR recommended by the Comprehensive Plan. The adopted Comprehensive Plan guidance identifies several site specific conditions which should be satisfied to develop pursuant to the option under which the applicant is proposing to develop the Hilltop Village Center as follows:

- As required by the Plan, the applicant has contacted the Fort Belvoir Director of Plans, Training, Mobilization, and Security regarding the proposed development in order to ensure that the development presents no conflict with Fort Belvoir's security standards. Fort Belvoir has acknowledged this contact and has provided no comment. In order to ensure that there are no security conflicts with Fort Belvoir, the applicant has also committed to construct the freestanding office building shown on the CDP/FDP with fixed windows adjacent to Telegraph Road and without balconies. The applicant has also proffered that prior to site plan approval of the freestanding parking garage, to provide a set of the architectural drawings to the Base Commander of Fort Belvoir for comment.
- The proposed four-story office building (55 feet in height) is to be located at the corner of Beulah Street and Telegraph Road, across from the existing two-story tall Landsdowne Shopping Center and near a major entrance to Fort Belvoir; the tallest structure directly opposite the residential portions of Landsdowne is a one-story retail structure with a maximum height of 35 feet. These elements provide for an appropriate tapering of building height to the adjacent areas.
- The periphery of the site is shown with landscaping strips that are thirty or more feet in depth in most locations.
- The proffers state that all lighting standards will comply with Zoning Ordinance Article 14, Part 9, Outdoor Lighting Standards. The draft proffers also commit to mitigate any lighting and sound impacts on the adjacent communities by shielding exterior building lighting in a manner that prevents light spillage and to equip all exterior lighting fixtures with "cut-off" luminaries. In order to mitigate noise impacts on surrounding communities, the proffers state that any outdoor speakers that may be utilized by the drive-in financial institutions will not be used between the hours of 9:00 p.m. and 7:00 a.m.
- The proffers include a commitment to construct the office building in accordance with LEED silver standards as encouraged by the adopted Plan text.
- The proffers include a commitment to certain energy-saving or green building techniques for the proposed grocery store. Staff strongly recommends that this commitment be extended to the other retail structures or the drive-through financial institutions.

- The CDP/FDP includes one location for a rain garden and the draft proffers make a commitment to implement low-impact development techniques to the extent possible.
- As recommended by the Plan, the grocery store is located in the eastern portion of the site. The proffers commit to provide a café or seating area be located such as to integrate the grocery store with the remainder of the site.
- The proposed multi-story office building does not include ground floor retail uses or other services where possible as recommended by the Plan text; however, staff would note that the building is not located within a portion of the site that would facilitate integration of such uses in that building, as was shown on earlier versions of the CDP/FDP. Staff has concluded that this performance standard has been met.
- Linkages to adjacent developments have been adequately provided by the nature to the interconnections of the internal roadways with the abutting minor arterial roadways. The proffered improvements to those roadways include reconstruction of the existing bike lanes and trails where such may be affected by road widening or the installation of turn lanes. In addition, the CDP/FDP includes sidewalk connections throughout the proposed Hilltop Village Center that connect to the pedestrian facilities around the site and to the future recreational facilities to be constructed upon closure of the landfill. Finally, the proffers commit to the provision of a public access easement across the subject site which will include access to the future recreation facilities located on the closed landfill.
- As described above, the urban design of the site includes streetscapes with trees, other landscaping, sidewalks, bicycle facilities, street furniture and paving techniques as illustrated on the detail sheet within the CDP/FDP.
- The draft proffers state that the existing baseball field will be replaced on the adjacent property. In addition to the ball field the GDP/SEA Plat for the landfill site north of Hilltop Village Center includes a soccer field, a pavilion and a tot lot.
- The draft proffers state that the first Non-residential Use Permit (Non-RUP) may not be issued until the proffered improvements to Telegraph Road and Beulah Street have been completed; thereby providing appropriate phasing of the road improvements with the construction of the proposed mixed use center, which provides for the appropriate phasing of the project to the installation of the road improvements. The project to widen Telegraph Road between Beulah Street and to construct the future Mulligan Road through Fort Belvoir is scheduled to commence construction in 2010. See the comments under transportation with regard to the approach level of service.
- The draft proffers and the CDP/FDP include appropriate dedication of additional right-of-way from the application property to accommodate turn lanes.

- The proffers commit to construct the bus shelters on the abutting public streets, Beulah Street and Telegraph Road, as depicted on the CDP/FDP.

Staff concludes that this proposal for Hilltop Village Center conforms to the intensity and use recommendations for the option under which this application is filed.

## **Environment (Appendices 9 and 15)**

### **Issue: Water Quality**

The development plan depicts an off-site detention pond to be constructed within the adjacent golf course. This pond is shown to be adjacent to Tax Map Parcel 19, which is developed with a single-family detached dwelling unit. Initial submissions of the SEA Plat, submitted as part of SEA 2005-LE-027, placed the proposed pond embankment (which was greater than thirty-five (35) feet in height) immediately adjacent to the property boundary. In staff's opinion, such a location and proposed design would not only effectively eliminate screening plantings for the adjoining property but could also create a hazard for the adjacent property. However, in response to this issue, the applicant revised the SEA Plat for the golf course to show the pond relocated away from the property line such that the toe of the embankment slope is now fifty (50) feet from the common property line. However, the stormwater management sheets were not updated accordingly. To alleviate any confusion, the proposed development conditions for SEA 2005-LE-027, require that the toe of the embankment slope be setback by fifty (50) feet from the common property line. Staff recommends that a similar condition be included in the proposed conceptual development conditions for this application or (preferably) incorporated into the draft proffers. Ultimately any final determination regarding stormwater management and water quality controls will be made by staff within the Department of Public Works and Environmental Services (DPWES).

### **Issue: Low Impact Development Techniques**

Staff has encouraged the applicant to incorporate the use of low impact development (LID) practices as a means of enhancing the proposed water quality control measures. While the CDP/FDP only depicts one rain garden in the north-central portion of the site, the proffers provide an additional commitment to LID measures within the site, such as, bioretention, vegetated swales, filter strips, permeable pavers, rain barrels, and tree box filters. Staff has concluded that while this commitment is rather limited in scope at this time, the proposed LID measures satisfy staff concerns regarding water quality controls for the proposed development.

**Issue: Green Building Practices**

The applicant is seeking to develop office and retail use at .25 FAR under the recently adopted option in the adopted Comprehensive Plan. The newly adopted text encourages the applicant to incorporate "green" building measures so that any free-standing office building on this site meets at least the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) silver standards or other comparable programs with third party certification. The applicant is also encouraged to meet applicable U.S. Green Building Council's LEED certification standards or other comparable programs in the design and construction of retail buildings. The applicant has proffered to achieve LEED silver certification for the four-story office building.

**Issue: Landfill Closure**

A portion of Hilltop Village Center will be located in an area which is currently in use as a debris landfill. The applicants have submitted and received approval from the Virginia Department of Environmental Quality (VaDEQ) for the closure plan of the landfill. In addition, the Fairfax County Division of Solid Waste, Department of Public Works and Environmental Services has reviewed this closure plan and has no comments. The closure plan includes consideration of the proposed future uses for portions of the landfill as proposed by the land use applications under consideration. The proposed facilities within this portion of the Hilltop Village Center are limited to surface parking areas and travel aisles, with some landscaping. During the review of the closure plan, VaDEQ took this portion of the proposed land area into consideration and deemed it to be in conformance with applicable state and local standards for the redevelopment of landfill areas. It should be noted that none of the proposed retail or office buildings will be constructed on any portion of the landfill area.

**Tree Preservation**

The CDP/FDP does not include any areas of tree preservation. The existing topography of the site is such that, in order to construct Hilltop Village Center, extensive fill will be required in the portions of the site not currently utilized for landfill purposes. The CDP/FDP includes extensive landscaping around the periphery of and within the site as described above.

**Transportation (Appendix 10)****Planned Improvements to Telegraph Road**

Telegraph Road is shown on the Plan to be widened to a four lane section with turn lanes, on-road bike lanes and a trail along the northern side of its right-of-way between Beulah Street and South Kings Highway. As noted earlier, there is a VDOT project for widening of this segment of Telegraph Road, which has been split into two segments. According to VDOT's website, the northern segment, a four lane divided section from 0.4 miles south of Hayfield Road to South Kings Highway (Project No. 0611-029-303, R206, C506) was previously

funded for design but not for construction. The southern segment, also a four-lane divided section, runs from 0.4 miles south of Hayfield Road and Beulah Street, is funded for construction as part of the construction of the Mulligan Road connection through Fort Belvoir to provide access through the fort between Richmond Highway and Telegraph Road. The project includes bike lanes on both sides of Telegraph Road, a ten foot wide trail on the north side and a five foot wide sidewalk on the south side of the right-of-way. VDOT's website notes that construction is to commence in 2010.

Beulah Street was previously realigned to meet Telegraph Road at a right angle intersection. As part of this improvement, a portion of Telegraph Road east of Beulah Street was also improved to a four-lane divided section with turn lanes at Beulah Street. Beulah Street was also improved to a four-lane divided section with bike lanes and a 10-foot wide trail along the application property's frontage. The Telegraph Road project will connect to the existing improvements made as part of the realignment of Beulah Street.

### Proffered Road Improvements

The following road improvements are proffered to be provided and are shown on the proffered CDP/FDP:

#### Telegraph Road

(It should be noted that these improvements are in addition to the existing four lane section on Telegraph Road near the Beulah Street entrance and are in addition to and should be coordinated with the improvements to Telegraph Road included in the pending VDOT project.)

- Add a third through lane across the site's frontage;
- Reconstruct the right-turn lane from southbound Telegraph Road to northbound Beulah Street;
- Reconstruct the existing dual left turn lanes from southbound Telegraph Road to southbound Beulah Street within Fort Belvoir;
- Construct dual left turn lanes from northbound Telegraph Road into the westernmost entrance to the site (adjacent to the proposed grocery store);
- Construct the easternmost entrance as right-in and right-out only with a turn lane;
- Construct a ten-foot wide trail along the site's frontage;
- Provide a bicycle lane along with the widened road section and turn lanes across the site's frontage; and
- Provide and/or reconfigure signals at the westernmost site entrance and at the intersection with Beulah Street as necessary to accommodate the additional through lane.

#### Beulah Street

- Construct a continuous right-turn lane from Telegraph Road to the existing entrance opposite the existing entrance to Landsdowne Shopping Center;

- Construct a new entrance opposite Morning View Lane with a right-turn lane;
- Install a traffic signal at the new entrance subject to the approval of warrants by VDOT;
- Reconstruct the existing six-foot wide trail as a ten-foot wide trail;
- Reconstruct the existing bicycle lane as necessary;
- Include pedestrian signals with all traffic signals;
- Lengthen the left turn storage at the existing entrance opposite the entrance to Landsdowne Shopping Center; and
- Construct a left turn at the proposed entrance opposite Morning View Lane.

### Interconnection of the Street Network

With the exception of the right-in and right-out entrance located on Telegraph Road, all of the proposed entrances to Hilltop Village Center are located across from either roadways or entrances to other developments. Where there are existing signals, the draft proffers include commitments to upgrade the signals to include pedestrian elements. The internal streets within Hilltop Village Center will also provide access to the proposed future recreation facilities located on the parcel (which currently contains the CDD landfill) immediately north of this site.

### Approach Level of Service

The text of the Plan applicable to the optional level of development sought by the applicant includes a performance standard that occupancy within Hilltop Village Center be tied to maintaining an approach level of service D. Meeting this standard requires that the through lanes on Telegraph Road and Beulah Street maintain a LOS D. As illustrated by the submitted traffic study and summarized in the statement from the traffic engineer found in Appendix 4, this standard has been met.

### Non-motorized Facilities

There is currently bus service along Beulah Street that serves the site, which also provides service on Telegraph Road, west of the site. Bus service is also provided along Telegraph Road east of the site. However, there is no transit service to the subject site on Telegraph Road. The applicant has committed to provide bus shelters in the locations identified on the CDP/FDP. As noted above, there is an existing trail and bike lane in place along the site's frontage on Beulah Street, which will be replaced as part of the construction of the proffered turn lanes and new entrance into Hilltop Village Center. There is a planned trail and bike lane along Telegraph Road, both of which are proffered to be installed as part of the proffered frontage improvements.

## **Public Facilities**

### **Park Authority Analysis** (Appendix 11)

As noted above, the proposed development of Hilltop Village Center will displace an existing youth baseball field constructed by the property owner and privately operated for the Pioneer Baseball League. The applicant proposes to replace this baseball field and construct additional recreation facilities, a soccer field, a pavilion and playgrounds with parking upon closure of the landfill operation on the property to the north. For additional information regarding this proposal, see the staff report for RZ 2008-LE-002 and SEA 78-L-074-06. It is currently envisioned that the Park Authority would maintain and operate the fields pursuant to a separate agreement between the Park Authority and the property owner. This agreement will also address the circumstances associated with the construction of recreation facilities on top of closed construction and demolition debris landfill.

The CDP/FDP for Hilltop Village Center includes five plaza/park areas within the shopping center that will be provided as part of this development and maintained by the shopping center. In addition, the CDP/FDP includes both vehicular and pedestrian access to the future recreation facilities on the landfill to the north, through Hilltop Village Center. A bicycle connection is also proposed. The draft proffers include a public access easement to ensure access to the future park facilities located to the north of Hilltop Village Center.

### **Sanitary Sewer Analysis** (Appendix 12)

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

### **Fire and Rescue Department Analysis** (Appendix 13)

This property is serviced by Station #437, Kingstowne. This service currently meets fire protection guidelines.

### **Water Service Analysis** (Appendix 14)

The property is located in the service area of the Fairfax County Water Authority. Adequate domestic water service is available from the existing 16-, 24- and 30-inch mains located at the property. Depending on the configuration of the onsite water mains, additional water main extensions may be necessary.

**ZONING ORDINANCE PROVISIONS (Appendix 16)**

<b>Bulk Standards (PDC)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Minimum District size for the PDC District	Development > 100,000 SF Gross Floor Area (GFA)	366,000 SF GFA
Building Height	See Note <sup>1</sup>	55 feet
Front Yard	See Note <sup>1</sup>	55 ft. – Telegraph Road 60 ft. – Beulah Street
Side Yard	See Note <sup>1</sup>	155 feet
Rear Yard	See Note <sup>1</sup>	75 feet
Floor Area Ratio (FAR)	1.5	0.255
Open Space	15 percent	20 percent
Parking Spaces	1362 spaces <sup>2</sup>	1855 spaces
Loading Spaces <sup>3</sup>	Grocery Store – 7 spaces <sup>4</sup> Office – 5 spaces Other Retail – 7 spaces Drive-in Fin. Inst. – 1 sp. ea.	Grocery Store – 7 spaces Office – 2 spaces Other Retail -10 spaces Drive-in Fin. Inst – 0 sp. ea.

<sup>1</sup>. Pursuant to Sect. 6-208, building height and yard requirements are addressed by the General Standards and the Design Standards contained in Part 1 of Article 16, Development Plans. See below for discussion on these requirements.

<sup>2</sup>. The required parking tabulation on the CDP/FDP utilized the requirement for shopping centers for determining the parking requirement for the retail uses. However, that determination did not include eating establishments which must be parked separately from other uses found in a shopping center (see Par. 23, Sect. 11-104). However, it is likely that sufficient parking will be available for eating establishments to meet parking requirements

<sup>3</sup>. The CDP/FDP includes requests for a modification to allow the location of the loading spaces for the other retail spaces and for a waiver of the loading space requirement for each of the drive-in financial institutions.

<sup>4</sup>. Par. 15 of Sect. 11-202 states that no more than five loading spaces shall be required for any one building or use.

<b>Transitional Screening</b>			
<b>Direction</b>	<b>Use</b>	<b>Standard</b>	<b>Provided</b>
North (R-1)	Landfill	Not Required	N/A
	Recreation Facilities	Not Required	N/A
South (R-1)	Fort Belvoir	Not Required	N/A
East (R-1)	Golf Course	Not Required	N/A
West (PDH-4)	Shopping Center Single Family Attached (Landsdowne)	Not Required Yard 2 -35 feet in depth	N/A 25 feet <sup>1</sup>

<b>Barrier</b>			
<b>Direction</b>	<b>Use</b>	<b>Standard</b>	<b>Provided</b>
North (R-1)	Landfill	Not required	N/A
	Recreation Facilities	Not Required	N/A
South (R-1)	Fort Belvoir	Not Required	N/A
East (R-1)	Golf Course	Not Required	N/A
West (PDH-4)	Shopping Center Single Family Attached (Landsdowne)	Not Required Barrier D, E or F <sup>1</sup>	N/A Barrier C

<sup>1</sup> Barrier C – Hedge with ultimate height of 42– 48 inches; Barrier D – 42-48 inch chain link fence; Barrier E– 6 foot wall of architectural block or brick; Barrier F– 6 foot tall solid wood fence.

**Waivers/Modifications**

**Modification:** Transitional Screening Yard & Barrier

**Basis:** Par. 3 of Sect. 13-304:

On the opposite side of Beulah Street, the property between the power line easement and Morning View Lane is developed with single family attached dwelling units. Beulah Street is a four-lane divided roadway with turn lanes in this area. There is a forty-foot wide homeowners association landscaping strip and a parking area between Beulah Street and the front of all but one of those dwellings located closest to Beulah Street. The portion of Hilltop Village Center that is opposite these dwellings is to be developed with a parking area that is set back from Beulah Street by a twenty-five foot landscaping strip with a hedge along the edge of the parking lot. This parking lot also includes a landscaped island at the end of each of the parking rows, which are perpendicular to the street. Given these circumstances, staff has concluded that the area between the building and the single-family attached dwellings have been designed in a manner to provide an appropriate transition between the two uses.

**Modification:** Loading Spaces – Retail Establishment

**Basis:** Par. 3 of Sect. 11-202

The application includes a request to modify the location requirements for the loading spaces required for some of the retail spaces. This request concerns the building that is proposed to contain retail space on the first floor and office space on the second floor. Given the location of the parking garage behind that building, loading spaces cannot be placed behind the building. However, Staff has concluded that there are loading spaces at the adjacent buildings and additional space is available along the travel aisles behind that building.

**Modification:** Loading Spaces – Drive-in Financial Institutions**Basis:** Par. 3 of Sect. 11-202

Per Section 11-203 of the Zoning Ordinance, each of the proposed financial institutions is required to have one (1) loading space. The applicant notes that, a financial institution has a limited need to accommodate large deliveries or other receiving functions. Par. 3 of Sect. 11-202 permits the number of loading spaces to be waived or modified if other spaces are available on the site for such a purpose, if there is a change in the nature of the use or a reduction in the size of the use, or for an existing structure or for an accessibility improvement. Given the excess parking lot spaces provided, the applicant believes that all deliveries can be accommodated without a loading space. Staff has concluded that there is sufficient space to provide for the limited loading associated with a drive-in financial institution around each of the two proposed drive-in financial institution.

**Secondary Uses:** Retail Sales Establishment - Large & Drive-in Financial Institutions**Basis:** Par. 3 and Par. 5 of Sect. 6-206

With regard to the two proposed secondary uses, the retail sales establishment – large (identified as the grocery store on the CDP/FDP) and the two drive-in financial institutions, there are two use limitations contained in Sect. 6-206 that are relevant. Par. 3 of Sect. 6-206 states that the standards for a specific category use proposed within a PDC District found in Article 9, Special Exceptions, should be used as a guide in the evaluation of each such use. Par. 5 of Sect. 6-206 restricts proposed secondary uses to no more than twenty-five percent (25%) of the gross floor area of all principal uses proposed in the development; in this instance, the office and the retail sales establishments. In this case, the applicant proposes 207,000 SF of secondary uses, which exceeds the 25% limitation (159,000 SF). To allow the secondary uses to exceed this limitation (currently 33% of the gross floor area), the applicant has requested a P-District variance pursuant to the provisions of Par. 8 of Sect. 16-401 which reads:

8. In approving a conceptual development plan, the Board may authorize a variance in the strict application of specific zoning district regulations whenever:
  - A. Such strict application would inhibit or frustrate the purpose and intent for establishing such a zoning district; and
  - B. Such variance would promote and comply with the standards set forth in Part 1 above.

In no case, however, shall the maximum density provisions under the PDH District and the maximum floor area ratio provisions under the PDC and PRM Districts be varied or modified.

The following addresses the applicable special exception standards for the two proposed secondary uses first. Following that, an analysis of the General Standards and the Design Standards of Part 1 and referenced in Par. 8 of Sect. 16-401 above will be provided so that conclusions and recommendations regarding the requested variance can be provided.

Sect. 9-533, Additional Standards for Retail Sales Establishment – Large

Par. 1 requires that the Board of Supervisors determine that the proposed grocery store be compatible with and not adversely impact the adjacent properties and the local area road system. The application property is located at the intersection of two minor arterial roadways with two major employment entrances to Fort Belvoir at Beulah Street and opposite the proposed grocery store. The property to the east on of the subject site Telegraph Road is a golf course that extends to Piney Run. There are also two large lot single family detached properties, surrounded by the golf course, also located along Telegraph Road. The property across Beulah Street contains a shopping center and single-family attached dwellings (Landsdowne). The property north of Landsdowne along Beulah Street includes the Island Creek community. A majority of that community's frontage on Beulah Street is the rear of the Island Creek Elementary School, which is accessed from Morning View Lane, not Beulah Street. The land along Beulah Street opposite Landsdowne includes: an existing Moose Lodge; property recently approved for VFW Post; several large lot single family detached dwellings; and the landfill site described elsewhere in this report. While there are single-family dwellings in the immediate area, including those of Landsdowne, numerous other non-residential uses are located along both of these roadways and there are no residential properties that directly abut the proposed Hilltop Village Center (with the exception of the single family attached dwellings in Landsdowne across Beulah Street) as described earlier in this report. With the exception of two small areas, Hilltop Village Center is proposed to be ringed by a twenty-five foot deep landscaping strip. Given these circumstances, staff has concluded that this standard has been met in this instance.

As noted in the chart presented earlier in this report, the provided parking exceeds the minimum requirements of Article 11, Parking and Loading. There is a large parking lot with over 800 parking spaces proposed directly in front of the proposed grocery store, conforming to the requirements of Par. 2.

As described above in this report, pedestrian and bicycle circulation is coordinated on-site and on adjacent properties, satisfying the provisions of Par. 3.

The CDP/FDP and the draft proffers include the provision of: right-turn lanes at all entrances; left turn lanes into the site where applicable, including dual left turns on Telegraph Road; and the provision of pedestrian elements at all traffic

signals, both existing and proposed signals. In addition, the loading area for the grocery store is located behind the store with more than ample area (see comments below) for delivery vehicles to access the seven loading spaces. Staff has concluded that these proposed measures adequately address the requirements of Par. 4.

With the proposed development condition to limit the use of outdoor speakers, the proposed grocery store, will conform to the requirements of Par. 5 to limit noise impacts on adjacent properties.

Par. 6 states that the outdoor lighting must conform to the provisions of Part 9, Outdoor Lighting, of Article 14, Performance Standards. While the draft proffers do not include a specific commitment to abide by the outdoor lighting provisions of the Zoning Ordinance, these standards must be met as part of the Zoning Ordinance.

Par. 7 requires that the proposed grocery store be designed so as to protect the character of the surrounding neighborhood through the use of architectural design and site design methods. As described elsewhere in this report, a number of design techniques are shown on the CDP/FDP to meet these requirements. In addition, the draft proffers commit that the facade of the grocery store adjacent to Telegraph Road will be in general conformance with the provided "Rear Elevation" exhibit. In addition, the proffers further commit that the architectural elements of the Telegraph Road facade will be compatible with the architectural elements used for the remaining three (3) sides of the grocery store and that all rooftop mechanical equipment will be screened. Finally, while the architectural appearance of the proposed parking garage is not addressed by the draft proffers or illustrated in the CDP/FDP, the applicant has proffered to provide a set of the architectural drawing to both the Planning Commission and Fort Belvoir for comment.

Par. 8 addresses outdoor seating areas and outdoor display and storage. The CDP/FDP depicts outdoor café seating in the northwest corner of the proposed grocery store. The proffers include commitments that would require that the café seating be in this location because that location is closest to other outdoor activity centers that will be part of Hilltop Village Center. In addition, the proffers commit that there will be no outdoor storage between the rear facade of the grocery store and Telegraph Road, with the exception of parked vehicles and/or trailers.

Par. 9 addresses signage. Information regarding signage has not been provided by the applicant. Any and all signage is required to comply with the provisions of Article 12, Signs, of the Zoning Ordinance; which should adequately address the impacts of signage in this location. The applicant has proffered that a comprehensive sign plan would need to be approved prior to the issuance of a

permit for any free-standing signs and that all free-standing signs be monument signs be included in the approval of the application.

Sect. 9-505 Additional Standards for Automobile-Oriented Uses  
Car Washes, Drive-In Financial Institutions, Drive-Through Pharmacies  
Fast food Restaurants, Quick-Service Food Stores  
Service Stations and Service Station/Mini-Marts

This application proposes two drive-in financial institutions. Par. 1 and Par. 6 of Sect. 9-505 are applicable to this application. Par. 1 includes the following requirements that apply to all such uses:

- The applicant has proffered to use similar building materials for all uses on the site, including the drive-in financial institutions, to create a unified design theme. The applicant has further proffered that all buildings will be architecturally compatible.
- As discussed elsewhere in this report, pedestrian connections from Hilltop Village Center are provided to the surrounding pedestrian and bicycle network. The two drive-in financial institutions have been designed so that the traffic associated with the drive-through lanes will not affect traffic on the adjacent public streets or on the major private streets within Hilltop Village Center. Accordingly, the requirements of sub-paragraphs B and C are satisfied.
- Each of the two proposed drive-in financial institutions is located within the larger Hilltop Village Center, accessed from within the larger center and located on a portion of the Hilltop Village Center that is large enough to adequately accommodate the use without adversely affecting the rest of Hilltop Village Center or the adjacent land uses, satisfying Par. D.
- Par. E applies to drive-through pharmacies and is not applicable to this use.

Par. 6 is applicable to fast food restaurants only and is not applicable as fast food restaurants are not included in the list of uses proposed in the draft proffers or on the CDP/FDP. If fast food restaurants are proposed, Par. D requires that the applicable use limitations be complied with in the PDC District.

With regard to Sect. 9-504, Standards for All Category 5 Uses, which are applicable to both of the proposed secondary uses in Hilltop Village Center, these requirements address the bulk requirements of the applicable district, which are addressed in the discussion regarding the General Standards and Design Standards below. Sect. 9-504 also addresses the applicability of the site plan provisions to such uses.

With regard to the provisions of Sect. 9-006, General Standards, which are applicable to all special exception uses:

- As noted above, the Comprehensive Plan was recently amended to include the optional level of development being sought with this application. As noted in the Land Use Analysis above, the proposal, as proffered, conforms to the use and intensity recommendations associated with the recent Plan Amendment. In addition, staff finds that the proposal satisfies the performance standards associated with the development option for which the applicant is seeking zoning approval. As such, staff finds this application to be in harmony with the adopted Comprehensive Plan.
- An analysis of whether the proposal meets the purpose and intent of the PDC District is to be found in the discussion regarding the General Standards and Design Standards that applicable to all P-Districts is to be found below.
- Staff has concluded that the proposed Hilltop Village Center will not adversely impact with the proffer commitments to architecture, lighting and outdoor speakers and the proposed development conditions for architectural review of the parking structure. As such, staff believes that Par. 3 is satisfied.
- As described in the Transportation Analysis section above, staff has concluded that the vehicular and pedestrian traffic associated with this Hilltop Village Center will not be hazardous nor conflict with neighborhood traffic, as required by the provisions of Par. 4.
- Staff finds that the proposed landscaping and screening satisfies the requirements of Par. 5.
- As noted in the Zoning Ordinance Provisions chart, the amount of open space is in excess of the amount required in the PDC District and is designed and located in a manner to provide plazas and pocket parks, satisfying the requirements of Par. 6.
- Par. 7 addresses utilities and parking at the site. As noted above, in excess of 800 parking spaces are directly associated with the proposed grocery store and sufficient parking to exceed Zoning Ordinance standards is provided for the other uses proposed with this application. As discussed elsewhere in this report, adequate utilities are provided at this site.
- Par. 8 addresses signage. The CDP/FDP does not address signage. However, the applicant has proffered that prior to the issuance of any sign permits for the Application Property, to obtain approval of a Comprehensive Sign Plan.

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

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

Sect. 16-101, General Standards

The first general standard (Par. 1) requires that the planned development conform to the Comprehensive Plan. As noted above, this development proposal is seeking approval of an optional level of development under the Comprehensive Plan for a mixed use development of up to 0.30 FAR subject to several performance standards. The proposal, at 0.255 FAR meets the use and intensity recommendations of the Comprehensive Plan. Staff believes that the draft proffers and the CDP/FDP meet the performance standards contained in the Plan text and has therefore determined that this standard has been satisfied.

The second General Standard (Par. 2) addresses whether or not the planned development is of such a design that it achieves the purpose and intent of a planned development more than would be achieved under a conventional district. The purpose and intent of the Planned Development Commercial District are contained in Sect. 16-201. The purpose and intent of the PDC District are to encourage innovative and creative design of commercial development. The district regulations are designed to accommodate preferred high density development which could produce detrimental effects on neighboring properties, to insure high standards in the layout, design and construction of commercial development. As described above, the proposed mixed use development is based on an internal network of streets that provide access to the various parts of the development and includes a street fronted by retail uses. The street network will also provide access to the proposed recreation facilities to the north of Hilltop Village Center. The proposed design includes several internal plazas and park spaces that are integrated into the project and will be usable by the patrons and workers at this mixed use project. The two drive-in uses are to be limited to banks and are located in a manner so that their traffic will not interfere with the existing traffic on the abutting public streets or with the primary private streets within Hilltop Village Center. The CDP/FDP includes extensive landscaping that will serve to break up the parking lots, provide screening along the periphery of the project, provide shade within the numerous plazas and park areas and to break up the building facades. Based on this, staff has determined that this standard has been satisfied.

The third general standard (Par. 3) addresses the efficient use of the available land and protection of scenic assets and natural features such as trees, streams and topographic features. This site has been mined and is currently utilized as a CDD landfill and the existing topography reflects these extremes. As such, extensive filling and grading will be required to implement the proposed development and to provide an appropriate relationship to the adjoining public roadways. Because of the proposed filling and grading, there are no natural features which will be preserved. Staff has concluded that this standard has been satisfied.

The fourth general standard (Par. 4) states that the planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development and shall not hinder, deter or impede development of surrounding undeveloped properties. Staff has determined that this standard has been satisfied because the immediately adjoining properties are recreation uses, a fire station, Fort Belvoir and a shopping center. The nearest residential development (Landsdowne) is located across a four-lane divided roadway with turn-lanes. Where the proposed development abuts these residences, the applicant proposes to screen the shopping center with landscaping that is a minimum of twenty-five feet in depth. A major power line easement in this portion of Hilltop Village Center ensures that the retail building closest to the residential development is set back 260 to 330 feet from the right-of-way between the residential uses and Hilltop Village Center.

The fifth general standard (Par. 5) addresses the adequacy of public facilities in the vicinity. As noted in the Public Facilities Analysis, the site is located in an area where public facilities and public utilities are, or will be, adequate for the proposed development. It should also be noted that the property owner will be constructing public recreation facilities consisting of a youth baseball field, a soccer field, a tot lot and playground and a pavilion upon closure of the landfill operation on the parcel north of Hilltop Village Center.

The sixth general standard (Par. 6) addresses internal linkages between internal facilities and to external facilities at a scale appropriate to the development. The roadway and pedestrian network described above adequately provides for these linkages through the reconstruction or construction of bike lanes and a trail along the site's frontage on Beulah Street and Telegraph Road. Pedestrian cycles are to be included in any traffic signals that are modified or installed as part of the development of this project. The internal pedestrian network is connected to the trails along the periphery of the site, provides an interconnected network of sidewalks providing access to the uses and public spaces within Hilltop Village Center. Finally, the internal pedestrian and bicycle network will provide access to the proposed recreation facilities to be constructed on the property to the north. Therefore, staff has concluded that this standard has been met.

#### Sect. 16-102, Design Standards

In order to provide compatibility with adjacent development, the first design standard specifies that the peripheral yards of CDP/FDP should generally conform to the setbacks for the most similar conventional district. The most similar conventional district is the C-6 (Community Retail Commercial) District because the FAR limitation in the C-6 District is 0.40, offices are allowed to be up to 50 percent of the proposed development with the approval of a special exception and retail establishments – large are allowed, either as a permitted

use (subject to use limitations) or as a special exception use. A comparison of the setback requirements follows:

Table Comparing the Bulk Regulations of the C-6 District to the Setbacks Provided with Hilltop Village Center		
	C-6 District	Hilltop Village Center
Front Yard	45° ABP <sup>1</sup> ≥ 40 feet	55 feet – Telegraph Road 60 feet – Beulah Street
Side Yard	No Requirement	55 feet
Rear Yard	20 feet	155 feet
Building Height	40 feet	35 feet (Retail) 55 feet (Office)

<sup>1</sup>. ABP – Angle of Bulk Plane for a 55 foot tall building results in a 55 foot setback requirement.

As illustrated by the above chart, staff has determined that this standard has been satisfied.

The second design standard (Par. 2) states that other applicable provisions of the Ordinance such as off-street parking, landscaping, signs, etc. are applicable to planned developments. As described in greater detail above, the parking provided for this use exceeds the requirements of the Zoning Ordinance, the amount of open space exceeds the minimum of 15 percent required in the PDC District and the open space is extensively landscaped and provides usable open space in the form of plazas and other small park areas. The applicant has also proffered that prior to the issuance of any sign permits for the site, to obtain approval of a Comprehensive Sign Plan.

Design Standard Number 3 (Par. 3) specifies that the street systems conform to the applicable requirements and that a network of trails be provided to provide access to recreational amenities open space, public amenities, vehicular access routes and mass transit facilities. As described above, the street network is adequate and a network of trails is to be provided. These features will provide access to the open space within the development, other open space nearby – most notably the future recreation facilities to the north, mass transit facilities (bus stops) and other public amenities along Beulah Street and Telegraph Road.

#### P-District Variance

As stated earlier in this report, the proposed grocery store and two drive-in financial institutions satisfy the applicable special exception standards with the imposition of the proposed development conditions. These standards along with the general standards for all special exception uses address many of the same issues as the P-District Standards found in Part 1 of Article 16, Development Plans, which are applicable to all requests for approval of a P-District, including

the PDC District. Par. 8 of Sect. 16-401, which addresses P-District variances, sets three standards for the approval of a variance. Staff analyzes those requirements below:

- Par. 8 states that the variance should not inhibit the purpose or intent of establishing a P-District. As noted above under discussion about the second general standard for all P-Districts, staff has concluded that the Hilltop Village Center proposal is consistent with the purpose and intent outlined for a PDC District.
- As described under that section above, staff has concluded that the proposed Hilltop Village Center meets or exceeds the standards contained in Part 1 of Article 16 for all P-Districts.
- Finally, the proposed variance does not exceed the floor area ratio limitations of the PDC District, which allows up to a 1.5 FAR; Hilltop Village Center proposes a 0.255 FAR.

Staff recommends that the Board of Supervisors grant the requested variance to allow the proposed secondary uses to exceed 25% of the gross floor area of the proposed principal uses in the pending zoning application to allow the development of Hilltop Village Center, which includes a 150,000 SF retail establishment – large and the two drive-in financial institutions (which are both 4,500 SF in size).

### **Overlay District Requirements**

Portions of the property are within the Natural Resources (NR) overlay district. The provision of this overlay district do not affect the proposed uses within the application property.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

The overall design of Hilltop Village Center includes the following features:

- A layout that provides an intelligible pattern of internal streets/travelways that will help vehicles move into and through the project.
- The loading areas for the grocery store and the retail north of the spine road will not interfere with circulation into and through Hilltop Village Center.
- Pedestrian access is provided from the adjacent roadways into the site, to the individual uses on the site and to the proposed recreational facilities to be built north of the property.
- The design includes plazas and pocket parks in locations that are usable by the patrons of Hilltop Village Center.

- A retail street is proposed in the center of the property that provides retail uses on either side of that street, with parallel parking and street trees along this portion of the road.
- Appropriate transitions to the surrounding uses are shown on the CDP/FDP except in two locations addressed by the proposed development conditions.
- Frontage improvements, including turn lanes, are proposed to accommodate the additional traffic associated with the proposed development.
- The portion of the property that has had landfill activities is proposed to be developed only with private streets and parking areas, no buildings are proposed on that portion of the site.
- The closure plan approved by the VaDEQ addresses the geotechnical, leachate and methane gas concerns associated with redevelopment of a landfill site.

In addition, staff believes that the draft proffers and the CDP/FDP meet the performance standards contained in the Plan text. Therefore, staff finds that the subject application is in conformance with the recommendations of the Comprehensive Plan and the applicable Zoning Ordinance provisions.

### **Recommendations**

Staff recommends approval of RZ 2008-LE-003 subject to the execution of the draft proffers contained in Appendix 1 and approval of the Conceptual Development Plan subject to the development conditions contained in Appendix 2.

Staff further recommends that the Final Development Plan be approved by the Planning Commission subject to the Board of Supervisors approval of RZ 2008-LE-003 and the associated conceptual development plan.

Staff further recommends that the transitional screening yard requirement be modified along all boundaries and that the barrier requirement be modified/waived along all boundaries in favor of that shown on the Conceptual/Final Development Plan, referenced in the proffers and required by the proposed development conditions.

Staff further recommends that the Board of Supervisors approval at P-district variance in accordance with the provisions of Par. 8 of Sect. 16-401 to allow the proposed secondary uses in Hilltop Village Center to exceed 25 percent of the proposed principal uses.

Staff further recommends that the Board of Supervisors direct the Director, DPWES to approve a waiver of the required loading spaces for the two proposed drive-in financial institutions and a modification to allow the loading spaces for the retail uses as shown on the proffered Conceptual/Final Development Plan.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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

## **APPENDICES**

1. Draft Proffer Statement
2. Proposed Conceptual Development Plan Conditions
3. Affidavit
4. Applicant's Statements
5. Locator Map & GDP/SEA Plat for Landfill, SEA 78-L-074-06 & RZ 2008-LE-002
6. Locator Map & GDP/SEA Plat for Golf Course, SEA 2006-LE-027 & RZ 2008-LE-001
7. Clerk to the Board's letter regarding the approval of SEA 78-L-074-5
8. Locator Map for RZ 2006-LE-003 & SE 2005-LE-028, Independent Living Facility
9. Plan Citations, Land Use Analysis and Environmental Analysis
10. Transportation Analysis
11. Park Authority Comments
12. Sanitary Sewer Analysis
13. Fire and Rescue Analysis
14. Water Service Analysis
15. Stormwater Management Analysis
16. Selected Excerpts from the Zoning Ordinance
17. Glossary of Terms

**DRAFT PROFFERS****Hilltop Sand and Gravel Company, Inc.****RZ 2008-MD-003****January 16, 2009**

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Hilltop Sand and Gravel Company, Inc. (hereinafter referred to as the "Applicant"), for itself, successors and assigns in RZ 2008-MD-003, filed for property identified as Tax Map 100-1 ((1)) 9 part, 11A, 11A1, 14, and 15 (hereinafter referred to as the "Application Property") hereby proffers the following, provided that the Board of Supervisors approves a rezoning of the Application Property from the R-1 and I-3 Districts to the PDC District in conjunction with a Conceptual/Final Development Plan (CDP/FDP) for mixed-use development. These proffers shall replace and supersede all previous proffers, if any, approved on the Application Property.

**1. CONCEPTUAL/FINAL DEVELOPMENT PLAN**

- a. Subject to the provisions of 16-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the CDP/FDP, consisting of ten (10) sheets prepared by Dewberry & Davis LLC, dated February 12, 2008 and revised through January 16, 2009.
- b. Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the CPD/FDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to make minor modifications to the building footprints shown on the CDP/FDP and make other modifications provided that such modifications are in substantial conformance with the CDP/FDP as determined by the Zoning Administration, and do not decrease the amount and location of open space, limits of clearing and grading, landscaping, or distances to peripheral lot lines as dimensioned on the CDP/FDP.
- c. Notwithstanding that the CDP/FDP is presented on ten (10) sheets and said CDP/FDP is the subject of Proffer 1.a. above, it shall be understood that the CDP shall be limited to the location and amount of open space, limits of clearing and grading, and the maximum square footage of office and retail development. The Applicant has the option to request Final Development Plan Amendments ("FDPAs") for elements other than CDP elements from the Planning Commission for all of, or a portion of, the

CDP/FDP in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance.

- d. Any of the buildings shown on the CDP/FDP may be the subject of a partial and separate Proffered Condition Amendment (PCA) and/or FDPA without joinder and/or consent of the other building owners as determined by the Zoning Administrator pursuant to Paragraph 6 of Section 18-204 of the Zoning Ordinance. Previously approved proffered conditions applicable to buildings that are not the subject of such a PCA or FDPA shall otherwise remain in full force and effect.

## 2. USES

- a. As shown on the CDP/FDP, the Application Property shall be developed with office and retail uses. Development on the Application Property shall include a maximum of 367,000 square feet of gross floor area (GFA).
- b. The Application Property shall include 113,000 square feet of GFA of office use, and 254,000 square feet of GFA of retail sales establishment use. The construction of these uses may be phased.
- c. Prior to public occupancy of the grocery store shown on the CDP/FDP, the landfill operated on property identified as 100-1 ((1)) pt. 9 shall cease accepting construction and demolition debris.

## 3. TRANSPORTATION

- a. Right-of-way Dedications
  - i. At time of site plan approval for the Application Property, or upon demand by VDOT or Fairfax County, whichever occurs first, the Applicant shall dedicate in fee simple to the Board of Supervisors, such additional right-of-way on Telegraph Road to accommodate the proffered road widening and installation of turn lanes, to include easements and/or rights-of-way for signal poles and other similar facilities required for the proffered improvements between Beulah Street and the existing DCEETA entrance/Hilltop entrance.
  - ii. At time of site plan approval for the Application Property, or upon demand by VDOT or Fairfax County, whichever occurs first, the Applicant shall dedicate in fee simple to the Board of Supervisors, such additional right-of-way on Telegraph Road to accommodate the additional through lane, turn lane, bike lane, and shared use trail along the Application Property's Telegraph Road frontage as shown on the CDP/FDP between the DCEETA entrance and the

off-site Parcel identified as Fairfax County tax map reference 100-1 ((1)) 16.

- iii. At time of site plan approval for the Application Property, or upon demand by VDOT or Fairfax County, whichever occurs first, the Applicant shall dedicate in fee simple to the Board of Supervisors, right-of-way up to 59 1/2 feet from the October 2008 proposed centerline along the Telegraph Road frontage of the off-site parcels identified as Fairfax County tax map reference 100-1 ((1)) 9 (part), 17 and 23A. Dedication based on the VDOT October 2008 Public Information Hearing Plans shown for the Telegraph Road improvement (designated as the "Southern Segment") as part of VDOT Plan 0611-029-303.
  - iv. At the time of site plan approval for the Application Property, or upon demand by VDOT or Fairfax County, whichever occurs first, the Applicant shall dedicate in fee simple to the Board of Supervisors such additional right-of-way on Beulah Street to accommodate the proffered road widening and installation of turn lanes, to include easements and/or rights-of-way for signal poles and other similar facilities required for the proffered improvements.
  - v. The Applicant reserves density credit as may be permitted by the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance for all dedications described herein or as may be reasonably required by Fairfax County or VDOT whether such dedications occur prior to or at time of site plan approval.
- b. Telegraph Road Improvements: Prior to the issuance of any non-residential use permit (hereinafter referred to as "Non-RUP") for the Application Property unless incorporated into the improvements for Telegraph Road to be completed by VDOT or the United States Government, and as further conditioned below, the Applicant shall bond, and construct the following improvements on Telegraph Road:
- i. A third southbound lane along the site frontage that will align with the existing right turn lane at Landsdowne Shopping Center;
  - ii. A separate southbound right turn lane to northbound Beulah Street;
  - iii. Relocation of the existing traffic pole at Beulah Street in the northeast quadrant;
  - iv. An in-road bike lane in the southbound direction from Parcel 16 to Beulah Street;

- v. A shared use ten (10) foot wide asphalt trail along the site frontage;
  - vi. Modification of the median at the DCEETA entrance to permit dual left turn lanes from northbound Telegraph Road into the site;
  - vii. Reconstruction of the existing traffic signal at the site entrance/DCEETA driveway;
  - viii. A right turn deceleration lane of approximately 300 feet in length adjacent to Parcel 100-1 ((1)) 16 and restriction of the easternmost site entrance to a right in/out access. If said improvements cannot be constructed off-site, the Applicant shall bond the improvements with Department of Public Works and Environmental Services (DPWES) as part of the site plan approval; and
  - ix. A separate northbound turn lane exiting the DCEETA entrance which shall be subject to receipt of all necessary easements and/or letters of permission from Fort Belvoir. Should said easements and/or letters of permission not be granted to the Applicant at no cost, there shall be no further obligations under this proffer.
- c. Beulah Street Improvements: Prior to the issuance of any Non-RUP for the Application Property, the Applicant shall bond, and construct the following improvements on Beulah Street:
- i. A separate northbound right turn lane of approximately 250 feet in length at the View Lane intersection, including replacement of the existing bike lane;
  - ii. Lengthening of the existing southbound left turn lane by approximately 120 feet in length at the View Lane intersection;
  - iii. A separate northbound right turn lane of approximately 250 feet in length at the existing Old Beulah intersection, including replacement of the existing bike lane;
  - iv. Modification of the existing traffic signal at Old Beulah Street; and
  - v. Replacement of the existing six (6) foot wide shared use trail with a ten (10) foot wide asphalt trail between Telegraph Road and View Lane.
- d. The improvements described in proffers 4b. and 4c. herein shall be constructed concurrent with site development and shall be either open for traffic or operational, as applicable. However, upon demonstration by the

Applicant that in spite of diligent efforts to complete the proffered improvement(s), the improvement(s) has or should be delayed, the Zoning Administrator may agree to a later date for the completion of the improvements(s).

- e. Subject to VDOT warrants and approval, the Applicant shall install a traffic signal within existing right-of-way at the Application Property's access to View Lane. Said traffic signal shall be installed within six (6) months of the issuance of the first Non-RUP for the Application Property. The Applicant shall submit a warrant study to VDOT with the submission of the first site plan for the Application Property.
- f. The northernmost entrance to the construction and demolition debris landfill located on Beulah Street on the property identified as Fairfax County tax map reference 100-1 ((1)) 9 shall have a temporary median opening which shall remain open in order to accommodate the closure of the existing construction and demolition debris landfill located adjacent to the Application Property. Upon completion of closure requirements as determined by the Virginia Department of Environmental Quality, the median shall be restored. The curb cut entrance on Beulah Street shall remain for landfill post-closure care.
- g. If not funded for construction by others at the time of submission of the first site plan associated with the Application Property, the Applicant shall design plans to widen Telegraph Road to a four lane section from the Ft. Belvoir Humfreys Center entrance (north of the programmed Mulligan Road improvements at Ft. Belvoir and approximately 2,100 linear feet south of Hayfield Road) to the intersection of Hayfield Road. Said plans shall be submitted to VDOT for its use in processing a VDOT improvement project, consistent with the VDOT plan process for Telegraph Road "northern segment" in VDOT Plan 0611-029-303. The Applicant shall coordinate such plans with Fairfax County Public Schools and VDOT to identify construction to minimize off-site right-of-way requirements, to include phasing of future bike lanes and right turn deceleration lanes associated with the planned VDOT improvements. If funding is available for design or construction by others, the Applicant shall contribute the design costs up to two hundred thousand dollars (\$200,000.00) to Fairfax County for use in the Telegraph Road Corridor, including road and stormwater management improvements at the time of the initial Non-RUP for the Application Property.
- h. The Applicant shall construct two (2) bus shelters on the Application Property as shown on the CDP/FDP. Bus shelters shall be installed prior to the issuance of the first Non-RUP for the Application Property.

4. GEOTECHNICAL

Prior to site plan approval, and in accordance with the provisions of the Public Facilities Manual, the Applicant shall submit a geotechnical study of the Application Property to the Geotechnical Review Board through DPWES and shall incorporate appropriate engineering practices as recommended by the Geotechnical Review Board and DPWES to alleviate potential structural problems, to the satisfaction of DPWES. The recommendations of the Geotechnical Review Board shall be implemented during construction.

5. STORMWATER MANAGEMENT/BEST MANAGEMENT PRACTICES

- a. At time of site plan approval, applicant shall provide stormwater management (SWM) and Best Management Practices (BMP) in locations as generally shown on the CDP/FDP and as located on property identified among the Fairfax County tax map records as 100-1 ((1)) 9. Said facilities shall be designed in accordance with the requirements of the Public Facilities Manual and Chesapeake Preservation Ordinance, unless modified by DPWES. To the extent feasible, the Applicant shall use natural plantings to vegetate the pond located on property identified among the Fairfax County tax map records as 100-1 ((1)) 9. In the event that the stormwater management or BMPs are modified by DPWES, modification of the SWM/BMP ponds shown on the CDP/FDP shall not require the approval of a proffered condition amendment or amendment to the CDP/FDP as determined by the Department of Planning and Zoning (DPZ).
- b. The Applicant shall implement low impact development techniques on the Application Property to the extent feasible. Such techniques may include, but not be limited to, bioretention, vegetated swales, filter strips, permeable pavers, rain barrels, and tree box filters.
- c. Notwithstanding what is shown on the CDP/FDP, the stormwater management facility located on the property identified as Fairfax County tax map 100-1 ((1)) pt. 9 shall be setback a minimum of fifty (50) feet from any residential property line, to include the toe of the embankment.

6. LANDSCAPING AND OPEN SPACE

- a. The Applicant shall provide landscaping on the Application Property as generally shown on the CDP/FDP. Deciduous trees shall have a minimum of two and a half (2 ½) to three (3) inch caliper and evergreens shall have a minimum height of six (6) to eight (8) feet at time of planting. The

Applicant will use appropriate and acceptable standard industry measures to prevent tree roof penetration for trees planted above the landfill cap.

- b. All landscaping shall be maintained in good health by the Applicant. Any items that should die shall be promptly replaced by the Applicant.
- c. The Applicant shall submit a detailed landscape plan as part of the first and all subsequent plan submissions for review and approval by Urban Forest Management. The Applicant shall utilize native species as coordinated with Urban Forest Management.
- d. To screen parking in proximity to Beulah Street, the Applicant shall install a hedge adjacent to Beulah Street as shown on the CDP/FDP.

## 7. GREEN BUILDING PRACTICES

- a. The Applicant shall include a U.S. Green Building Council Leadership in Energy and Environmental Design ("LEED") accredited professional as a member of the design team. The LEED accredited professional shall work with the team to incorporate LEED design elements into the project. At time of site plan submission, the Applicant shall provide documentation to the Environment and Development Review Branch of DPZ demonstrating compliance with the commitment to engage such a professional.
- b. The Applicant shall include, as part of the site plan submission and building plan submission, a list of green building practices that have been incorporated into the project.
- c. To the extent feasible, the Applicant shall incorporate energy efficient practices and techniques in the grocery store that is identified on the CDP/FDP. Such practices and techniques shall include, but not be limited to the use of Glycol refrigerant, use of LED lights in medium temperature and frozen food display cases, use of high-efficiency light fixtures and bulbs, and use of recycled products and products that have low indoor air quality emissions throughout the store.
- d. Prior to the issuance of a building permit for the freestanding office building (the "Submitted Building"), the Applicant shall provide a LEED Silver Scorecard (the "Scorecard") that lists the anticipated credits within the version of the U.S. Green Building Council's Leadership in Energy and Environmental Design that is applicable at the time of the approval of this zoning application. The Scorecard shall meet, at least, the minimum number of credits necessary to attain LEED Silver Certification of the Submitted Building.

- e. Within one (1) year of issuance of the Non-RUP for the Submitted Building, the Applicant shall obtain LEED Silver Certification for the Submitted Building from the U.S. Green Building Council unless the Applicant provides documentation to the Environment and Development Review Branch of DPZ that U.S. Green Building Council review of the LEED Silver Certification has been delayed through no fault of the Applicant.
- f. Within one (1) year of the issuance of a Non-RUP for the Submitted Building, the Applicant shall provide to the Environment and Development Review Branch of DPZ a letter from a LEED-accredited professional stating that: a LEED building maintenance reference manual (the "Manual") has been prepared for use by future building owner's and/or tenants; the Manual has been written by a LEED-accredited professional; copies of the Manual shall be provided to all future building occupants; and, the Manual, at a minimum, provides the following:
  - i. A narrative description of LEED components, including a description of the environmental benefits of that component and information regarding the importance of maintenance and operation in retaining the attributes of the Submitted Building;
  - ii. Product manufacturer's manuals or other instructions, where applicable, regarding operations and maintenance needs for applicable LEED components, including operational practices that can enhance energy and water conservation;
  - iii. A maintenance staff notification process for improperly functioning equipment and/or a list of local service providers that offer regularly scheduled service and maintenance contracts to assure proper performance of LEED building-related equipment and the Submitted Building, to include, where applicable, the HVAC system, water heating equipment, water conservation features, sealants, and caulks; and,
  - iv. Contact information that the Submitted Building's occupants can use to obtain further guidance on each LEED component that is applicable to the Submitted Building. Submission of this letter, as described above, shall satisfy this proffer.
  - v. In addition to the letter specified above, and also within one (1) year of the issuance of a Non-RUP for the Submitted Building, the Applicant shall provide an electronic copy of the Manual in PDF format (or other electronic format as determined acceptable by the County) to the Environment and Development Review Branch of the DPZ. This electronic version of the manual shall be edited to

exclude information pertaining to security systems or maintenance of systems in classified and secure areas.

- g. All references to the U.S. Green Building Council shall apply to similar certifying agencies that are created subsequent to approval of this rezoning application, provided that the alternative certifying agency is acceptable to Fairfax County and the Applicant.

## 8. PARKS AND RECREATION

- a. Pursuant to Paragraph 2 of Section 16-404 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall construct recreational facilities that will include an adult soccer field, youth baseball field, pavilion, playground, open play area, and associated parking on that property identified among the Fairfax County tax map records as 100-1 ((1)) pt. 9. The soccer field shall include an irrigation system.
- b. The Applicant shall provide a public access easement on the Application Property that will include access to the future recreation facilities located on the property identified among the Fairfax County tax map records as 100-1 ((1)) pt. 9.
- c. Once the construction and demolition debris landfill on property identified as Fairfax County tax map 100-1 ((1)) pt. 9 part reaches the final fill volume of 8.95 million cubic yards, or when the Applicant ceases accepting construction and demolition debris, whichever occurs first, the Applicant shall diligently pursue closure of the landfill and construction of the recreational facilities.

## 9. DESIGN

- a. The Applicant shall provide streetscape improvements and plantings as generally shown on Sheets 4 and 6 of the CDP/FDP.
- b. The Applicant shall construct plazas, pedestrian trails, sidewalks and crosswalks as generally shown on Sheets 5 and 6 of the CDP/FDP. The plazas shall include decorative pavers and serve as focal point features to define the development.
- c. The Applicant shall use similar building materials for all uses on the Application Property, including the drive-in financial institutions, to create a unified design theme. All buildings shall be architecturally compatible.

- d. The Applicant, in coordination with the Heritage Resource Division, shall establish a seating area on the Application Property that includes sign(s) describing historical events in the area.
- e. The Applicant shall provide an outdoor seating area in proximity to the northwest corner of the grocery store.
- f. Prior to the issuance of any sign permits for the Application Property, the Applicant shall obtain approval of a Comprehensive Sign Plan.
- g. Prior to site plan approval of the structured parking garage shown on the CDP/FDP, the architectural plans for said garage shall be submitted to the Planning Commission for review for conformance with these proffers.
- h. The two (2) buildings shown on the CDP/FDP as one-story bank pads shall not exceed twenty-five (25) feet in height, exclusive of any architectural features.
- i. The facade of the grocery store adjacent to Telegraph Road shall be in general conformance with the "Rear Elevation" exhibit attached hereto. The architectural elements of the Telegraph Road façade shall be compatible with the architectural elements used for the remaining three (3) sides of the grocery store. All rooftop mechanical equipment shall be screened.
- j. The loading docks for the grocery store as shown on the CDP/FDP shall be four (4) feet below the finished floor elevation. There shall be no outdoor storage between the rear façade of the grocery store and Telegraph Road, with the exception of parked vehicles and/or trailers.
- k. The possible one (1) to two (2) foot retaining wall facing Telegraph Road shall be constructed of materials that are compatible with the materials used for the grocery store.
- l. The freestanding office building shown on the CDP/FDP shall be constructed with fixed windows adjacent to Telegraph Road and without balconies.
- m. Prior to site plan approval of the freestanding parking garage, the Applicant shall provide a set of the architectural drawings to the Base Commander of Fort Belvoir and request comments.

10. LIGHTING AND NOISE

- a. To prevent lighting from adversely impacting adjacent properties, exterior building lighting shall be shielded in a manner that prevents light spillage. All exterior lighting fixtures shall be equipped with “cut-off” luminaries. All lighting standards shall comply with Zoning Ordinance Article 14, Part 9, Outdoor Lighting Standards.
- b. Outdoor speakers that may be utilized by the drive-in financial institutions shall not be used between the hours of 9:00 p.m. and 7:00 a.m.

11. TRANSPORTATION DEMAND MANAGEMENT STRATEGIES

The Applicant shall implement the following transportation demand management (TDM) strategies to reduce peak hour vehicle trips from the Application Property during the AM and PM peak periods. The TDM strategies shall be implemented prior to issuance of the first Non-RUP for the Application Property. Strategies shall include the following:

- a. Metro maps, schedules and forms, ridesharing and other relevant transit option information shall be available to tenants and employees through either a common website or newsletter to be published at least twice a year.
- b. The Applicant shall provide at least ten (10) reserved parking spaces for the office building for carpools/vanpools.
- c. Transportation coordination duties shall be assigned to an office/retail property manager, who will implement the TDM strategies as follows:
  - i. Coordinate with the Fairfax County Department of Transportation (FCDOT) or any agency designated by FCDOT to promote opportunities to enhance participation in TDM programs.
  - ii. Encourage and coordinate the formation of carpools and vanpools by promoting participation in established ride-matching programs.
  - iii. Encourage and coordinate participation in established regional guaranteed ride home programs.
- d. Secure, weather protected bicycle storage shall be provided in a location convenient to tenants, employees and visitors. The Applicant shall designate the locations as part of the first site plan and phase construction with the adjoining development plans.

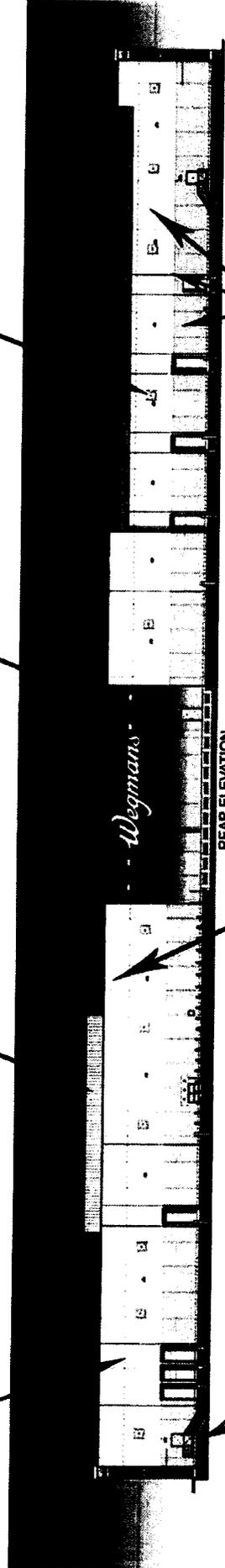
REAR ELEVATION

STANDING SEAM METAL MECHANICAL  
EQUIPMENT SCREEN AS NECESSARY  
(COLOR TO MATCH WALL COLOR)

ROOF LINE

STANDING SEAM  
METAL ROOF

DECORATIVE MEDALLIONS  
AND DOWN LIGHTING



LOADING DOCKS  
4 FEET BELOW BUILDING FINISH  
FLOOR ELEVATION (TYP)

RAISED WALL TO BLOCK  
ROOFTOP UNIT VIEW  
(ADJUSTED TO SPECIFIC  
SITE/VIEW SHEDS)

3 COLOR - BLOCK STAMPED  
CONCRETE TIP UP PANELS  
(MATCHING COLORS OF THE  
REMAINDER OF BUILDING)

\*LANDSCAPE AND HARDSCAPE  
SCREENING ALONG  
TELEGRAPH ROAD

**PROPOSED CONCEPTUAL DEVELOPMENT PLAN CONDITIONS**

January 21, 2009

RZ 2008-LE-003

If it is the intent of the Board of Supervisors to approve the Conceptual Development Plan for RZ 2008-LE-003 for mixed used development on thirty-three (33.0) acres of property located at Tax Map Parcels 100-1 ((1)) 9 pt., 11A, 11A1, 14, 15, staff recommends that the approval of the Conceptual Development Plan be conditioned on the following development conditions:

1. There shall be no outdoor storage permitted within Hilltop Village Center. Only that area in front of the grocery store may be used for the outdoor display of goods for sale.
2. Prior to the submission of the building plans for the proposed parking garage, plans depicting the proposed vertical circulation, stairs and elevators, shall be submitted to the Director, Zoning Evaluation Division for review and approval.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board. This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures. These conditions do not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

**REZONING AFFIDAVIT**

DATE: January 9, 2009  
 (enter date affidavit is notarized)

I, Lynne J. Strobel, attorney/agent, 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

99574a

in Application No.(s): RZ 2008-MD-003  
 (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 <b>BOLD</b> above)
Hilltop Sand & Gravel Company, Inc.  Agents: Clemens S. Gailliot, Jr. Michael C. Gailliot George M. Whitfield William A. Fritz, Jr.	7950 Telegraph Road Alexandria, VA 22315	Applicant/Title Owner of Tax Map 100-1 ((1)) 9 pt., 11A, 11A1, 14, 15
Dewberry & Davis LLC Agents: Philip G. Yates Lawrence A. McDermott Timothy C. Culleiton Geoffrey L. Cowan Dennis M. Couture Cody A. Pennetti	8401 Arlington Boulevard Fairfax, Virginia 22031	Engineers/Planners/Agent

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

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

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

**Rezoning Attachment to Par. 1(a)**

DATE: January 9, 2009  
 (enter date affidavit is notarized)

for Application No. (s): RZ 2008-MD-003  
 (enter County-assigned application number (s))

99574a

**(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.

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Rounds VanDuzer Architects, P.C.  Agent: Mark E. McAfee	467A North Washington Street Falls Church, VA 22046	Architect/Agent
C&E Real Estate Services, LC  Agent: J. Brent Clarke, III	10D Cardinal Park Drive, SE Leesburg, VA 20175	Developer/Agent for Applicant
Patton, Harris, Rust & Associates, Inc. f/k/a Patton Harris Rust & Associates, PC  Agents: Douglas R. Kennedy Peter J. Steele	14532 Lee Road Chantilly, VA 20151	Traffic Consultant/Agent
Stearns, Conrad and Schmidt, Consulting Engineers, Inc. d/b/a SCS Engineers  Agents: Robert H. Isenberg Paul A. Mandeville	11260 Roger Bacon Drive Reston, VA 20190	Soils Engineer/Agent
Culpeper Engineering, PC  Agent: I. Wayne Stanton	3251 Germanna Highway Locust Grove, VA 22508	Engineer/Agent

(check if applicable)

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

**Rezoning Attachment to Par. 1(a)**

DATE: January 9, 2009  
 (enter date affidavit is notarized)

99574<sub>a</sub>

for Application No. (s): RZ 2008-MD-003  
 (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.

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent
Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. Whisler Megan C. Shilling Elizabeth A. McKeeby		
Wegman's Food Market's Inc.  Agents: Eric J. Bartles Daniel J. Aken Ralph A. Uttaro	1500 Brooks Avenue P.O. Box 30844 Rochester, NY 14603-0844	Ground Lessee of Tax Map 100-1 ((1)) 9 pt., 11A1 pt., 14 and 15

(check if applicable)

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

REZONING AFFIDAVIT

DATE: January 9, 2009
(enter date affidavit is notarized)

99574a

for Application No. (s): RZ 2008-MD-003
(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)
Hilltop Sand & Gravel Company, Inc.
7950 Telegraph Road
Alexandria, VA 22315

DESCRIPTION OF CORPORATION: (check one statement)

- [X] 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)

C.S. Gailliot Sr. Trust Account for the benefit of Thomas H. Gailliot, Sr.; C.S. Gailliot Sr. Trust Account for the benefit of Clemens S. Gailliot, Jr.; Martin A. Gailliot, Sr. Trust for the benefit of Theresa A. Gailliot; Robert V. Gailliot Sr. Marital Trust for the benefit of Annette W. Gailliot; [shareholders continued on next page]

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

Clemens S. Gailliot, Jr., President; Michael C. Gailliot, VP; G. Michael Whitfield, VP; Elizabeth M. Gailliot, VP
Directors: Clemens S. Gailliot, Jr., William A. Fritz, Jr., Theresa A. Gailliot

(check if applicable) [X] 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 Attachment to Par. 1(b)**

DATE: January 9, 2009  
(enter date affidavit is notarized)

99574a

for Application No. (s): RZ 2008-MD-003  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Hilltop Sand & Gravel Company, Inc. [shareholders, continued]  
7950 Telegraph Road  
Alexandria, VA 22315

**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 THE SHAREHOLDER:** (enter first name, middle initial, and last name)

Elizabeth M. Gailliot; Estate of Robert V. Gailliot, Jr. f/b/o Robert V. Gailliot, III and J.A. Gailliot; Ursula G. Koeze; Samuel Franklin Gailliot Trust f/b/o Samuel Franklin Gailliot; Annette Maria Gailliot Trust f/b/o Annette Maria Gailliot

=====

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

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
C&E Real Estate Services, LC  
10D Cardinal Park Drive, SE  
Leesburg, VA 20175

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

J. Brent Clarke, III

=====

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

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

**Rezoning Attachment to Par. 1(b)**

DATE: January 9, 2009  
(enter date affidavit is notarized)

99574a

for Application No. (s): RZ 2008-MD-003  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Dewberry & Davis LLC  
8401 Arlington Boulevard  
Fairfax, Virginia 22031

**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 THE SHAREHOLDER:** (enter first name, middle initial, and last name)  
The Dewberry Companies LC, Member  
James L. Beight, Member  
Dennis M. Couture, Member

=====

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

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
The Dewberry Companies LC  
8401 Arlington Boulevard  
Fairfax, Virginia 22031

**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 THE SHAREHOLDERS:** (enter first name, middle initial, and last name)  
Members: Sidney O. Dewberry, Barry K. Dewberry, Karen S. Grand Pre, Michael S. Dewberry, Thomas L. Dewberry

=====

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

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

**Rezoning Attachment to Par. 1(b)**

DATE: January 9, 2009  
(enter date affidavit is notarized)

49574a

for Application No. (s): RZ 2008-MD-003  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Rounds VanDuzer Architects, P.C.  
467A North Washington Street  
Falls Church, VA 22046

**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 THE SHAREHOLDER:** (enter first name, middle initial, and last name)  
David P. VanDuzer  
Mark E. McAfee  
Stephen F. Kenney  
Jonathan A. Fritsch

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

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  
2200 Clarendon Boulevard, 13th Floor  
Arlington, Virginia 22201

**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 THE SHAREHOLDERS:** (enter first name, middle initial, and last name)  
David J. Bongardner, E. Andrew Burcher, Thomas J. Colucci, Peter M. Dolan, Jr., Jay du Von, Jerry K. Emrich, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskar, John E. Rinaldi, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

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

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

**Rezoning Attachment to Par. 1(b)**

DATE: January 9, 2009  
(enter date affidavit is notarized)

99574a

for Application No. (s): RZ 2008-MD-003  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Patton, Harris, Rust & Associates, Inc. f/k/a Patton Harris Rust & Associates, PC  
14532 Lee Road  
Chantilly, Virginia 20151

**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 THE SHAREHOLDER:** (enter first name, middle initial, and last name)  
Thomas D. Rust  
Jeffrey E. Frank

=====

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

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Stearns, Conrad and Schmidt, Consulting Engineers, Inc. d/b/a SCS Engineers  
11260 Roger Bacon Drive  
Reston, VA 20190

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

=====

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

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

**Rezoning Attachment to Par. 1(b)**

DATE: January 9, 2009  
(enter date affidavit is notarized)

99574a

for Application No. (s): RZ 2008-MD-003  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Culpeper Engineering, PC  
3251 Germanna Highway  
Locust Grove, VA 22508

**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 THE SHAREHOLDER:** (enter first name, middle initial, and last name)  
Irwin W. Stanton  
Michael K. Tolliver  
Rebecca S. Tolliver

=====

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

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Wegman's Food Market's Inc.  
1500 Brooks Avenue, P.O. Box 30844  
Rochester, NY 14603-0844

**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 THE SHAREHOLDERS:** (enter first name, middle initial, and last name)  
Daniel R. Wegman

=====

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

Daniel R. Wegman, Chairman of the Board and Treasurer, Director; Colleen J. Wegman, President, Director; John A. DePeters, SVP; Paul S. Speranza, Jr., SVP and Secretary, Director; James J. Leo, SVP and CFO; Ralph A. Uttaro, SVP, Real Estate & Development.

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

REZONING AFFIDAVIT

DATE: January 9, 2009  
(enter date affidavit is notarized)

99574a

for Application No. (s): RZ 2008-MD-003  
(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)  
None

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

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

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

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

REZONING AFFIDAVIT

DATE: January 9, 2009  
(enter date affidavit is notarized)

99574a

for Application No. (s): RZ 2008-MD-003  
(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: January 9, 2009  
(enter date affidavit is notarized)

99574<sub>a</sub>

for Application No. (s): RZ 2008-MD-003  
(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

Lynne J. Strobel

[x] Applicant's Authorized Agent

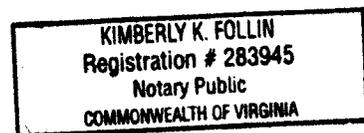
Lynne J. Strobel, attorney/agent

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

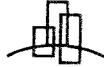
Subscribed and sworn to before me this 9 day of January 2009, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin  
Notary Public

My commission expires: 11/30/2011



Lynne J. Strobel  
(703) 528-4700 Ext. 5418  
[lstrobel@arl.thelandlawyers.com](mailto:lstrobel@arl.thelandlawyers.com)



WALSH COLUCCI  
LUBELEY EMRICH  
& WALSH PC

**APPENDIX 4**  
RECEIVED  
Department of Planning & Zoning

**DEC 23 2008**

Zoning Evaluation Division

December 18, 2008

**Via E-mail and U.S. Mail**

Peter Braham  
Fairfax County Department of Planning & Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

Re: RZ 2008-MD-003  
Applicant: Hilltop Sand and Gravel Co., Inc.

Dear Mr. Braham:

Please accept this letter to supplement the statement of justification submitted for the referenced application. The Applicant proposes to rezone approximately 33 acres from the R-1 and I-3 Districts to the PDC District. The proposal envisions a mix of office and retail development. The contemplated retail development includes a grocery store of approximately 150,000 square feet.

The Fairfax County Zoning Ordinance (the "Ordinance"), defines the proposed grocery store as a retail sales establishment-large, based on its square footage, which is a permitted secondary use in the PDC District. However, the Ordinance limits the gross floor area of all secondary uses to not more than twenty-five percent (25%) of the gross floor area of all principal uses in the development. In accordance with paragraph 8 of Section 16-401, the Board of Supervisors may authorize a variance in the strict application of specific zoning district regulations, including this limitation. More specifically, the Ordinance provides that a variance may be authorized when (a) a strict application of the Ordinance would inhibit or frustrate the purpose and intent for establishing such a zoning district; and (b), such variance would promote and comply with the standards set forth in Part 1 of Article 16. As the proposed retail sales establishment-large will exceed the twenty-five percent (25%) gross floor area limitation, please accept this letter as justification to modify this requirement in accordance with paragraph 8 of Section 16-401.

The purpose and intent of the PDC District is to encourage the innovative and creative design of commercial development. The district regulations are designed to "accommodate preferred high density land uses which could produce detrimental effects on neighboring properties if not strictly controlled as to location and design; to ensure

high standards in the layout, design and construction of commercial developments; and otherwise implement the stated purpose and intent of the Ordinance.” The Applicant has carefully designed this development so that the retail sales establishment-large is located adjacent to an existing golf course and public facility; specifically a fire station, so as to minimize impacts on surrounding residential uses. The surface parking that will support this use is positioned as far to the interior of the site as possible. The parking is screened by the proposed retail building, which will be adjacent to Telegraph Road. Further, a berm, fencing and landscaping on Telegraph Road is part of an integrated plan around the perimeter of the property to screen the use.

The proposed village center includes a mix of low scale office and retail uses that are pedestrian oriented. The uses are integrated with a comprehensive sidewalk system and a series of passive recreation and plaza areas to enhance the pedestrian experience. The retail uses may include cafes with outdoor seating that will enhance the streetscape. The retail sales establishment-large also may feature an outdoor seating area to further integrate the use with the proposed development. In sum, the development has been designed in keeping with the purpose and intent of the PDC development and a variance of the limitation on square footage allocated to secondary uses will not inhibit fulfillment of the intent of this district.

Beyond the specific purpose and intent of the PDC District, the proposed development fulfills the standards for all planned developments. The Ordinance contemplates that planned developments should better achieve a design than could a conventional zoning district, land shall be efficiently utilized, impacts on surrounding properties should be limited, and coordinated linkages throughout the site and to adjacent properties should be provided. The Applicant has taken significant care to design the site in keeping with the standards for all planned developments. The development includes pedestrian connections throughout this site, but also to adjacent properties, including a future recreation area to the north of the village center. Pedestrian activated crosswalks are located on Beulah Street and Telegraph Road to facilitate pedestrian movements in the area. The layout includes a vehicular connection to an adjacent shopping center and enhances the road network on Beulah Street and Telegraph Road through road improvements, including bike lanes, and trails.

On site, the village center includes an attractive main street, with wide sidewalks to enhance the pedestrian experience. Approximately twenty percent (20%) of the site will be open space consisting of green areas and plazas, which well exceeds minimum Ordinance requirements. Approximately twenty-five percent (25%) of the total parking will be provided in a structured parking facility. The remainder of the parking will be located in surface lots, which are screened by proposed buildings and landscaping. Landscaping is also provided within parking lots to segment the parking area into smaller components. The Applicant’s proposal will not frustrate the purposes of the

December 18, 2008

Page 3

Ordinance, but is in keeping with the spirit and intent of the Planned Development Districts generally and the PDC District, specifically.

Based on the specifics of the proposal outlined above, the Applicant hereby requests that the Board modify the Ordinance requirement that secondary uses be limited to twenty-five percent (25%) of the gross floor area of all principal uses in the development. Should you have any questions, or require any additional information, please do not hesitate to contact me.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.



Lynne J. Strobel

LJS/kae

cc: Michael Gailliot  
Brent Clarke  
Dennis Couture  
Mark McAfee  
Doug Kennedy  
Martin D. Walsh

January 16, 2009

Ms Cathy Lewis  
County of Fairfax  
Department of Planning and Zoning  
12055 Government Center Parkway, 8<sup>th</sup> Floor  
Fairfax, Virginia 22035-5503



**Re: Hilltop Village Center Transportation Compliance Summary  
RZ 2008-MD-0003  
Fairfax County, Virginia  
PHR+A f-4881-6-3**

CORPORATE:  
Charlottesville

VIRGINIA OFFICES:  
Charlottesville  
Charlottesville  
Fredericksburg  
Harrisonburg  
Leesburg  
Newport News  
Norfolk  
Winchester  
Woodbridge

LABORATORIES:  
Charlottesville  
Fredericksburg

MARYLAND OFFICES:  
Baltimore  
Columbia  
Frederick  
Germantown  
Hollywood  
Hunt Valley  
Williamsport

PENNSYLVANIA OFFICE:  
Allentown

T 800.530.PHRA  
T 703.449.6700  
F 703.449.6713  
14532 Lee Road  
Charlottesville, VA  
20151-1479

Dear Ms. Lewis:

As requested, this letter summarizes the following transportation elements that are provided as part of the proposed CDP/FDP, the submitted traffic study, and included in the proffers to address the infrastructure elements of the Comprehensive Plan Text S08-IV-RH1: Paragraph 47:

- **Site Linkages** – The CDP/FDP includes new crosswalks from the site to the Landsdowne community at View Lane, the Landsdowne Shopping Center, and Fort Belvoir at the DCEETA entrance. Hilltop Village Center’s on-site streets will include pedestrian amenities such as sidewalks and streetscape details to connect buildings, plazas and open space. The proposed recreational facilities north of Hilltop Village Center will be connected with pedestrian facilities to View Lane Extended and Telegraph Road. The pedestrian system will include links to the existing and planned shared use paths on Beulah Street and Telegraph Road. Lastly, bike facilities are noted on the plan and the public street frontage continues the existing on-road bike lanes on both Rte 611 and 613.
- **LOS “D” Standards** – The revised traffic study submitted with the application in October 2008 included analysis of the adjacent intersections with the build-out of the Hilltop Village Center. The forecasts included overall intersection Level of Service (LOS) “D” for the existing and proposed signals. Based on the revisions to the plan in December 2008 (at the direction of VDOT for Beulah Street access at Old Beulah Street/Lansdowne signal), PHR+A evaluated the signal operations maintaining the cycle lengths and system coordination in the traffic study timing. **The following intersection performance summaries demonstrate a LOS “D” or better for the public street signals adjacent to Hilltop Village Center.** The LOS for the AM and PM peak hour weekday conditions are summarized by approach below with the

site build-out, growth, and planned BRAC-related employment activities at Fort Belvoir. Therefore, intensity of the site does not need to be reduced.

TABLE 1: WEEKDAY PEAK HOUR INTERSECTION APPROACH LEVELS OF SERVICE WITH HILLTOP VILLAGE CENTER

Intersection		AM Peak Hour		PM Peak Hour	
		LOS	Delay	LOS	Delay
Beulah Street (Rte 613)/ View Lane/ Hilltop Village Ctr Access <i>Proposed Signal</i> 150 sec cycle length	Eastbound	D	39.4	C	32.8
	Westbound	C	21.8	C	25.3
	Northbound	B	18.4	C	30.7
	Southbound	B	14.4	C	21.5
	<b>Overall</b>	<b>B</b>	<b>18.3</b>	<b>C</b>	<b>26.9</b>
Beulah Street (Rte 613)/ Landsdowne Ctr/ Old Beulah St <i>Ex. Signal</i> 150 sec cycle length	Eastbound	D	47.6	D	42.4
	Westbound	C	29.4	B	19.0
	Northbound	B	11.3	C	20.1
	Southbound	A	2.6	B	12.6
	<b>Overall</b>	<b>A</b>	<b>8.4</b>	<b>B</b>	<b>19.4</b>
Beulah Street (Rte 613)/ Telegraph Rd (Rte 611)  <i>Ex. Signal</i> 150 sec cycle length	Eastbound	D	48.0	D	51.7
	Westbound	D	35.0	D	50.9
	Northbound	D	37.3	D	37.0
	Southbound	C	32.4	C	27.8
	<b>Overall</b>	<b>D</b>	<b>39.3</b>	<b>D</b>	<b>42.4</b>
Telegraph Rd (Rte 611)/ DCEETA Entr/ Hilltop Village Ctr Access <i>Ex. Signal</i> 150 sec cycle length	Eastbound	B	10.1	C	32.8
	Westbound	A	9.7	C	25.3
	Northbound	D	53.0	D	30.7
	Southbound	D	35.2	D	21.5
	<b>Overall</b>	<b>B</b>	<b>11.9</b>	<b>D</b>	<b>26.9</b>

LOS = Levels of Service; Delay = Delay in seconds.

Level of Service based on Synchro 7.0 capacities analyses, with coordination. See 10/15/08 report for traffic volumes and lane operations; View Lane exit revised as shared left/through in revised timing plans. Old Beulah exit shown as Left/through and right at signal. Delay changed with optimization 1/09 w/ Mulligan Rd access after 2012. Individual movements LOS will vary.

- **Telegraph Road additional right-of-way (R-O-W) to accommodate turn lanes**  
– The CDP /FDP shows additional R-O-W to accommodate an additional southbound lane on Route 611 from the DCEETA entrance to Beulah Street. The





median has also been adjusted to accommodate additional turn lanes on Telegraph Road into Hilltop Village Center at the DCEETA traffic signal. As part of the submitted traffic study, the turn lanes along Telegraph Road were analyzed to verify storage capacities since the existing signals are approximately 680 feet apart. The October 2008 traffic study included a turn lane analysis. The attached table summarizes the through lane and turn lane stacking based on the total build-out traffic conditions with the site on Telegraph Road for the southbound approach at Beulah Street and the northbound approach at DCEETA. This link is the existing median that is proposed for modification with Hilltop Village Center. The effective storage capacities for both the weekday AM and PM peak conditions demonstrate that the 95 percentile queues (vehicle stacking) based on the Synchro signal operations are adequate for the proposed lanes on the CDP/FDP. Queues are updated from the traffic report Table 7 to reflect Synchro 7.0 capacity outputs, but the changes are less than 15 feet.

TABLE 2A: WEEKDAY RTE 611 SOUTHBOUND TURN LANE STORAGE ANALYSIS  
AT BEULAH STREET

Turn	Lanes	Volumes		V/C Ratio		95 <sup>th</sup> Percentile Queue		Available Length	Comment
		AM	PM	AM	PM	AM Peak	PM Peak		
Left	2	359	128	0.65	0.58	197 ft	128 ft	350 ft	Adequate Storage
Thru	3	353	1,060	0.18	0.67	98 ft	396 ft	580 <sup>2</sup> ft	Adequate Storage
Right	1	214	459	0.22	0.66	0 ft	287 ft	300 ft	Adequate Storage

Notes: (1) Available length does not include taper (100 – 200 ft). Length shown is per lane.  
(2) Telegraph Rd link distance between Beulah St/DCEETA Entrance, revised based on CPD/FDP Dimensions shown from CDP/FDP as revised. Traffic signal timing derived from 10/15/2008 TL4.

TABLE 2B: WEEKDAY RTE 611 NORTHBOUND TURN LANE STORAGE ANALYSIS  
AT OLD BEULAH STREET /DCEETA ENTRANCE

Turn	Lanes	Volumes		V/C Ratio		95 <sup>th</sup> Percentile Queue		Available Length <sup>1</sup>	Comment
		AM	PM	AM	PM	AM Peak	PM Peak		
Left	2	134	299	0.41	0.62	98 ft	158 ft	175 ft <sup>3</sup>	Adequate Storage
Thru	2	940	837	0.38	0.47	179 ft	422 ft	530 <sup>2</sup> ft	Adequate Storage
Right	1	385	36	0.32	0.04	7 ft	9 ft	350 ft	Adequate Storage

Notes: (1) Available length does not include taper (100 – 200 ft). Length shown is per lane.  
(2) Telegraph Rd link distance between Beulah St/DCEETA Entrance, revised based on CPD/FDP  
(3) Total length at 350 ft in 2 lanes.  
Dimensions shown from CDP/FDP as revised. Traffic signal timing derived from 10/15/2008 TLA.

Based on the analysis, traffic spillbacks through the intersection are not anticipated. The final turn lane designs will be coordinated with VDOT, Fairfax County, and Fort Belvoir through the site plan review process.

Ms Cathy Lewis  
Hilltop Village Center Transportation Compliance  
January 16, 2009  
Page 4 of 4

- **Bus Transit Stops** - The CDP /FDP shows two bus shelter locations at the intersection at Telegraph Road/Old Beulah Street/DCEETA entrance and at the Beulah Street signal at the Lansdowne shopping center/Old Beulah Street intersection.

Based on our review, the submitted development plans comply with the transportation elements included as part of the adopted Comprehensive Plan Amendment.



Sincerely,  
**PATTON HARRIS RUST & ASSOCIATES**

A handwritten signature in black ink, appearing to read 'DK', with a long horizontal flourish extending to the right.

Douglas R. Kennedy, P.E.  
Vice President, Director of Transportation Planning  
P:\PROJECT\04881\6-3\corres\ltr\_smedley\_hilltop\_011609.doc

Cc: Mr. Charles Almquist  
Mr. J. Brent Clarke  
Mr. Michael Gailliot  
Ms Lynne Strobel, Esq.

**Hilltop Sand & Gravel Co., Inc.**  
**T/A Hilltop Sand & Gravel Landfill**

**703 971-1300 • Fax 703 971-3169**

***Mailing Address:***

**P. O. Box 10316  
Alexandria, VA 22310  
22315**

***Street Address:***

**7950 Telegraph Rd.  
Alexandria, VA**

February 12, 2008

RECEIVED  
Planning & Zoning  
FEB 13 2008  
Zoning Evaluation Division

**Via Hand Delivery**

Regina C. Coyle, Director  
Fairfax County Department of Planning & Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

Re: Rezoning Application  
Applicant: Hilltop Sand and Gravel Company, Inc.  
Hilltop Village Center

Dear Ms. Coyle:

Please accept the following as a statement of justification for the rezoning of approximately 33 acres from the R-1 and I-3 Districts to the PDC District on property identified among the Fairfax County tax map records as 100-1 ((1)) part 9, 11A, 11A1, 14 and 15 (the "Subject Property").

The Subject Property is located in the northwestern quadrant of the intersection of Beulah Street and Telegraph Road. A majority of the Subject Property is located in the Lee Magisterial District; however, Parcels 11A and 11A1 are located in the Mount Vernon Magisterial District. A 7.86 acre portion of the Subject Property is zoned to the I-3 District; and the balance of the property, 25.14 acres, is zoned to the R-1 District. In addition, approximately 28.5 acres of the Subject Property are located within the Natural Resources Overlay District. Hilltop Sand and Gravel Company, Inc. ("Hilltop") proposes a rezoning of the Subject Property to the PDC District.

The Subject Property is part of a much larger tract of land owned by Hilltop. Hilltop owns approximately 151 acres in proximity to the intersection of Beulah Street and Telegraph Road, and the property has been the subject of a number of prior zoning approvals. The property adjacent to the Subject Property is currently used as a construction and demolition debris landfill, which use was originally approved on December 18, 1978 pursuant to SE 78-L-074. The original approval has been amended a number of times to modify the land area included in the debris landfill, and in conjunction with other applications that approved a golf course, golf driving range, and commercial recreation facilities. The current operation of the landfill is located on approximately 43 acres.

The Subject Property is primarily located in the Rose Hill Planning District in Area IV of the Fairfax County Comprehensive Plan (the "Plan"); specifically, within the Lehigh Community Planning

Sector (RH4). That portion of the Subject Property located in the Mount Vernon District is located within the Newington Community Planning Section (S6). On February 11, 2008, the Board of Supervisors (the "Board") authorized an Out-of-Turn Plan Amendment for the Subject Property. The Board's motion states that the Subject Property may be appropriate for a mixed-use development consisting of retail, office and residential development. Hilltop's proposal is consistent with the motion authorized by the Board.

Hilltop proposes to construct a mixed-use development, including office, retail, and residential uses, on approximately 33 acres. In conjunction with this application, Hilltop is submitting three related applications for the adjacent property. These combined applications include a completion of landfill activity and the establishment of private recreation uses. In addition, modifications are proposed to the existing nine-hole golf course and will include the addition of a stormwater management wet pond, as well as a utility area on which a pump house and maintenance shed will be located. All of the uses combined will create a vibrant activity center conveniently located to Lee and Mount Vernon District residents. A further description of the special exception amendment and rezoning applications that are necessary to accomplish this objective are provided in statements of justification filed with each application. It is anticipated that all of the applications will be evaluated and processed concurrently.

Hilltop proposes to rezone approximately 33 acres from the R-1 and I-3 Districts to the PDC District. The mixed use development will include 172 multi-family residential units, 170,400 square feet of office space, and 222,200 square feet of retail space. The development plan illustrates an urban layout comprised of individual buildings with integrated uses. Retail and multi-family residential buildings will front on Telegraph Road. Parking for these uses is located behind the retail building and in a garage beneath the multi-family residential dwelling units. Two single-story pad sites will be located on the western portion of the Subject Property with frontage on Beulah Street. These retail uses will relate to the retail shopping center on the opposite side of Beulah Street. Additionally, two buildings with ground floor retail and a second story of office space will be located behind the multi-family residential building along the main street that provides access to Beulah Street. The north side of the main street includes additional combined retail and office space and a single freestanding office building. The proposed FAR for all uses is .41.

Hilltop's proposed village center will transform the intersection of Telegraph Road and Beulah Street into an attractive activity center and community landmark for the surrounding area. The village center concept provides the potential for live, work, and play within a walkable community. The proposal includes first-floor retail to enhance the pedestrian experience. The retail portions of the development will include service-oriented retail as well as a high quality community-serving retail. The development also includes urban streetscape features such as a central "main street," attractively landscaped sidewalks that link all areas of the development, and strategically placed open spaces that will serve as gathering places for patrons, residents, and office tenants. Access to the development will be provided via two access points on Beulah Street and two access points on Telegraph Road.

Residential Development Criteria have been adopted in order to evaluate zoning requests for new residential development. Hilltop's proposal meets the residential development criteria as follows:

#### **I. Site Design**

All rezonings are to be characterized by high-quality site design. The proposal provides high-quality site design as follows:

A. Consolidation – Hilltop is the owner of approximately 151 acres at the intersection of Telegraph Road and Beulah Street. The 33 acres proposed for rezoning are part of this larger tract and a planned integration of multiple land uses in a coordinated and consolidated manner. The area of the proposed development is sufficient to create a well planned and logical village center with a variety of uses.

B. Layout – The proposed layout provides logical, functional, and appropriate relationships between residential, retail, and office components within the development. The on-site circulation allows easy access to both surface and structured parking. The proposal includes a main street concept as well as sidewalks throughout the development to promote walkability.

C. Open Space – Open space is provided at the corner of Beulah Street and Telegraph Road as well as in a central plaza. The central plaza is connected to all areas of the site through a comprehensive sidewalk system. The open spaces are designed to provide gathering and meeting opportunities for residents, retail patrons, office tenants, and the surrounding community. Approximately 20 percent open space is provided on the Subject Property, which exceeds the 15 percent requirement.

D. Landscaping – Landscaping is provided in open space areas and along the urban streetscapes. Additionally, landscaping will be provided within a 45 foot buffer along Telegraph Road to ensure that the development is attractively screened. Landscape details have been provided on the CDP/FDP to illustrate the quality and quantity of proposed vegetation. In addition, existing vegetation on the perimeter of the Subject Property will be preserved to the greatest extent feasible.

E. Amenities – The on-site amenities for residents feature an outdoor landscaped plaza and indoor facilities such as an exercise room. Outdoor recreation amenities located on adjacent property will also be available to the residents. Lastly, the structured parking for the residents will be hidden from public view, promoting a pedestrian friendly and aesthetically pleasing environment.

## **II. Neighborhood Context**

New developments are to fit into the fabric of the adjacent neighborhoods.

Hilltop proposes a mixed-use development that will be a valuable asset to the community. The residential community will benefit the neighborhood-serving retail and offices uses proposed with the development, and will transform the Subject Property into a vibrant village center. The village center will complement existing surrounding uses that include a retail shopping center, residential developments and public facilities.

## **III. Environment**

Rezoning proposals should be consistent with the policies and objectives of the environmental element of the Plan.

A. Preservation – There are no EQCs, RPAs, or other environmentally sensitive areas on the Subject Property. Due to the fact that the Subject Property is primarily cleared as a result of an earlier excavating operation, there are no tree preservation opportunities, except around portions of the perimeter. Extensive new landscaping will be provided to provide an attractive streetscape. Existing

vegetation around the perimeter of the Subject Property will be preserved to the extent feasible and supplemented with additional plantings.

B. Slopes and Soils – Soil studies have been performed and have been shown to be adequate for residential development. The areas proposed for development with structures have not been utilized for landfill operations.

C. Water Quality – Best Management Practices for stormwater management will be implemented in a wet pond that will be located off-site.

D. Stormwater Management – Stormwater Management will be provided off-site, and Hilltop hereby requests a waiver to allow off-site stormwater detention. Stormwater will be diverted to a pond that is located on adjacent property and developed with a nine-hole course. Stormwater will be directed to this facility with a combination of pipes and overland drainage. Further details are provided in the special exception amendment filed on this property.

E. Noise – Measures for noise mitigation will be proffered as determined necessary through the application review process.

F. Lighting – Lighting will be addressed in proffers as determined necessary through the application review process.

G. Energy – The multi-family dwelling units will be constructed in keeping with current energy efficiency standards.

#### **IV. Tree Preservation and Tree Cover Requirements**

New Developments should be designed to take advantage of the existing quality tree cover.

Due to the existing characteristics of the site, there are few tree preservation opportunities. Hilltop is proposing tree cover of 20 percent.

#### **V. Transportation**

All rezoning applications are to implement measures to address planned transportation improvements. Applicants are to offset the impacts of development to the transportation network.

The mix of uses in this location, including residential, will develop a true live, work, play environment, thereby reducing commuting trips as residents may work in nearby offices. A Transportation Impact Analysis has been prepared by Patton Harris Rust and Associates and is submitted concurrently with this application. Hilltop will proffer improvements to the road network to mitigate potential impacts and will consider Transportation Demand Strategies as a means of reducing peak hour trips generated by this proposal.

#### **VI. Public Facilities**

It is anticipated that residential development impacts to public facilities will occur as a result of new residential development. These include impacts on the public schools.

Hilltop will proffer a contribution to the Board of Supervisors for school purposes or make contributions directly to the impacted schools as determined necessary through the application review process.

#### **VII. Affordable Housing**

All rezoning applications are to be responsive of the county goal of ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs.

In response to this recognized need, Hilltop will provide affordable dwelling units on the Subject Property as required by the Zoning Ordinance. This issue will be addressed through the application review process.

#### **VIII. Heritage Resources**

All rezoning applications are to be responsive to the county goal of preserving heritage resources.

There are no historically significant features on the Subject Property.

#### **IX. Density**

Density ranges for property planned for residential development are recommended in the Plan. A Plan Amendment is being concurrently processed with this application that will recommend mixed-use development. Hilltop's proposal is consistent with the recommended development.

The proposal is in conformance with all applicable ordinance regulations with the following exceptions:

- A modification of the requirement to provide stormwater management on-site is hereby requested. As described herein, stormwater management will be provided off-site in a wet pond facility.
- A modification of the requirements of Section 9-205 of the Fairfax County Zoning Ordinance that restricts the construction of improvements on landfills for a period twenty (20) years. Hilltop proposes to construct surface parking and travel aisles, but no structures, on land previously utilized as a landfill. Said construction will not affect the appearance or structural integrity of the proposed improvements, nor create an unsafe or hazardous condition.

Hilltop has carefully designed the proposed village center to bring a high quality, vibrant, pedestrian friendly mixed-use development to the area. The proposal will transform the Subject Property into a live, work, play environment. Significantly, the development will feature an attractive, pedestrian-friendly streetscape, landscaped open spaces, convenient structured parking, and community-serving retail.

February 12, 2008

Page 6 of 6

Should you have any questions, or require any additional information, please do not hesitate to contact Lynne Strobel or me. I would appreciate the acceptance of this application and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience. As always, I appreciate your cooperation and assistance.

Very truly yours,

Hilltop Sand and Gravel Company, Inc.

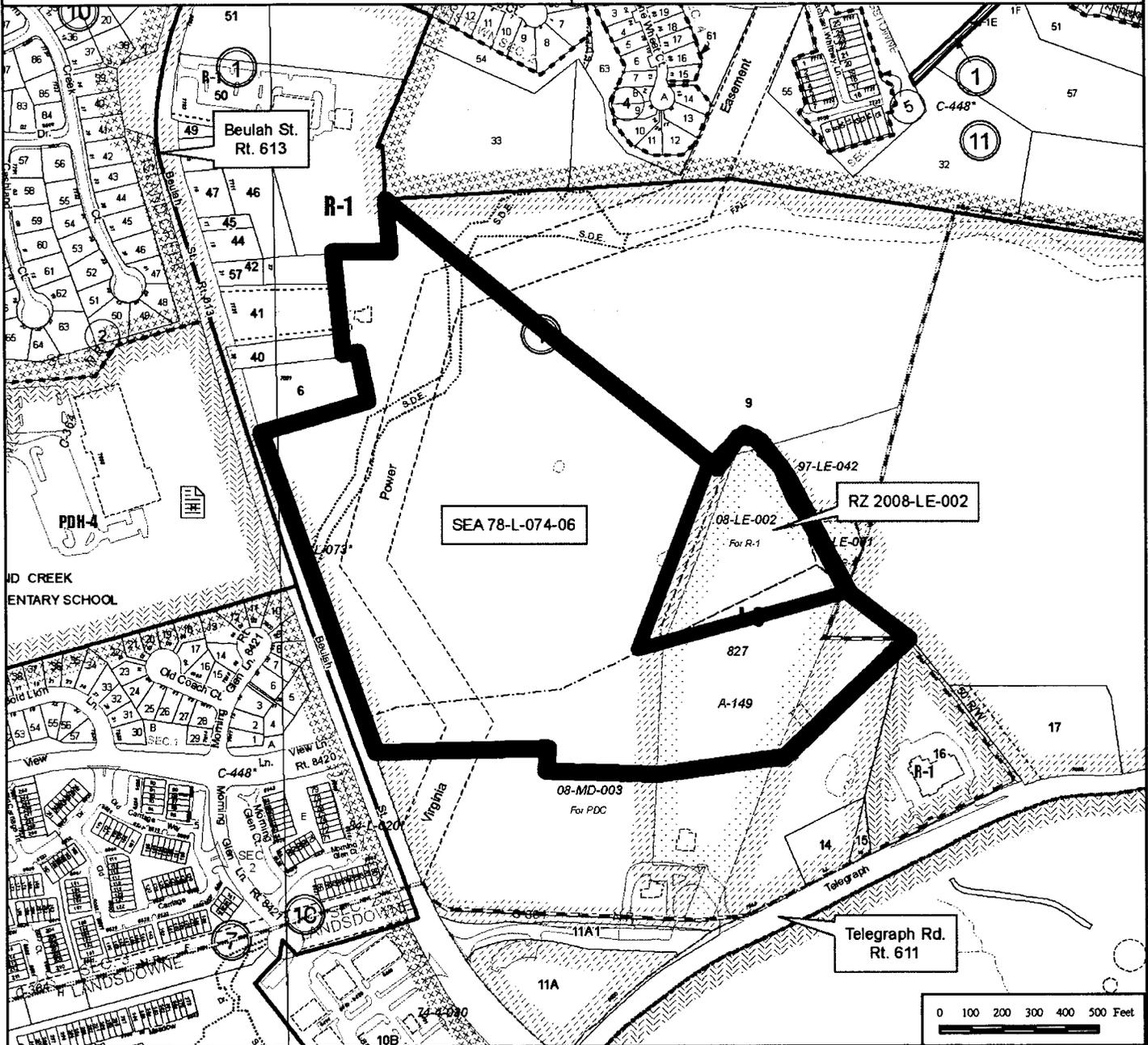


Michael C. Gailliot  
Vice President

Enclosures

cc: Clemens S. Gailliot, Jr.  
Lynne J. Strobel  
J. Brent Clarke, III  
Lawrence A. McDermott  
Douglas R. Kennedy  
Mark E. McAfee  
Sara V. Mariska  
Martin D. Walsh

<h2 style="text-align: center;">Rezoning Application</h2> <p style="text-align: center;"><b>RZ 2008-LE-002</b></p>	<h2 style="text-align: center;">Special Exception Amendment</h2> <p style="text-align: center;"><b>SEA 78-L-074-06</b></p>
<p><b>Applicant:</b> HILLTOP SAND AND GRAVEL COMPANY, INC.</p> <p><b>Accepted:</b> 03/25/2008</p> <p><b>Proposed:</b> RESIDENTIAL</p> <p><b>Area:</b> 3.51 AC OF LAND; DISTRICT - LEE</p> <p><b>Zoning Dist Sect:</b></p> <p><b>Located:</b> NORTHEAST OF BEULAH STREET APPROXIMATELY 1,000 FEET NORTH OF ITS INTERSECTION WITH TELEGRAPH ROAD</p> <p><b>Zoning:</b> FROM I- 3 TO R- 1</p> <p><b>Overlay Dist:</b></p> <p><b>Map Ref Num:</b> 100-1- /01/ /0009 pt.</p>	<p><b>Applicant:</b> HILLTOP SAND AND GRAVEL COMPNY, INC.</p> <p><b>Accepted:</b> 03/25/2008</p> <p><b>Proposed:</b> AMEND SE 78-L-074 PREVIOUSLY APPROVED FOR LANDFILL TO PERMIT SITE MODIFICATIONS, REDUCTION OF LAND AREA AND TO ESTABLISH QUASI-PUBLIC RECREATION FACILITIES</p> <p><b>Area:</b> 43.4 AC OF LAND; DISTRICT - LEE</p> <p><b>Zoning Dist Sect:</b> 03-0104</p> <p><b>Art 9 Group and Use:</b> 3-08 2-03</p> <p><b>Located:</b> EAST SIDE OF BEULAH STREET APPROXIMATELY 1,000 FEET NORTH OF ITS INTERSECTION WITH TELEGRAPH ROAD</p> <p><b>Zoning:</b> R- 1</p> <p><b>Plan Area:</b> 4,</p> <p><b>Map Ref Num:</b> 100-1- /01/ /0009 pt.</p>

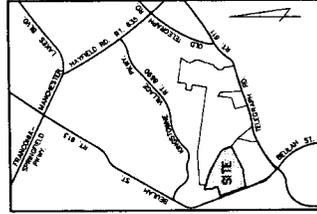




# HILLTOP CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL

Lee District Fairfax County, Virginia

GENERALIZED DEVELOPMENT PLAN /  
SPECIAL EXCEPTION AMENDMENT



VICINITY MAP  
SCALE: 1" = 2,000'

Applicant:  
Hilltop Sand and Gravel Company, Inc.  
7950 Telegraph Road  
Alexandria, VA 22315

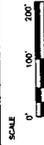
Sheet Index

- 1. COVER SHEET
- 2. GENERALIZED DEVELOPMENT PLAN / SPECIAL EXCEPTION AMENDMENT - PHASE I
- 3. SPECIAL EXCEPTION AMENDMENT PLAN / SPECIAL EXCEPTION AMENDMENT - PHASE I / NOTES AND TABULATION
- 4. STORMWATER MANAGEMENT - NARRATIVE
- 5. STORMWATER MANAGEMENT - NARRATIVE
- 6. STORMWATER MANAGEMENT - NARRATIVE
- 7. STORMWATER MANAGEMENT

Hilltop Construction and Demolition Debris Landfill  
Generalized Development Plan / Special Exception Amendment



KEY PLAN

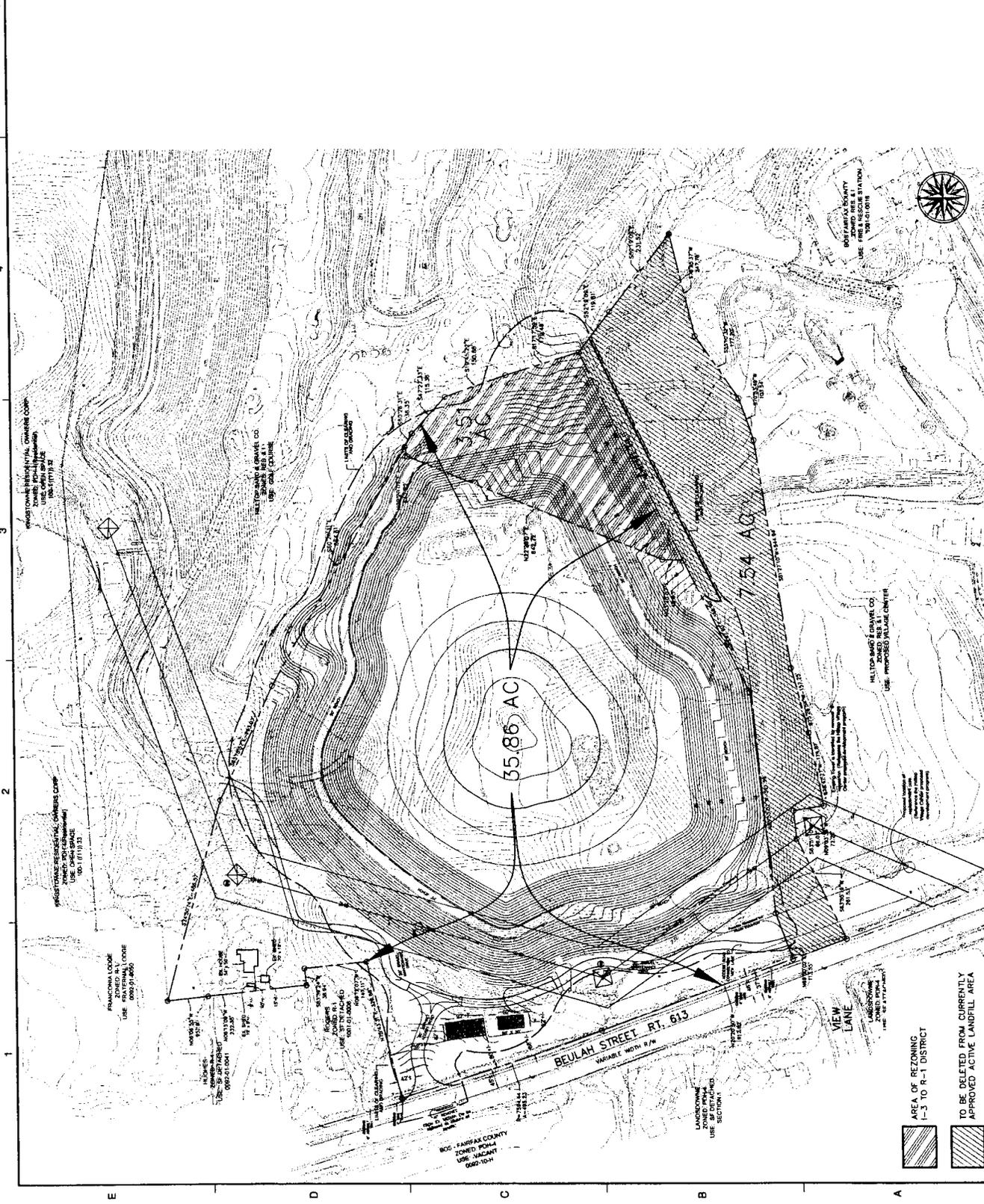


NO.	DATE	BY	DESCRIPTION
1	10.17.08	LM	No. Change
2	12.23.08	LM	ADD REVISED
3	12.23.08	LM	ADD REVISED

DRAWN BY: JLN  
 APPROVED BY: LM  
 CHECKED BY: LM  
 DATE: FEBRUARY 12, 2009

TITLE: Hilltop Construction and Demolition Debris Landfill  
 PROJECT NO.: GDP / SEA PHASE 1

SHEET NO. 2 OF 7



- AREA OF REZONING  
I-3 TO R-1 DISTRICT
- TO BE DELETED FROM CURRENTLY APPROVED ACTIVE LANDFILL AREA





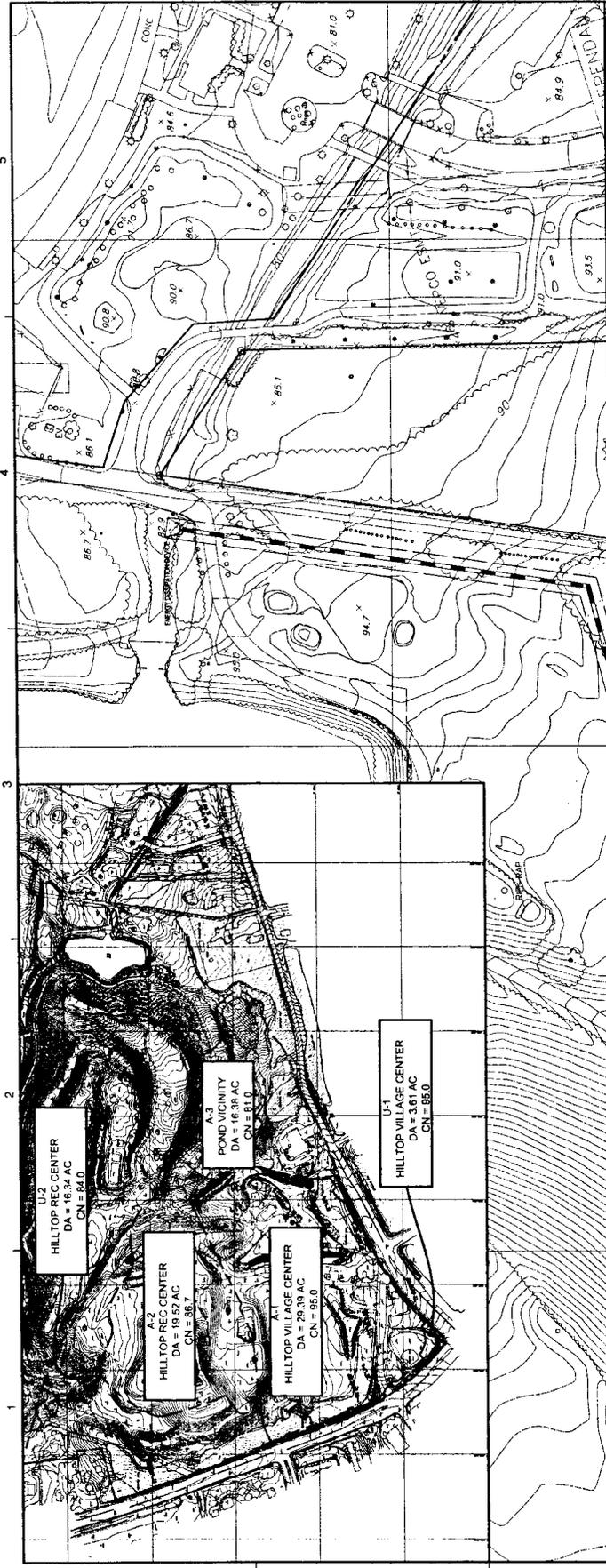


NO.	DATE	BY	DESCRIPTION
1	12/22/08	DMC	NO CHANGE
2	12/22/08	DMC	NO CHANGE

DRAWN BY: JMW  
 APPROVED BY: LM  
 CHECKED BY: LM  
 DATE: February 12, 2008

TITLE: Hilltop Construction and Demolition Debris Landfill  
 GDP / SEA  
 Stormwater Narratives

PROJECT NO.:  
 SHEET NO.: 5  
 OF 7



U-2  
 HILLTOP REC CENTER  
 DA = 16.34 AC  
 CN = 84.0

A-2  
 HILLTOP REC CENTER  
 DA = 19.52 AC  
 CN = 87.7

A-3  
 POND VICINITY  
 DA = 16.38 AC  
 CN = 81.0

U-1  
 HILLTOP REC CENTER  
 DA = 20.39 AC  
 CN = 95.0

U-1.5  
 HILLTOP VILLAGE CENTER  
 DA = 3.61 AC  
 CN = 95.0

**BMP Narrative**

The proposed wet pond will address BMP requirements for the proposed site which exceeds the minimum 60% requirement. The system provides a total phosphorus removal of 40% per the design project. The wet pond is to be primarily covered and vegetated.

The best management requirements for the site, were determined as reflected in the computations on this sheet.

**Part 1. List all of the Stormwater BMPs used in the BMP Computation**

BMP	Stormwater Description and Location	Area (Acres)	C Factor	Volume (cu ft)	Retention Time (min)	Phosphorus Removal (lb/yr)
A-1	Wet Pond Recreational Facility	0.41	0.30	28.35	30	1.43
A-2	Wet Pond Recreational Facility	0.41	0.30	28.35	30	1.43
A-3	Wet Pond Recreational Facility	0.41	0.30	28.35	30	1.43
U-1	Wet Pond Recreational Facility	0.36	0.30	25.24	30	1.29
U-1.5	Wet Pond Recreational Facility	0.36	0.30	25.24	30	1.29
<b>Total</b>		<b>1.95</b>		<b>136.53</b>		<b>5.87</b>

**Part 2. Compute the Weighted Average C Factor for the Wet Pond**

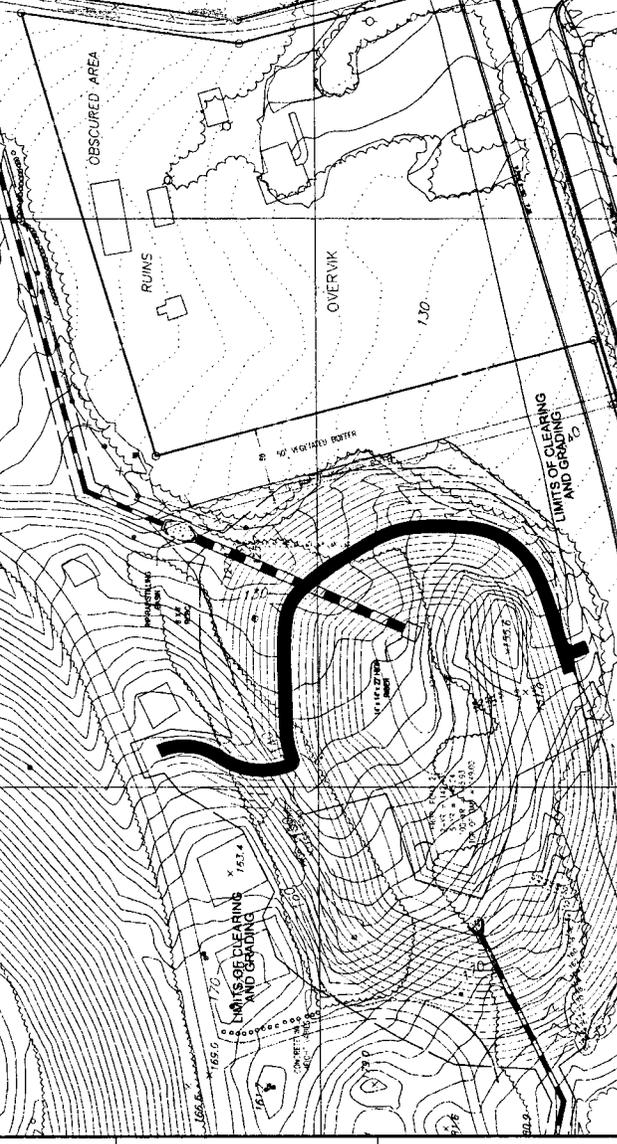
Sub Area	Volume (cu ft)	C Factor	Weighted C Factor
A-1	28.35	0.30	0.085
A-2	28.35	0.30	0.085
A-3	28.35	0.30	0.085
U-1	25.24	0.30	0.076
U-1.5	25.24	0.30	0.076
<b>Total</b>	<b>136.53</b>		<b>0.082</b>

**Part 3. Compute the Total Phosphorus Removal for the Site**

Sub Area	Volume (cu ft)	C Factor	Phosphorus Removal (lb/yr)
A-1	28.35	0.30	1.43
A-2	28.35	0.30	1.43
A-3	28.35	0.30	1.43
U-1	25.24	0.30	1.29
U-1.5	25.24	0.30	1.29
<b>Total</b>	<b>136.53</b>		<b>5.87</b>

**Part 4. Determine Compliance with Phosphorus Removal Requirements**

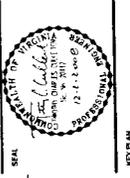
Requirement	Volume (cu ft)	C Factor	Phosphorus Removal (lb/yr)	Compliance
Minimum 60% Requirement	136.53	0.082	5.87	Yes





Dewberry & Davis LLP  
 10000 Wilshire Blvd., Suite 1000  
 Beverly Hills, CA 90210  
 Tel: 310.279.2000  
 Fax: 310.279.2001  
 www.dewberry.com

HILLTOP  
 CONSTRUCTION AND  
 DEMOLITION DEBRIS  
 LANDFILL  
 SPECIAL EXCEPTION PLUM  
 GENERALIZED DEVELOPMENT AMENDMENT  
 LEE DISTRICT  
 FARMEX COUNTY, VIRGINIA



SCALE

DATE: February 13, 2008

PROJECT NO: M-10884

7 OF 7

Hilltop Construction and  
 Demolition Debris Landfill  
 GDE / SEA  
 Stormwater Management

10/17/08  
 No Change  
 12.1.1.0

APPROVED BY: [Signature]  
 DATE: February 13, 2008

PROJECT NO: M-10884

7 OF 7

Hilltop Construction and  
 Demolition Debris Landfill  
 GDE / SEA  
 Stormwater Management

PROJECT NO: M-10884

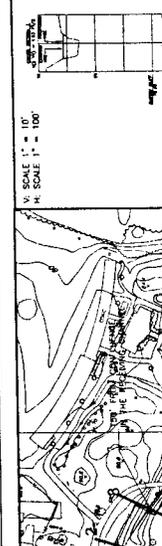
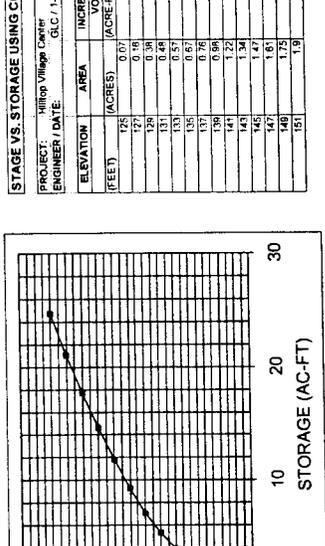
PEAK FLOW AND STAGE (RHS) OF CHANNEL PRIMARY FOR WATERSHED FROM RATIO COMPUTATIONS  
 LEGS IN CUBIC FEET PER SECOND, AREA IN SQUARE FEET

OPERATION	STATION	AREA	PLAN	RATIOS APPLIED TO PRECIPITATION				PEAK FLOW (CFS)	PEAK STAGE (FEET)
				RATIO 1	RATIO 2	RATIO 3	RATIO 4		
HYDROGRAPH AT BASIN1	.28	1	FLOW TIME	1.70	0.65	0.30	0.25	18.25	8.35
				2.75	0.52	0.40	0.24	14.01	10.22
ROUTED TO BASIN2	.28	1	FLOW TIME	1.70	0.65	0.30	0.25	18.25	8.35
				2.75	0.52	0.40	0.24	14.01	10.22
HYDROGRAPH AT BASIN2	.10	1	FLOW TIME	1.70	0.65	0.30	0.25	18.25	8.35
				2.75	0.52	0.40	0.24	14.01	10.22
ROUTED TO CONGL2	.38	1	FLOW TIME	1.70	0.65	0.30	0.25	18.25	8.35
				2.75	0.52	0.40	0.24	14.01	10.22

\*\*\* NORMAL END OF REC-1 \*\*\*  
 NOTE: A WATER SHEET IN THE POND ELEVATION OCCURRED, WHICH REQUIRES THE ELEVATIONS IN THE COMPUTATIONS TO BE DECREASED BY 3 FEET. THE SHAPE OF THE POND HAS BEEN MAINTAINED AND THE STAGE STORAGE CURVE HAS BEEN REVISED.

STAGE	STORAGE	INLET	OUTLET	MAXIMUM	DURATION	TIME OF
(FEET)	(ACRES-FT)	(FEET)	(FEET)	(CFS)	(MIN)	(HOURS)
145.00	0.00	145.00	145.00	0.00	0.00	0.00
146.00	0.00	146.00	146.00	0.00	0.00	0.00
147.00	0.00	147.00	147.00	0.00	0.00	0.00
148.00	0.00	148.00	148.00	0.00	0.00	0.00
149.00	0.00	149.00	149.00	0.00	0.00	0.00
150.00	0.00	150.00	150.00	0.00	0.00	0.00
151.00	0.00	151.00	151.00	0.00	0.00	0.00
152.00	0.00	152.00	152.00	0.00	0.00	0.00
153.00	0.00	153.00	153.00	0.00	0.00	0.00
154.00	0.00	154.00	154.00	0.00	0.00	0.00
155.00	0.00	155.00	155.00	0.00	0.00	0.00

STAGE VS. STORAGE USING CONIC METHOD  
 PROJECT: Hilltop Village Center  
 ENGINEER DATE: 02/13/08



U.S. ARMY CORPS OF ENGINEERS  
 DISTRICT OFFICE  
 DAVIS, CALIFORNIA 95616  
 (916) 554-1104

THIS PROGRAM REPLACES ALL PREVIOUS VERSIONS OF REC-1 KNOWN AS REC1 (JAN 73), REC1GS, REC1GR, AND REC1GR.

THE REVISIONS OF DAMBANK, STORMS, AND -STORM- HAVE CHANGED FROM THOSE USED WITH THE 1973-STYLE INPUT STRUCTURE.

THE DEFINITION OF -DAMBANK- HAS CHANGED WITH REVISIONS DATED 28 SEP 81. THIS IS THE FORTRAN90 VERSION.

NEW OPTIONS: DAMBANK CONTROLLED COMPUTATION INTERVAL, LOSS RATE, GREEN AND WET INFILTRATION COEFFICIENTS, KINEMATIC WAVE, NEW FINITE DIFFERENCE ALGORITHM

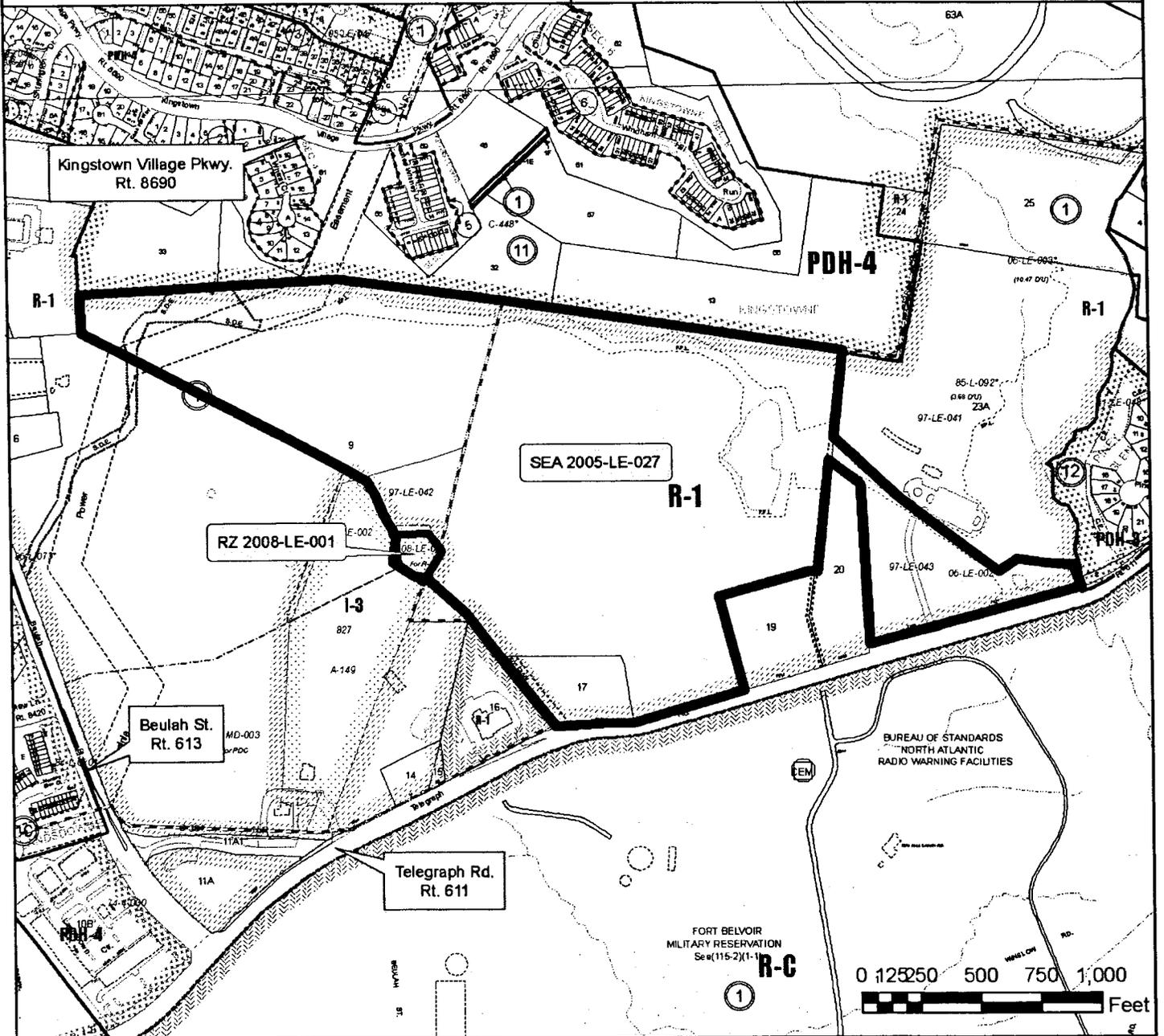
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REC-1 INPUT

CONGL2

STAGE STORAGE CURVE FOR PROPOSED POND 2

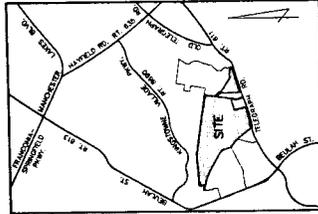
<h2 style="text-align: center;">Rezoning Application</h2> <p style="text-align: center;"><b>RZ 2008-LE-001</b></p>	<h2 style="text-align: center;">Special Exception Amendment</h2> <p style="text-align: center;"><b>SEA 2005-LE-027</b></p>
<p>Applicant: HILLTOP SAND AND GRAVEL COMPANY, INC.                      Accepted: 03/25/2008                      Proposed: RESIDENTIAL                      Area: 0.73 AC OF LAND; DISTRICT - LEE                      Zoning Dist Sect: Located: NORTHEAST QUADRANT OF THE INTERSECTION OF BEULAH STREET AND TELEGRAPH ROAD</p>	<p>Applicant: HILLTOP SAND AND GRAVEL COMPANY, INC.                      Accepted: 03/25/2008                      Proposed: AMEND SE 2005-LE-027 PREVIOUSLY APPROVED FOR GOLF COURSE TO PERMIT INCREASE IN LAND AREA AND SITE MODIFICATIONS</p>
<p>Zoning: FROM I- 3 TO R- 1                      Overlay Dist: NR                      Map Ref Num: 100-1- /01/ /0009 pt.</p>	<p>Area: 82.87 AC OF LAND; DISTRICT - LEE                      Zoning Dist Sect: 03-0104                      Art 9 Group and Use: 5-38                      Located: 7928, 7836 AND 7950 TELEGRAPH ROAD                      Zoning: R- 1                      Plan Area: 4,                      Overlay Dist: NR                      Map Ref Num: 100-1- /01/ /0009 pt. /01/ /0017 /01/ /0023A pt.</p>



# HILLTOP GOLF COURSE

Lee District Fairfax County, Virginia

## GENERALIZED DEVELOPMENT PLAN / SPECIAL EXCEPTION AMENDMENT



VICINITY MAP  
SCALE: 1" = 2,000'

Applicant:  
Hilltop Sand and Gravel Company, Inc.  
7950 Telegraph Road  
Alexandria, VA 22315

### Sheet Index

1. COVER SHEET
2. GENERALIZED DEVELOPMENT PLAN / OVERALL PLAN
3. SPECIALIZED DEVELOPMENT PLAN / ENLARGEMENT PLAN
4. GENERALIZED DEVELOPMENT PLAN / ENLARGEMENT PLAN / SPECIAL EXCEPTION AMENDMENT - ENLARGEMENT PLAN / FACILITY PLAN
5. STORMWATER MANAGEMENT - OUTFALL NARRATIVE
6. STORMWATER MANAGEMENT - NARRATIVES
7. STORMWATER MANAGEMENT - FACILITY PLAN
8. STORMWATER MANAGEMENT

Hilltop Golf Course  
Generalized Development Plan /  
Special Exception Amendment

M-10693

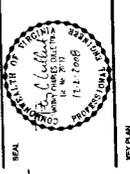
Rev: 12.02.08  
Rev: 10.17.08  
February 12, 2008



SAL

Dewberry & Davis, LLC  
 An Equal Opportunity  
 Employer  
 1000 North 17th Street, Suite 200  
 Arlington, VA 22209  
 Tel: 703.241.1200  
 Fax: 703.241.1201  
 www.dewberry.com

**HILLTOP  
 GOLF COURSE**  
 GENERALIZED DEVELOPMENT PLAN /  
 SPECIAL EXCEPTION AMENDMENT  
 LEE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA



SCALE  
 0" = 150'  
 0" = 300'

REV.	DATE	BY	DESCRIPTION
1	10.17.08		No Change
2	12.2.08		DISCREPANCY / ADD DETAILS

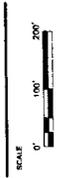
REVISIONS  
 DRAWN BY: NPN  
 APPROVED BY: LM  
 CHECKED BY: LM  
 DATE: February 12, 2008  
 TITLE

**Hilltop Golf Course**  
 GDP / SEA  
 Overall Plan

PROJECT NO.  
 SHEET NO. **2** OF 8  
 M-10693

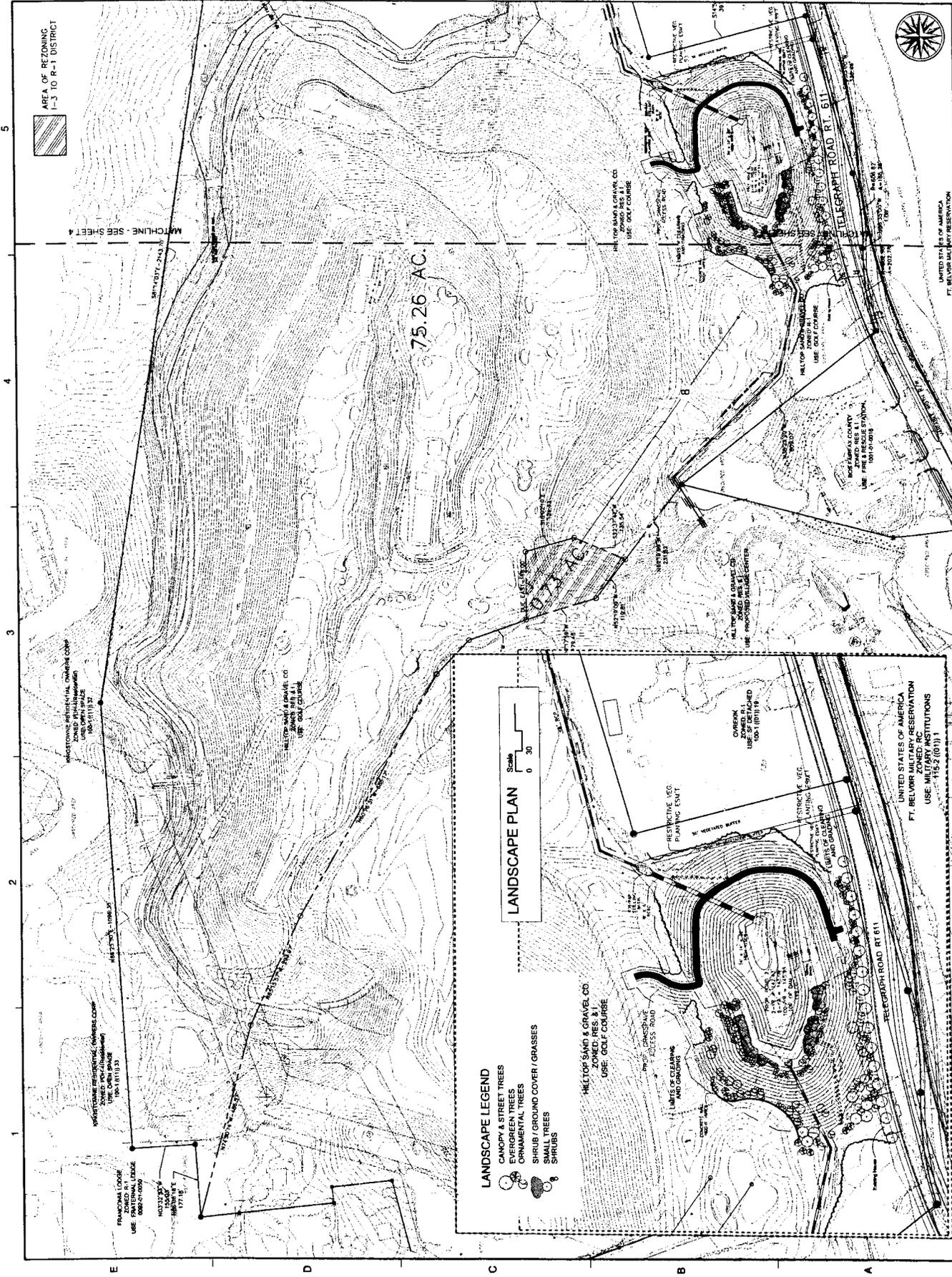


AREA OF REZONING  
 L-3 TO R-1 DISTRICT



NO.	DATE	BY	DESCRIPTION
1	10.17.08	JM	Final Landscape Plan
2	12.03.08	JM	Final Landscape Plan

DESIGNED BY: JM  
 APPROVED BY: LM  
 DATE: February 12, 2009  
 TITLE: Hilltop Golf Course  
 GGP / SEA  
 Entanglement Plan  
 & Landscape Plan



AREA OF REZONING  
 P-3 TO R-1 DISTRICT

MATCHLINE - SEE SHEET A

LANDSCAPE PLAN

LANDSCAPE LEGEND

- CANOPY & STREET TREES
- EVERGREEN TREES
- ORNAMENTAL TREES
- SHRUB/GRASS COVER / GRASSES
- SMALL TREES
- SHRUBS

HILLTOP SAND & GRAVEL CO.  
 ZONED RES. & I  
 USE: GOLF COURSE

RESTRICTIVE VEG.  
 PLANTING EVENT

OVERBANK  
 ZONED R. I. LAND  
 USE: (01) 19

RESTRICTIVE VEG.  
 PLANTING EVENT

UNITED STATES OF AMERICA  
 FT. BELVIR MILITARY RESERVATION  
 USE: MILITARY INSTITUTIONS  
 155.2 (01) 1









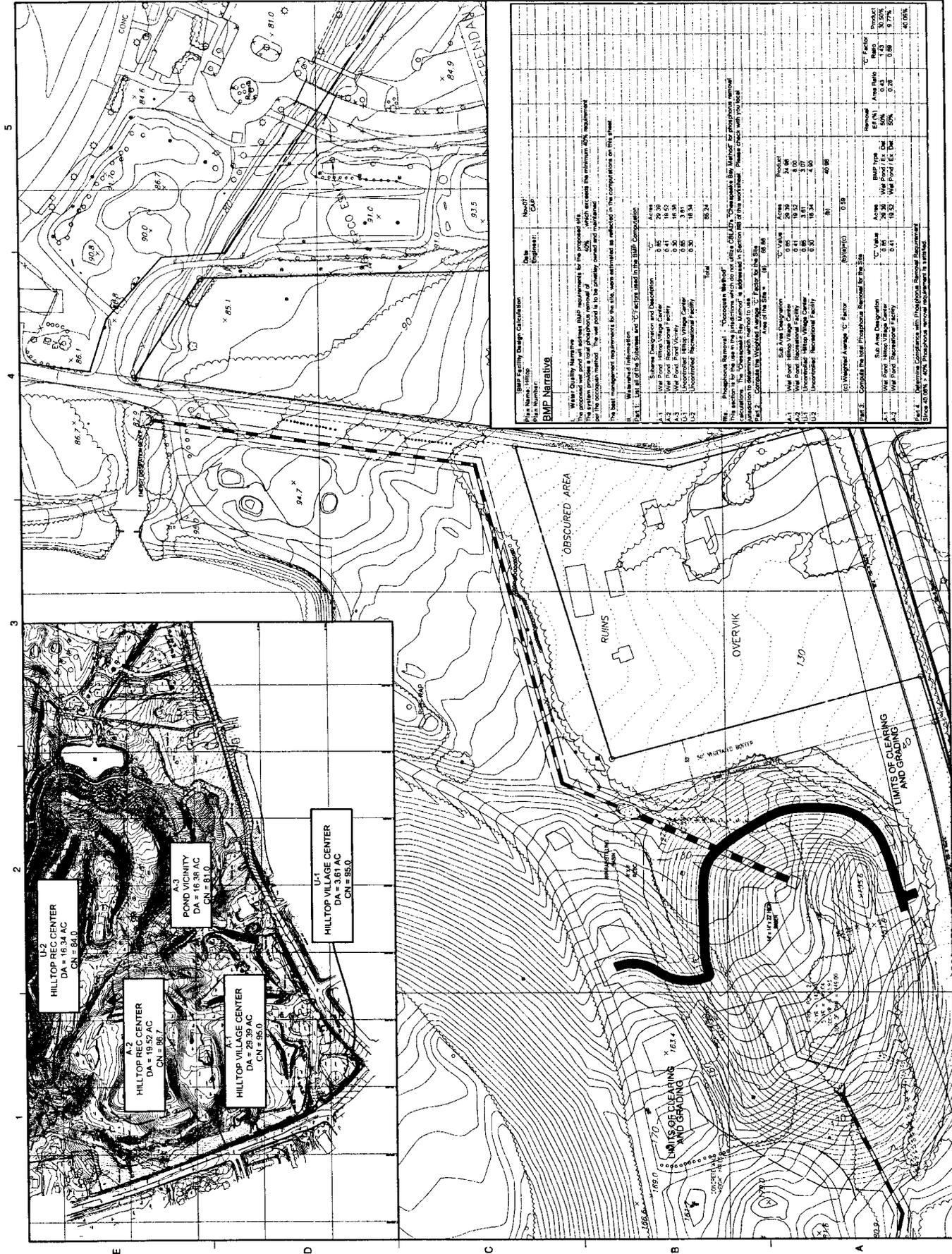
SCALE

REVISIONS

No.	DATE	BY	DESCRIPTION
1	10.17.08		No Change
2	12.02.08	DHC	

DESIGNED BY: JPM  
 CHECKED BY: LM  
 DATE: February 12, 2008  
 TITLE: Hilltop Golf Course  
 GDP / SEA  
 Stormwater Narratives

PROJECT NO.



**BMP Facility Design Calculation**

File Name: Hilltop  
 Plan Number: 1000000000  
 Date: 02/12/08  
 Engineer: JPM

**BMP Narrative:**

1. Wetland Delineation: The wetland delineation was performed in accordance with the National Wetlands Inventory (NWI) and the National Wetlands Inventory (NWI) maps. The wetland delineation was performed in accordance with the National Wetlands Inventory (NWI) and the National Wetlands Inventory (NWI) maps. The wetland delineation was performed in accordance with the National Wetlands Inventory (NWI) and the National Wetlands Inventory (NWI) maps.

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# FAIRFAX COUNTY

APPENDIX 7

OFFICE OF THE CLERK  
BOARD OF SUPERVISORS  
12000 Government Center Parkway, Suite 5  
Fairfax, Virginia 22035-00

V I R G I N I A

Telephone: 703-324-31

FAX: 703-324-35

TTY: 703-324-35

August 19, 1998

Lynne J. Strobel, Esquire  
Walsh, Colucci, Stackhouse,  
Emrich and Lubeley  
2200 Clarendon Boulevard  
Thirteenth Floor  
Arlington, Virginia 22201-3359

RE: Special Exception Amendment  
Number SEA 78-L-074-05  
(Concurrent with RZ 1997-LE-041;  
RZ 1997-LE-042 and RZ 1997-043)

Dear Ms. Strobel:

At a regular meeting of the Board of Supervisors held on July 27, 1998, the Board approved Special Exception Amendment Number SEA 78-L-074-05 in the name of Hilltop Sand and Gravel Company, Incorporated, located at Tax Map 100-1 ((1)) 9, to amend SE 78-L-074 in order to permit a decrease in land area used for a landfill pursuant to Sections 3-104 and 5-303 of the Fairfax County Zoning Ordinance by requiring conformance with the following development conditions. Previously approved conditions, or those with minor revisions, are marked with an asterisk (\*).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. A copy of this Special Exception Amendment and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

August 19, 1998  
SEA 78-L-074-05

3.

- c. \*A downslope drainage control plan as approved by DPW&ES shall be incorporated into the overall site drainage plan;
- d. \*Diversionary drainage shall be provided;
- e. Elevation certifications signed and sealed by a Virginia licensed land surveyor or professional engineer shall be provided to the Director, DPW&ES, annually by the licensed operator of the Hilltop Sand and Gravel Landfill. The certification shall include a statement verifying whether or not the landfill elevations are at or below the approved elevations under SEA 78-L-074-4. Prior to or upon reaching the approved elevations under SEA 78-L-074-4, the landfill shall cease operations to ensure that the final elevations after capping of the landfill are within approved elevations.
- f. A licensed operator of the landfill shall keep the Director, DPW&ES, appraised of the Virginia Department of Environmental Quality (DEQ) review of the ground and surface water monitoring results. Any evidence of contamination of ground or surface water shall be brought to the attention of the Director, DPW&ES. Similarly the Fire and Rescue Department must be notified of any detection of off-site migration of landfill gas or fire outbreaks.
- g. Additional information, as determined by DPW&ES shall be provided to the Director, DPW&ES, to demonstrate that the existing stormwater pond is adequate for control of stormwater runoff and sedimentation. Corrective measures, as determined appropriate by the Director, DPW&ES, shall be taken to correct any deficiencies.
- h. \*Adequate cover soil materials shall be available on the landfill site. Marine clay materials shall not be used as fill in areas where stability will be a problem or where revegetation is to be conducted.

\*The above listed measures shall be provided to the satisfaction of the Director, DPW&ES and shall be required as a part of the debris landfill permit.

13. \*Upon the reconstruction of Beulah Street, or at the request of VDOT, the entrance to the landfill shall be relocated so as to provide all access to Telegraph Road. This access to Telegraph Road shall be located so as to align with a median break upon the reconstruction of Telegraph Road. At that time, both right and left turn lanes at the site entrance shall be constructed to VDOT standards. Design plans for the reconstruction of the site entrance, including turn lanes, shall be submitted to VDOT for review and approval at the time of VDOT approval of the Telegraph Road project.
14. \*The storage of equipment or materials, repair, servicing or parking of any vehicles within the boundaries of the landfill shall be limited to those vehicles used exclusively for the operation of the landfill facility.
- 15a. \*Truck arrivals from the Kingstowne development and Hunter Tract shall be monitored to ensure their direct access from Kingstowne Village Parkway and Beulah Street to the landfill. Access from Kingstowne to the subject site via Hayfield Road will be restricted with regulatory signs on the Hilltop property. The applicant will notify all contractors using the Hilltop landfill of such restrictions.
- 15b. \*All vehicles departing from the landfill shall be restricted from using Beulah Street as a return route except that vehicles depositing debris from Kingstowne and the Hunter Tract may use Beulah northbound to Kingstowne Village Parkway, or an alternative route not to include Beulah Street.
16. \*A fee of fifty cents (\$0.50) per truck load will be collected from each truck entering the Hilltop Landfill. This fund will be equally distributed for use in the development of Lee District Park and acquisition and restoration of Huntley Plantation. There will be no limitation on the amount collected for this fund. This increased fee shall become effective with the 1990 permit renewal process and shall be tied to a yearly escalator based on the Consumer Price Index.
17. \*The 1.5 million cubic yards of additional fill capacity approved with SEA 78-L-074-2 shall be used exclusively for debris/inert material generated by the Kingstowne Development and the Hunter Tract. If the total material generated by these two developments is less than 1.5 million cubic yards, then the additional fill capacity shall be limited to that amount of total material generated by the aforementioned sites. In no instance shall fill capacity exceed 8.5 million cubic yards.

August 19, 1998  
SEA 78-L-074-05

7.

If you have questions regarding the expiration of this Special Exception Amendment or filing a request for additional time they should be directed to the Zoning Evaluation Division of the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Patti M. Hicks  
Deputy Clerk to the Board of Supervisors

PMH/ns

cc: Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Michael R. Congleton, Deputy Zoning Administrator  
Frank Jones, Assistant Chief, PPRB, DPZ  
Audrey Clark, Chief, Inspection Svcs., BPRB, DPW&ES  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Robert Moore, Trnsprt'n. Planning Div., Dept. of Transportation  
Paul Eno, Project Planning Section, Dept. of Transportation  
Department of Public Works and Environmental Service, DPW&ES  
Department of Highways, VDOT  
Land Acqu. & Planning Div., Park Authority  
Michael Neuhard, Battalion Chief, Hazardous Materials Branch, Fire & Rescue Dept.

# Rezoning Application

**RZ 2006-LE-003**

**Applicant:** PINEY RUN DEVELOPMENT, LLC  
**Accepted:** 01/17/2006  
**Area:** 35.91 AC OF LAND; DISTRICT - LEE

**Proposed:** RESIDENTIAL  
**Located:** NORTH SIDE OF TELEGRAPH ROAD  
APPROXIMATELY 2,000 FEET EAST OF ITS  
INTERSECTION WITH BEULAH STREET

**Zoning:** FROM R-1 TO R-1  
**Overlay Dist:**  
**Map Ref Num:** 100-1- /01/ /0023A Pt. /01/ /0024 /01/ /0025

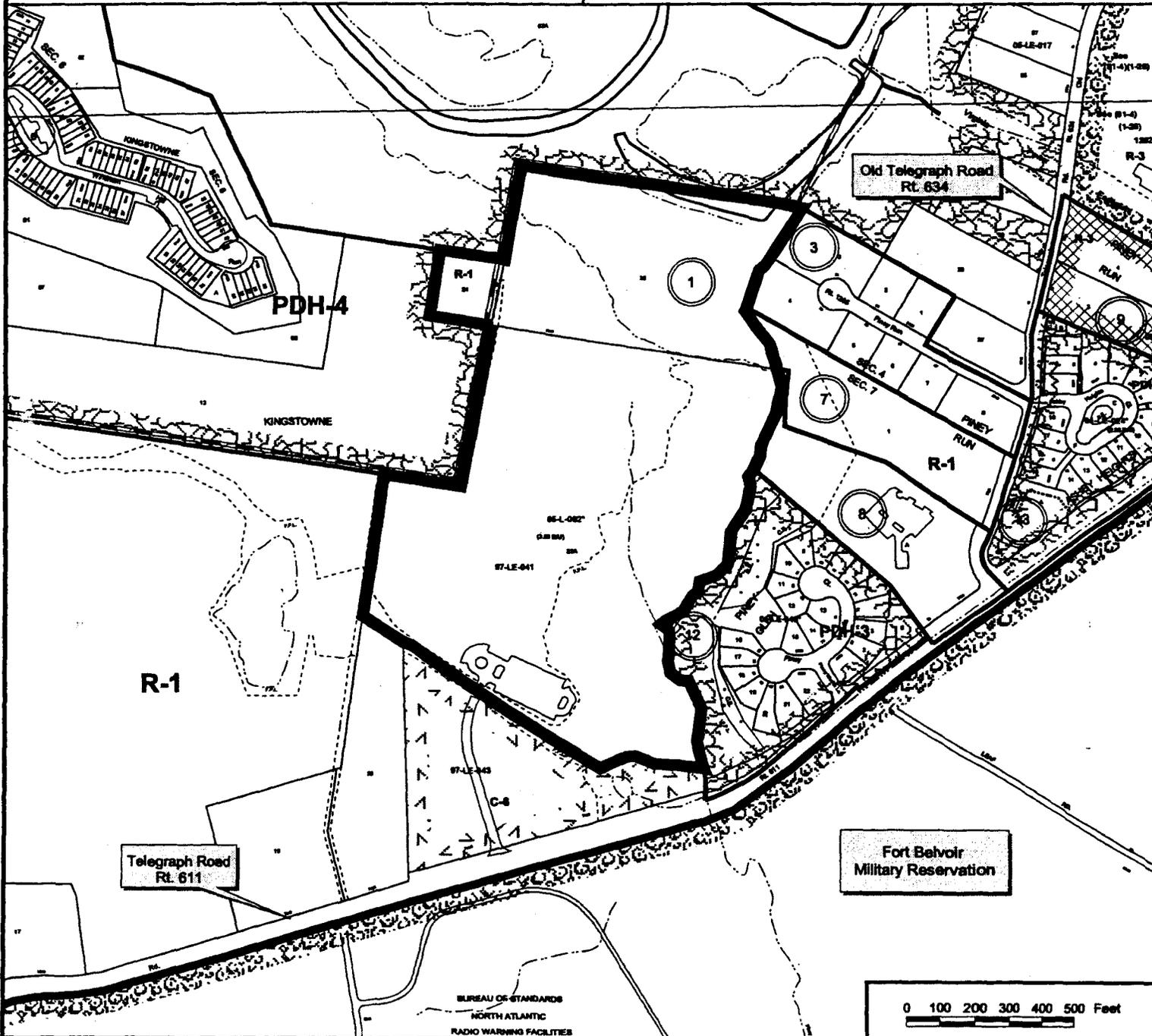
# Special Exception Application

**SE 2005-LE-028**

**Applicant:** PINEY RUN DEVELOPMENT, LLC  
**Accepted:** 09/22/2005- AMENDED 01/17/2006  
**Area:** 35.91 AC OF LAND; DISTRICT - LEE

**Proposed:** INDEPENDENT LIVING FACILITY

**Zoning Dist Sect:** 03-0104  
**Art 9 Group and Use:** 3-4  
**Located:** 7836 & 7908 TELEGRAPH ROAD  
**Zoning:** R-1 **Plan Area:** 4  
**Overlay Dist:**  
**Map Ref Num:** 100-1- /01/ /0023A Pt. /01/ /0024 /01/ /0025





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** December 19, 2008

**TO:** Regina Coyle, Director  
Zoning Evaluation Division, DPZ

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

**SUBJECT:** **Land Use Analysis & Environmental Assessment:** RZ 2008-LE-001;  
RZ 2008-LE-002; RZ/FDP 2008-LE-003; SEA 78-L-074-06;  
SEA 2005-LE-027 - Hilltop Sand and Gravel Company, Inc.

The memorandum, prepared by John Bell, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the development plan dated February 7, 2007, as revised through December 2, 2008. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

### DESCRIPTION OF THE APPLICATION

The approximately 33-acre subject property is located at the northeast corner of the intersection of Beulah Road and Telegraph Road. The applicant proposes to rezone land from the R-1 and I-3 Districts to the PDC District to allow for the development of 253,000 square feet of retail use and 113,000 square feet of office uses at an overall floor area ratio (FAR) of .25. The proposed development consists of seven buildings:

- 150,000 square foot grocery store;
- 4-story, 96,000 square foot office building;
- 34,000 square foot building with ground floor retail and second floor office;
- one-story 65,000 square foot retail building;
- one-story 12,000 square foot retail building; and
- two pad sites with drive-thru lanes for 4,500 square feet of retail use for each pad site with one being identified as a bank.

A total of 1,855 structured and surface parking spaces are proposed. The applicants are seeking waivers of the loading space requirements as well as a waiver of transitional screening

Department of Planning and Zoning  
Planning Division  
12055 Government Center Parkway, Suite 730  
Fairfax, Virginia 22035-5509  
Phone 703-324-1380  
Fax 703-324-3056  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)

and barrier requirements between the different uses on the subject property. The concurrent special amendment application proposes modifications to the existing nine-hole golf course.

## **LOCATION AND CHARACTER OF THE AREA**

The subject property is located in the RH-4 Lehigh Community Planning Sector of the Rose Hill Planning District. The recently adopted Comprehensive Plan Amendment for the site provides an option for retail and office uses up to .30 FAR subject to meeting conditions on site design, consolidation, recreational facilities, and transportation improvements. The majority of this land area has been in use as a debris landfill for over thirty years. The Fort Belvoir military installation is located to the east of the subject property. A portion of the Hilltop Golf course is located immediately north and west of the proposed development, while a commercial shopping center and a portion of the Landsdowne residential development lie immediately west and south of the subject property.

## **COMPREHENSIVE PLAN CITATIONS**

### **Land Use**

In the Fairfax County Comprehensive Plan, Area IV, 2007 edition, Rose Hill Planning District, as amended through December 8, 2008, RH-4 Lehigh Community Planning Sector, page 69, the Plan states:

- “45. At such time as the Hilltop landfill ceases operation and is properly reclaimed, any alternative use of the site will require extensive review and significant engineering measures. The property is planned for private recreation; however, residential use at 2-3 dwelling units per acre may be considered on portions of the property if sufficient documentation can be provided to verify that the landfill site is suitable and safe for building. Consolidation with parcel 100-1((1)) 11A, which is planned for residential use at 3-4 du/ac, is encouraged. Restoration or re-use of any historic structures on the property should be explored. See recommendation 47 for an additional option.
46. Parcels 100-1((1)) 17, 19, 20, and 23A are planned for private recreation with an option for residential use at 2-3 dwelling units per acre. It is recommended that they be consolidated, with any private recreation development that takes place on the site of the Hilltop landfill. A commercial recreation facility may be appropriate on the southern part of parcel 23A with screening sufficient to minimize its off-site impacts. If parcels 19 & 20 are consolidated and develop independently of the recreational area, interparcel access to parcel 23A should be provided.
47. As an option to the guidance found in recommendations 45 and 46, retail and office use up to .30 FAR may be appropriate on a total site area of approximately 33 acres that includes approximately 29 acres of parcel 100-1((1))9pt, and parcels 100-1((1))11A,

11A1, 14, and 15, if all parcels are consolidated and the site design creates a cohesive and walkable environment. To achieve this goal, high-quality architecture should be sufficient open space should be interspersed with retail and office uses to provide usable provided. In addition, buildings should be oriented to streets and sidewalks, and public gathering areas. Also, the following conditions should be met:

- Taller structures should be located at a sufficient distance from Telegraph Road to avoid conflict with Fort Belvoir security standards. Coordination on any development in the affected area should be made with the Fort Belvoir Director of Plans, Training, Mobilization, and Security. Building tapering, vegetative buffering and screening should be provided as needed on the periphery to create a transition to the surrounding areas. Lighting and sound from any development should be designed so that it is not intrusive to adjacent residential development.
- Any freestanding office building(s) is encouraged to meet at least U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) silver standards or other comparable programs with third party certification. Retail users are encouraged to meet applicable U.S. Green Building Council's LEED standards, or other comparable programs, in design and construction to promote sustainable development. The impervious nature of hard surfaces should be offset through approaches such as providing vegetated planting strips in surface parking lots;
- A grocery store use is appropriate on the eastern portion of the property. An outdoor café or seating area is desirable as a technique to help integrate this use with the other retail uses proposed on the remainder of the site;
- Multi-story office buildings should include ground-floor retail use and other services where possible;
- Internal roadways, trails, sidewalks and street crossings should connect buildings and open spaces, and link the site to adjoining communities, Fort Belvoir and the Lansdowne Shopping Center. Streetscape treatments should include trees, landscaping, sidewalks, bicycle facilities, street furniture, and various paving textures, to the extent possible;
- If the existing ball field located at the corner of Beulah Street and Telegraph Road is removed as a result of the proposed development, new recreational facilities such as fields, tot lots and pavilions should be provided at some other location on the Hilltop Sand and Gravel property, or a commitment made to make improvements to nearby park/recreation facilities;

- Occupancy is phased to transportation improvements so that an Approach Level of Service D is maintained at relevant intersections. If such improvements are not possible, intensity should be reduced accordingly;
- The portion of Telegraph Road adjacent to the proposed development should be considered for additional right-of-way to accommodate turn lanes. A turning movement analysis should be conducted to ensure that queues do not spill back into the through lanes of Telegraph Road; and
- Bus transit stops and accompanying shelters should be provided along Telegraph Road and Beulah Street.”

## **Environment**

In the Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through February 25, 2008, on page 7 through 9, the Plan states:

**“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County. . . .**

Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques.

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations. . . .

Programs to improve water quality in the Potomac River/Estuary, and Chesapeake Bay will continue to have significant impacts on planning and development in Fairfax County. There is abundant evidence that water quality and the marine environment in the Bay are deteriorating, and that this deterioration is the result of land use activities throughout the watershed. . . .

In order to protect the Chesapeake Bay and other waters of Virginia from degradation resulting from runoff pollution, the Commonwealth has enacted regulations requiring localities within Tidewater Virginia (including Fairfax County) to designate “Chesapeake Bay Preservation Areas”. Within which land uses are either restricted or water quality measures must be provided. Fairfax County has adopted a Chesapeake Bay Preservation Ordinance pursuant to these regulations.”

In the Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, page 17, the Plan states:

**“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.**

Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development.
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*).
- Optimization of energy performance of structures/energy-efficient design.
- Use of renewable energy resources.
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products.
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies.
- Reuse of existing building materials for redevelopment projects.
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris.
- Use of recycled and rapidly renewable building materials.
- Use of building materials and products that originate from nearby sources.
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-

emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED<sup>®</sup>) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR<sup>®</sup> rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs. . . .

Policy d. Promote implementation of green building practices by encouraging commitments to monetary contributions in support of the county's environmental initiatives, with such contributions to be refunded upon demonstration of attainment of certification under the applicable LEED rating system or equivalent rating system.

Policy e. Encourage energy conservation through the provision of measures which support nonmotorized transportation, such as the provision of showers and lockers for employees and the provision of bicycle parking facilities for employment, retail and multifamily residential uses.

**COMPREHENSIVE PLAN MAP:** Private recreation and residential use at 3-4 dwelling units per acre

## LAND USE ANALYSIS

The subject property is currently in use as a privately operated debris landfill. The applicant is seeking to redevelop the property with office, retail, and recreational uses. The proposed uses and intensity are consistent with those recommended under the new Comprehensive Plan option for the site. The proposed development at .25 FAR is below the maximum .30 FAR recommended by the Comprehensive Plan. The adopted Comprehensive Plan guidance identifies several site specific conditions which should be provided as part of the proposed development, including, the location of taller structures away from Telegraph Road to avoid potential conflicts with existing uses at Fort Belvoir. The Comprehensive Plan recognizes that the proposed grocery store is an appropriate use at this location. In accordance with site-specific Comprehensive Plan guidance, ground-level retail uses is being proposed in an

office/retail building. A ballfield design is being proposed within an area of the existing landfill subject to the satisfactory completion of closure requirements for the landfill. The control of the ballfields may ultimately fall under the control of the Fairfax County Park Authority (FCPA), subject to an agreement with the property owners and final approval from the FCPA Board. Both the development plans and proffered commitments appear to meet the intent of the Comprehensive Plan for both internal and external connections to the property as well as provisions for lighting, street furniture, landscaping, and pavers. While it appears that the applicants have provided transportation improvements consistent with those recommended in the Comprehensive Plan, any final determination regarding those facilities should be made by the Fairfax County Department of Transportation. Staff concludes that the proposal is in general conformance with the land use recommendations of the Comprehensive Plan.

## **ENVIRONMENTAL ANALYSIS**

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the county's remaining natural amenities.

### **Water Quality**

#### **Issue:**

The development plan depicts a detention pond located adjacent to existing residential development. The proposed pond is depicted with an embankment greater than thirty-five feet in height immediately adjacent to the property boundary. This location and proposed design not only effectively eliminates screening plantings for the adjoining property but may also create a hazard for the adjacent property. The location and height of the embankment are cause for some concern both in terms of aesthetics and offsite safety. Staff has encouraged the applicants to consider an alternative design and or location for the proposed detention facility. Staff also encourages the use of low impact development (LID) practices as a means of enhancing the proposed water quality control measures.

#### **Resolution:**

Staff feels that the measures being proposed should satisfy staff concerns regarding water quality controls for the proposed development. The application of LID measures has generally met staff expectations for the proposed development. While the development plans themselves only specify a commitment for a single rain garden in the north-central portion of the site, the proffers provide an additional commitment for LID measures, such as, bioretention, vegetated swales, filter strips, permeable pavers, rain barrels, and tree box filters. Ultimately any final

determination regarding stormwater management and water quality controls will be made by staff within the Department of Public Works and Environmental Services.

### **Green Building Practices**

#### **Issue:**

The applicant is seeking to develop office and retail use at .25 FAR under the new option in the adopted Comprehensive Plan. Under this Comprehensive Plan option, the applicant is encouraged to incorporate “green” building measures so that any free-standing office building meets at least the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) silver standards or other comparable programs with third party certification. The applicant is also encouraged to meet applicable U.S. Green Building Council’s LEED certification standards or other comparable programs in the design and construction of retail buildings. Proffers for the proposed development should clearly reflect a commitment to specific green building standards.

#### **Resolution:**

The applicant has proffered to achieve LEED certification for the 4-story office building. Should the applicant fail to achieve LEED certification for this office building, the applicant has proffered to forfeit a green building escrow. In light of the site specific Comprehensive Plan guidance on green buildings for this site, staff continues to encourage the applicant to commit to LEED silver standards for the office building and LEED certification for the retail buildings.

### **Landfill Closure**

#### **Issue:**

A portion of the proposed development is located in an area which is currently in use as a debris landfill. The applicants have submitted and received approval from both the Virginia Department of Environmental Quality (DEQ) and the Fairfax County Division of Solid Waste, Department of Public Works and Environmental Services for the closure plan of the landfill. The review of this closure plan included consideration of the proposed future uses for portions of the landfill noted as part of the land use applications under consideration. The construction of travel aisles, surface parking areas, outdoor recreation facilities and other non-structural improvements to this portion of the proposed land area were all taken into consideration and deemed to be in conformance with applicable state and local standards for the redevelopment of landfill areas. Prior to the evaluation of the closure plan by both DEQ and the Solid Waste Division, staff had expressed some concerns regarding the proposed uses located on the landfill area. It should be noted that none of the proposed retail or office buildings will be constructed on any portion of the landfill area.

**Resolution:**

Given the considerable coordination of the review of the landfill closure plan with state and local officials and the measures noted by the applicants to ensure the avoidance of potential issues, such as, gas leaks, gas monitoring, settling, groundwater monitoring and geotechnical evaluations of the proposed development, staff feels that the applicants have fully addressed concerns which were initially raised regarding the redevelopment of the landfill area. It should be noted that any agreement regarding the development of the ballfield area on the closed landfill area will be subject to final approval by the Fairfax County Park Authority.

PGN: JRB



# County of Fairfax, Virginia

APPENDIX 10

## MEMORANDUM

DATE: January 13, 2009

**TO:** Regina Coyle, Director  
Zoning Evaluation Division

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

**SUBJECT:** Transportation Impact

**FILE:** 3-4 (RZ 2008-MD-003)

**REFERENCE:** RZ 2008-LE-003, Hilltop Sand and Gravel Company Inc.  
Traffic Zone: 1488  
Land Identification: 100-1 ((1)) Part of 9, 11A, 11A1, 14, and 15.

The following comments reflect the position of the Department of Transportation and are based on the Conceptual/Final Development Plan revised to December 2, 2008 and draft proffers last dated January 9, 2008.

The applicant is seeking approval for a mixed use develop consisting of up to 113,000gsf of office space and 254,000gsf of retail oriented uses. The retail uses will include a large grocery store and two stand along banks with drive-up windows. These applications are part of a larger development to utilize a portion of the land fill for this retail and office development.

The site fronts on both Beulah Street and Telegraph Road. The applicant is proposing frontage improvements and access from both roadways. This Department would prefer to see all Beulah Street access located opposite View Lane, but the applicant has proposed and VDOT has concurred with access opposite both the existing strip center on the south side of Beulah Street, and opposite View Lane.

The following four significant transportation issues remain outstanding, and should be resolved prior to a favorable consideration for the application:

1. The January 9, 2009 proffers permit the applicant to either construct frontage improvements as delineated on the development plan, or escrow for the cost of improvements. From a practical standpoint, it is unlikely that site plans could be approved without concurrent

Regina Coyle, Director  
RZ 2007-MD-03  
January 13, 2009  
Page 2 of 2

construction of the delineated access modifications. However, this Department can not support approval of the application with the language as now offered.

2. VDOT standards now call for greater spacing between the trail and the roadway in order to reduce the potential for auto/bicyclist/pedestrian conflicts. Dedication to 20 feet behind the face of curb should be provided to accommodate this spacing. The dedication as proposed will not meet current VDOT standards and can not be supported by this Department.

3. To the knowledge of this Department, the Department of the Army has yet to review and comment on the proposed changes in access along Telegraph Road. Since these changes can specifically impact the Ft. Belvoir post and operations, the applicant should establish a meeting with the appropriate military staff to ensure that the proposed changes do not negatively impact the operations at Ft. Belvoir.

4. VDOT has yet to respond in writing to the review of the traffic study as now required under state law. It is the understanding of this Department that the VDOT response is being deferred until it is clear that there are no outstanding issues with the access modifications to Ft Belvoir.

All of these issues should be addressed prior to any decision for the requested change in land use.

AKR/CAA

Michelle Brickner, Director, Office of Site Development Services, DPW&ES



# FAIRFAX COUNTY PARK AUTHORITY

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# MEMORANDUM



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

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

**DATE:** January 15, 2009  
REVISED

**SUBJECT:** RZ/FDP 2008-MD-003 Hilltop Sand & Gravel Company  
SEA 78-L-074-06 / RZ 2008-LE-002  
SEA 2005-LE-027 / RZ 2008-LE-001  
Tax Map Numbers: 100-1 ((1)) 9, 11A, 11A1, 14, 15

The Park Authority staff has reviewed the proposed Development Plans dated February 12, 2008 and proffers dated December 15, 2008 for the above referenced applications and provide the following comments. These replace the previous comments provided on 9/16/08.

The Development Plan for RZ 2008-MD-003 proposes a mixed use development including 253,000 square feet of retail use and 113,000 square feet of office use. The application proposes rezoning approximately 33 acres from R-1 and I-3 to PDC with proffers.

SEA 78-L-074-06 would allow for modifications to the existing construction and demolition debris landfill which would reduce the size of the landfill area by 7.5 acres, increase the fill permitted by 450,000 cubic yards, and permit quasi-public athletic fields and associated parking on top of the landfill in the R-1 district. RZ 2008-LE-002 is for an associated rezoning of approximately 3.5 acres from I-3 to R-1. This area would support the active recreation fields identified in SEA 78-L-074-06.

## COMPREHENSIVE PLAN CITATIONS

### 1. **Park and Recreation District-Wide Recommendations** (Area IV, Springfield Planning District, P 14)

“...anticipated changes in land use will generate increased needs for both active recreation opportunities and preservation of open space.

“Expansion of five parks ... and the acquisition and development of two new Community park sites are recommended to address current and future recreation needs.”

**4. Land Use Recommendation 45 & 47, RH4-Lehigh Community Planning Sector, (Area IV, Rose Hill Planning District, Page 69)**

“45. At such time as the Hilltop landfill ceases operation and is properly reclaimed, any alternative use of the site will require extensive review and significant engineering measures. The property is planned for private recreation; however, residential use at 2-3 dwelling units per acre may be considered on portions of the property if sufficient documentation can be provided to verify that the landfill site is suitable and safe for building.”

“47. If the existing ball field located at the corner of Beulah Street and Telegraph Road is removed as a result of the proposed development, new recreational facilities such as fields, tot lots and pavilions should be provided at some other location on the Hilltop Sand and Gravel property, or a commitment made to make improvements to nearby park/recreation facilities:”

**5. Park and Recreation District-Wide Recommendations, Newington Community Planning Sector (S6) (Area IV, Springfield Planning District, Figure 35)**

“NEIGHBORHOOD PARKS – Neighborhood park facilities should be provided in conjunction with new residential development”

“COMMUNITY PARKS - Identify a Community Park site where land can be dedicated singularly, or in combination with other development, to meet the aggregate needs of the service area.”

**RECOMMENDATION**

There is a need for all types of parkland and recreational facilities in this area. Existing nearby parks (Kingstowne, Island Creek, Levelle W. Dupell) meet only a small portion of the demand for parkland generated by residential development in this area. The RZ 2008-MD-003 application area currently includes a 60' diamond athletic field, which would be removed from private use through the proposed development. Replacement of this field within with the Hilltop Sand and Gravel property is directed by the Comprehensive Plan, and is proposed within SEA 79-L-074-06.

The SEA 2005-LE-027 and associated RZ 2008-LE-002 applications have no impact to Park Authority land or resources.

The SEA 79-L-074-06, and associated RZ 2008-LE-001, application proposes to create an 11-acre park atop the closed portion of the landfill to include two youth diamond fields, two youth rectangular fields, a tot-lot and associated parking. These recreational facilities would create a

community park which would serve proposed residential development and potentially additional surrounding residential developments.

While a community park is needed in this area of the county and will meet and exceed the Comprehensive Plan recommendations for providing recreation within the application area. The Park Authority is currently working with the applicant to address park operation issues.

The applicant has worked with the Park Authority to provide a Local-serving park on top of the closed landfill. This facility will improve and expand the recreational opportunities to employees within the proposed development and existing residents of Lee District.

The facilities requested by the Park Authority and depicted within the development plans and proffers include;

- One youth diamond field. This would replace the private field currently in use on the property that will be removed by the proposed development.  
Youth diamond field standards include a 200' outfield with 60' baselines, backstop, two covered player bench areas, concrete bleacher pad and two bleachers.
- One full size rectangular field. This size field would maximize the number of uses by allowing multiple sport use.  
A full size rectangular field has dimensions of 225' x 360', with a 30' overrun at each end and 25' overrun on each side, resulting in a total area of 275' x 420'. A concrete bleacher pad and two bleachers are provided to serve as support facilities.
- One tot-lot facility. This would serve the residential community as well as support the field users by providing activities for family members not participating in scheduled activities.  
The tot-lot will include appropriate equipment for children ages 1-6, has a minimum size of 1,000 square feet and includes two benches.
- A shaded area or pavilion. Due to the location on top of the landfill, natural shade areas will not be available to integrate into the park design. A shaded area providing sun relief is included.
- An open play area which provides space for unscheduled play. In addition, these areas provide warm up locations and staging areas for teams when the fields are in use.
- Fencing around the recreation area should be included due to the steep slopes surrounding the proposed recreation area.
- The parking area is slightly "oversized" in order to accommodate stacking and/or overflow parking. Due to the location and nature of the access to the park, overflow parking areas will not be available, therefore the onsite parking must be able to bear overflow parking needs.  
Typical park facility parking standards for the proposed features are: 50 spaces for each athletic field; 10 spaces for open play area; 5 spaces for tot-lot; and 10 spaces for shaded area or pavilion.

Given the proposed park's location, elevation above the surrounding community, previous landfill use, and relative isolation from residential uses the proposed uses are the most appropriate for this site. The site is best used for outdoor recreational activities and not

community based program activities such as an amphitheater or off-leash dog park. These issues also currently make the proposed facilities unsuitable for athletic field lighting.

The Park Authority is working with the applicant on a lease agreement, under separate cover. The general agreement is for the Park Authority to maintain and operate the facilities for public use. The applicants will remain the land owner and have maintenance responsibility and liability for the underlying closed landfill and any facility damage caused by the previous landfill use.

FCPA Reviewer: Scott Sizer  
DPZ Coordinator: Cathy Lewis

Copy: Cindy Walsh, Acting Director, Resource Management Division  
Liz Crowell, Manager, Cultural Resource Management & Protection Section  
Chron Binder  
File Copy

MEMORANDUM

**TO:** Staff Coordinator **DATE:** May 12, 2008  
 Zoning Evaluation Division, OCP

**FROM:** Gilbert Osei-Kwadwo (Tel: 324-5025) *gok*  
 System Engineering & Monitoring Division  
 Office of Waste Management, DPW&ES

**SUBJECT:** Sanitary Sewer Analysis Report

**REFERENCE:** Application. SEA78-L-074-06

TaxMap No. 100-1-((01)) 0009

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

1. The application property is located in the DOGUE CREEK (L) watershed. It would be sewered into the Noman M. Cole, Jr. Pollution Control Plant.
2. Based upon current and committed flow, there is excess capacity in the Lower Potomac Pollution Control Plant 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.
3. An existing 8 inch line located in AN EASEMENT and ON the property is adequate for the proposed use at this time.
4. 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	X		X		X	
Submain	X		X		X	
Main/Trunk	X		X		X	
Interceptor						
Outfall						

5. Other pertinent information or comments:



**MEMORANDUM**

DATE: April 16, 2008

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

**FROM:** Ralph Dulaney (246-3868)  
Information Technology Section  
Fire and Rescue Department

**SUBJECT:** Fire and Rescue Department Preliminary Analysis of Rezoning RZ 2008-MD-003 and Final Development Plan FDP 2008-MD-003 concurrent with SEA 2005-LE-027, SEA 78-L-074-06, RZ 2008-LE-002 and RZ 2008-LE-001

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 #437, **Kingstowne**.
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 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

April 23, 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-MD-003  
FDP 08-MD-003  
Hilltop Village Center

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 16-inch 24-inch and 30-inch water mains located at the property. See the enclosed water system map. The Generalized Development Plan has been forwarded to Plan Control for distribution to the Engineering Firm.
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



**MEMORANDUM**

NOV - 5 2008

**DATE:**

**TO:** Peter Braham, Staff Coordinator  
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 Final Development Plan Application RZ/FDP 2008-MD-003, Hilltop Village Center, Plan Dated October 17, 2008, LDS Project #3365-ZONA-004-2, Tax Map #100-1-01-0009 (part), 0011-A, 0011-A1, 0014 and 0015, Lee District, Dogue Creek Watershed

We have reviewed the subject application and offer the following comments related to Stormwater Management (SWM):

Chesapeake Bay Preservation Ordinance

There is no Resource Protection Area on this project site of 33 acres.

Floodplain

There is no floodplain on this site.

SWM

The applicant proposes to provide stormwater detention and Best Management Practices by the proposed wet pond 2 on east of the site. Some of the feasible LID measures could be implemented to reduce the runoff leaving the site. A dam breach analysis showing the flow path will be required and the pond shall be maintained by the owners.

Site Outfall

The applicant needs to provide computational analysis of the critical outfall section up to the extent of required downstream review.

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

QK/tg

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



SELECTED EXCERPTS FROM THE  
ZONING ORDINANCE

ARTICLE 16

DEVELOPMENT PLANS

**PART 1    16-100   STANDARDS FOR ALL PLANNED DEVELOPMENTS**

**16-101    General Standards**

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

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

**16-102    Design Standards**

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

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

**PART 4      16-400      PROCEDURES FOR REVIEW AND APPROVAL OF ALL P DISTRICTS EXCEPT THE PRC DISTRICT**

All proposed developments of a P district as permitted under Article 6, except for the PRC District, shall be subject to the following procedures for review and approval.

8. In approving a conceptual development plan, the Board may authorize a variance in the strict application of specific zoning district regulations whenever:
  - A. Such strict application would inhibit or frustrate the purpose and intent for establishing such a zoning district; and
  - B. Such variance would promote and comply with the standards set forth in Part 1 above.

In no case, however, shall the maximum density provisions under the PDH District and the maximum floor area ratio provisions under the PDC and PRM Districts be varied or modified.

**9-006      General Standards**

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

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

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

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

1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.
2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

**Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Financial Institutions, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts**

1. In all districts where permitted by special exception:
  - A. Such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.
  - B. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.
  - C. The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.
  - D. In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.
  - E. For a drive-through pharmacy, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.
2. In the C-3 and C-4 Districts, in addition to Par. 1 above:
  - A. All such uses, except drive-in financial institutions, shall be an integral design element of a site plan for an office building or office building complex containing not less than 35,000 square feet of gross floor area.
  - B. Such a use shall have no separate and exclusive curb cut access to the abutting highway.
  - C. There shall be no outside storage or display of goods offered for sale.
  - D. Service stations shall not include any ancillary use such as vehicle or tool rental, and shall be limited to the servicing and retail sales of products used primarily by passenger vehicles.
  - E. Service stations shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than two (2) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no

dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.

3. In the C-5 and C-6 Districts, in addition to Par. 1 above:
  - A. There shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.
  - B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than two (2) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two hours.
4. In the C-7, C-8 and C-9 Districts, in addition to Par. 1 above:
  - A. In the C-7 or C-9 District, there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.
  - B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than four (4) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.
  - C. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to the area so designated on an approved special exception plat.
5. In the I-3, I-4, I-5 and I-6 Districts, in addition to Par. 1 above:
  - A. All such uses, except drive-in financial institutions, shall be an integral design element of a site plan for an industrial building or building complex containing not less than 30,000 square feet of gross floor area.
  - B. In an I-3 or I-4 District, there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station.

- C. In an I-3 or I-4 District, service stations shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than four (4) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.
  - D. No Building Permit shall be approved for such a use unless a Building Permit has been approved for the related industrial building(s).
  - E. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to that area so designated on an approved special exception plat.
6. In the PDH and PDC Districts, in addition to Par. 1 above:
- A. In the PDH District, fast food restaurants may be permitted only in accordance with the provisions of Sect. 6-106 and the following:
    - (1) Such use may be permitted only upon a finding by the Board that the planned development is of sufficient size to support the proposed use, and that the use is designed to serve primarily the needs of the residents of the development.
    - (2) Such use shall be designed and located so as to maintain the intended secondary nature of the use, and so that the associated impacts, including but not limited to associated on-site and off-site vehicular traffic, noise, odors, and visual impact, will not adversely affect the residential character of the development and surrounding properties.
    - (3) All direct vehicular access to the use shall be provided via the internal circulation system of a commercial area of the PDH development, which commercial area shall contain not less than three (3) non-automobile-related commercial establishments.
    - (4) The proposed development shall provide clearly designated pedestrian facilities for safe and convenient access from surrounding residential and commercial uses.
  - B. In the PDC District, fast food restaurants may be permitted only in accordance with the provisions of Sect. 6-206.

#### **9-533 Additional Standards for Retail Sales Establishments-Large**

In the C-6, C-7, C-8, C-9, PDC and PRC Districts, the Board may approve a special exception to allow a retail sales establishment containing 80,000 square feet

or more of gross floor area which is not otherwise permitted by right subject to the following standards:

1. The Board shall determine that a retail sales establishment-large will be compatible with and not adversely impact adjacent properties and the local area road system. The Board may impose such conditions and restrictions which it may deem necessary to ensure compatibility and to mitigate adverse impacts, which may include, but not be limited to the following:
  - A. Hours of operation and other operational restrictions;
  - B. Site development or design standards; and
  - C. Transitional screening and landscaping requirements.
2. The Board shall determine that parking as required by Article 11 is provided and is designed in such a manner as to minimize impacts on adjacent properties through the use of methods which may include, but are not limited to, structured parking, location and distribution of parking, and landscaping techniques. All required parking shall be provided on-site.
3. Such use shall be designed so that pedestrian and bicycle circulation is coordinated on-site and on adjacent properties for the purpose of maximizing ease of inter-parcel and intra-parcel movement.
4. Such use shall be designed to provide safe and convenient access, to minimize any potential conflicts between service and delivery vehicles, passenger vehicles and pedestrian traffic.
5. Such use shall be designed in such a manner as to minimize noise from impacting adjacent properties.
6. Outdoor lighting associated with such uses shall be designed to minimize the impacts of glare, light trespass and overlighting and to promote a safe and secure environment for pedestrian and vehicular traffic; such lighting shall be subject to the provisions of Part 9 of Article 14.
7. The structures shall be designed to protect the character of the neighborhood in which located through the use of architectural design and site design methods. The layout and architecture shall be designed in such a manner that reduces monotonous effects and impacts caused by building bulk through the use of techniques that may include, but are not limited to, variations in roof lines, variations in building setbacks, landscaping and by enhanced architectural treatments to all sides of a building. In cases where there is a significant contrast in topography between the subject property and adjacent properties, appropriate mitigation methods, such as screening, shall be considered in order to mitigate potential noise and/or visual impacts. All rooftop mechanical structures shall be screened or fully enclosed within a structure so they are not visible from the ground level of adjacent properties.

8. All business, service, storage, and display of goods shall be conducted within a completely enclosed building, and all refuse shall be contained in completely enclosed facilities, with the exception of outdoor seating, service, storage and display that is clearly subordinate to the retail sales use and which may be allowed subject to the following conditions:
  - A. The area and extent of all outdoor seating areas and outdoor areas for the service, storage and display of goods shall be designated on the approved plat. The Board may condition the location, size and extent of any such areas or associated structures. No such storage, display or sales area shall be located in any required minimum yard.
  - B. All outdoor service, storage and display, with the exception of outdoor seating, and up to 250 square feet of display area, shall be fully screened using structures and materials and design elements that are compatible with those used in the principal structure. Screening methods shall include solid fences, walls, berms, evergreen hedges or a fence, wall, berm and/or landscaping combination.
9. All signs shall be in scale and harmony with the development and shall be located and sized as to ensure convenience to the visitor, user or occupant while not adding to street clutter or detracting from the character of the surrounding properties.

## 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		