



APPLICATION ACCEPTED: July 30, 2009
PLANNING COMMISSION: December 10, 2009
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

November 30, 2009

STAFF REPORT

APPLICATION SE 2009-MA-015

MASON DISTRICT

APPLICANT:	Ana L. Cornejo
ZONING:	R-2
PARCEL(S):	71-3 ((1)) 24A and 71-4 ((1)) 20
ACREAGE:	2.17
DENSITY:	1.84 du/acre
PLAN MAP:	Residential; 1-2 du/acre
SE CATEGORY:	Category 6, Waiver of the minimum lot width requirement
PROPOSAL:	To permit a waiver of the minimum lot width requirement in order to construct four single family detached dwellings.

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2009-MA-015, subject to the proposed development conditions contained in Appendix 1 of this report.

Staff recommends that the Board of Supervisors direct the Director of DPWES to waive the minimum pavement width for pipestem driveways as shown in PFM Plate 11-7.

Staff recommends that the Board of Supervisors direct the Director of DPWES to waive PFM Section 2-0103.2 (no more than 20% of a development may be pipestems.)

S. Zottl

Staff recommends approval of a waiver of the sidewalk and trail requirement along Backlick Road, in favor of County Project Number 4YP201-PB025.

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

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

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

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

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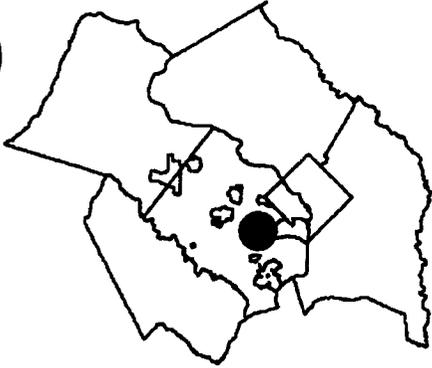


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

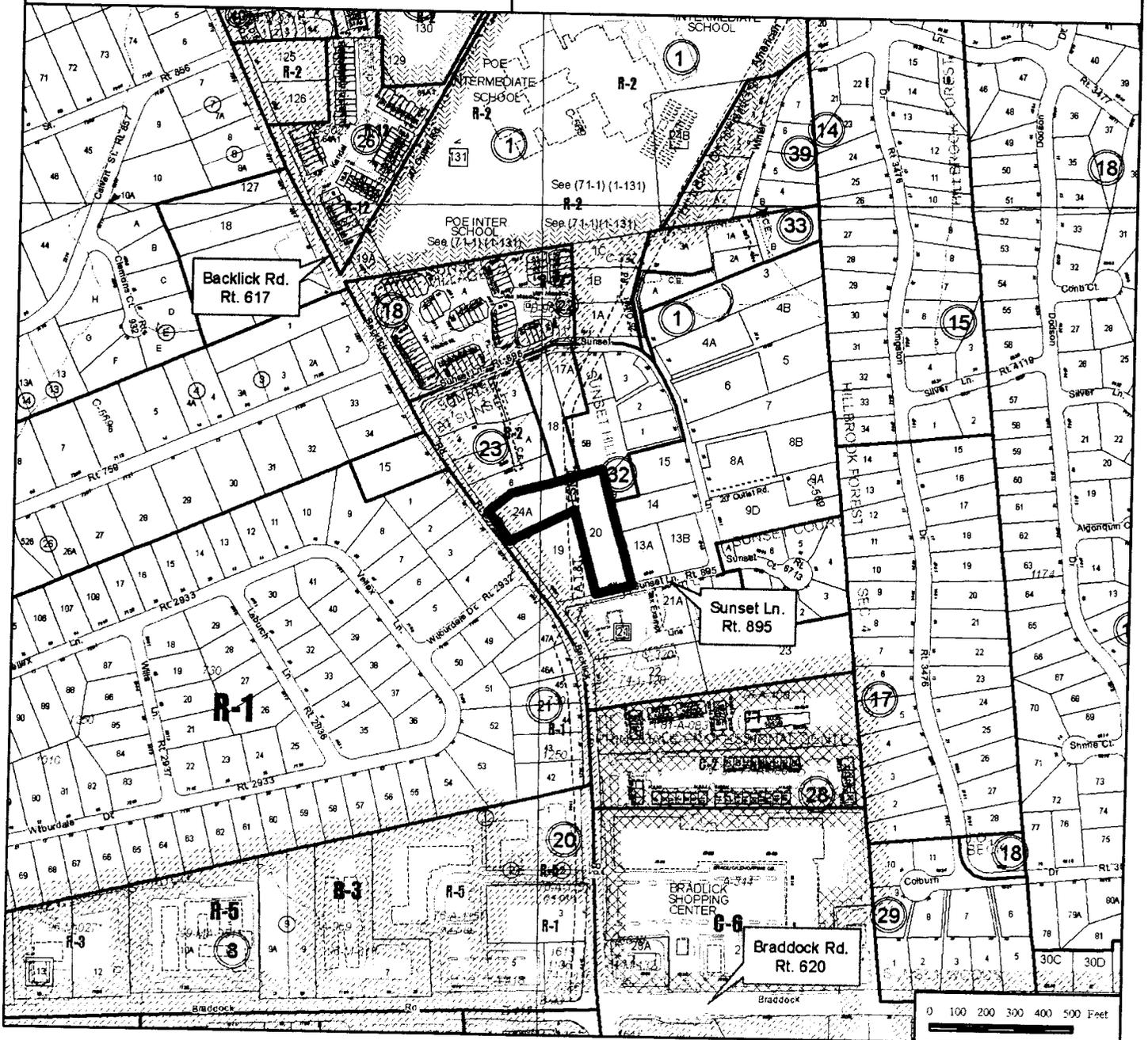
Special Exception

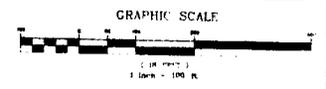
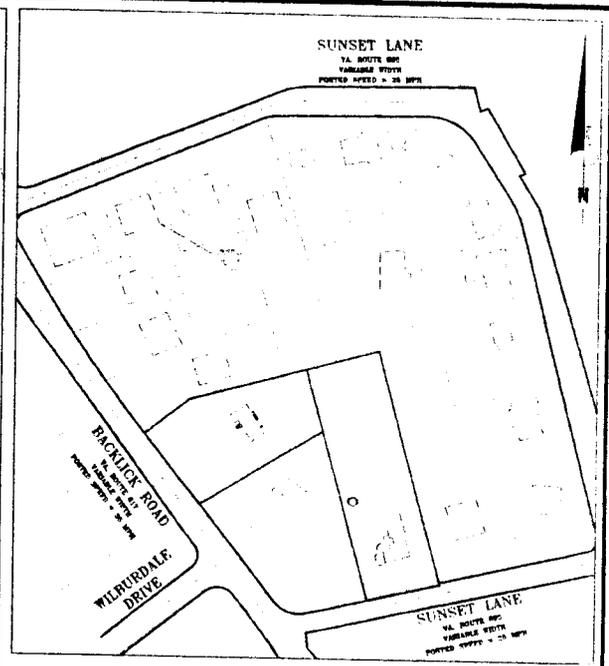
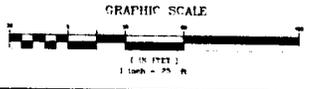
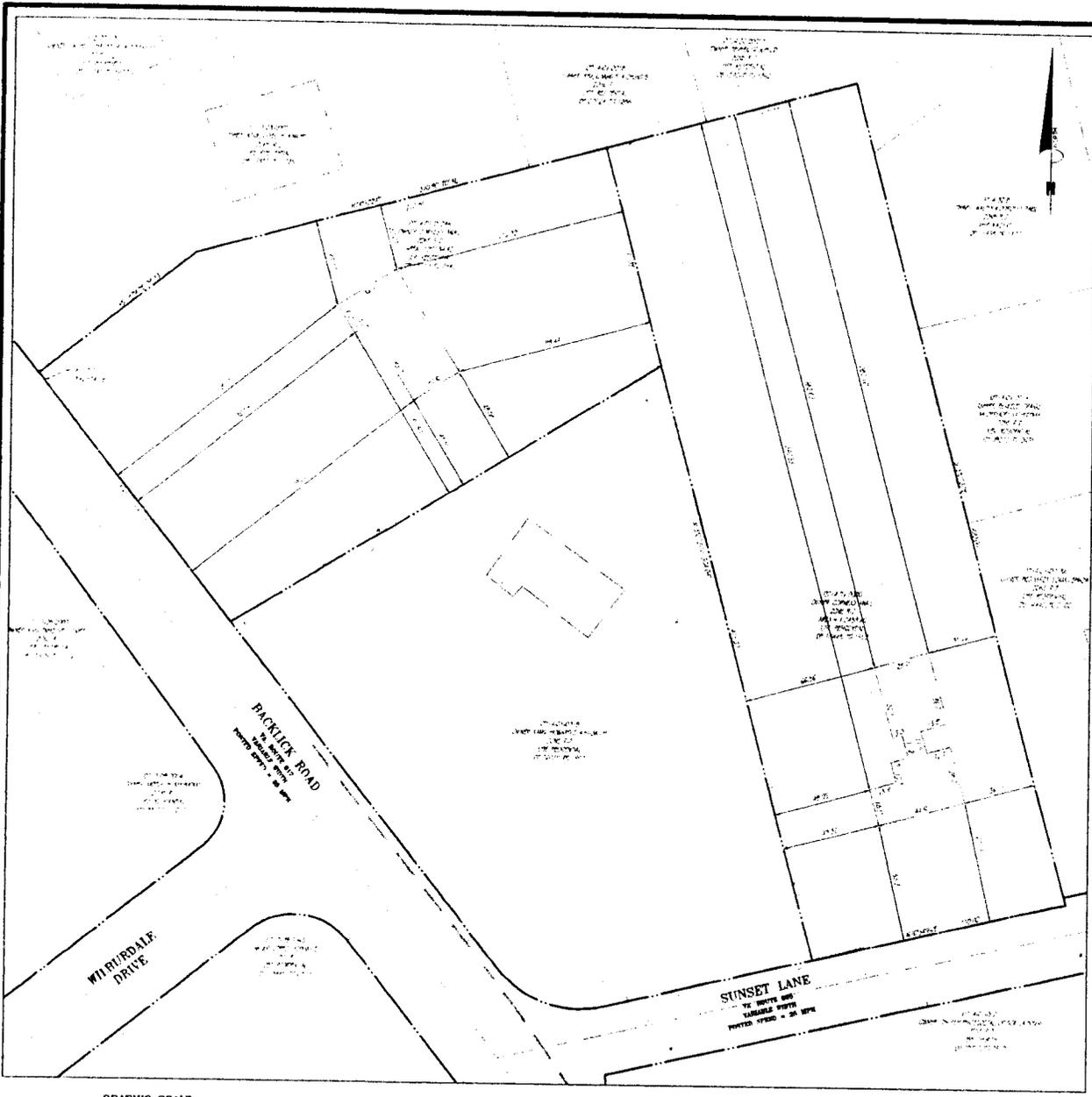
SE 2009-MA-015

Applicant: ANA L. CORNEJO
 Accepted: 07/30/2009
 Proposed: WAIVER OF MINIMUM LOT WIDTH REQUIREMENT



Area: 2.17 AC OF LAND; DISTRICT - MASON
 Zoning Dist Sect: 09-0610
 Art 9 Group and Use: 6-06
 Located: 4954 SUNSET LANE AND 4921 BACKLICK ROAD
 Zoning: R-2
 Plan Area: 1,
 Overlay Dist:
 Map Ref Num: 071-3- /01/ /0024A 071-4- /01/ /0020





S M I T H
ENGINEERING

EXISTING CONDITIONS
CORNEJO PROPERTIES
SPECIAL EXCEPTION

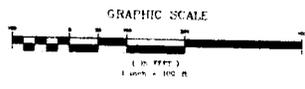
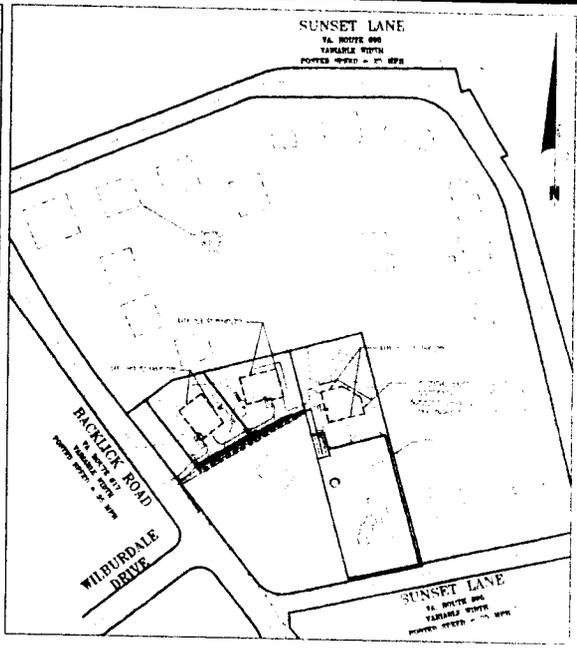
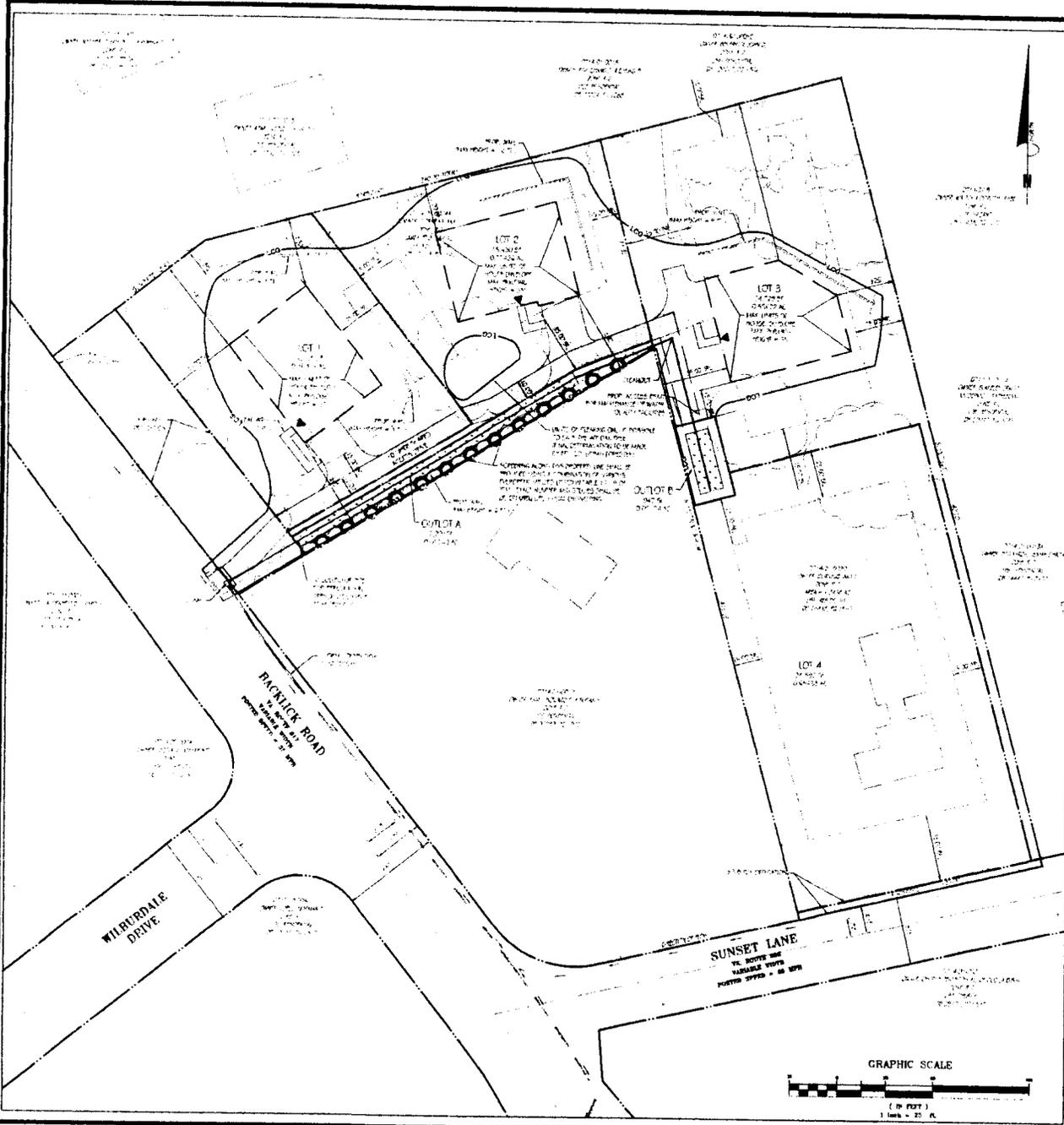


ENGINEERING
PROJECT NO. 2015-001
MARK A. SMITH
1001 BILTON ROAD, SUITE 100
DUNEDALE, VA 20151

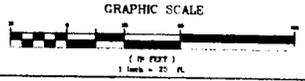
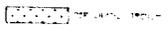
DATE: 08/11/2015
TIME: 10:00 AM
BY: M.A.S.
CHECKED: M.A.S.

SCALE: AS SHOWN
SHEET NO. 1 OF 1

2015-08-11 10:00 AM Mark A. Smith 030003 State of Virginia



NOTES:
1. THIS PLAN IS THE PROPERTY OF THE ENGINEER AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT HIS WRITTEN CONSENT.
2. THE ENGINEER HAS NOT BEEN ADVISED OF ANY CHANGES SINCE THE DATE OF THE ORIGINAL PLAN.



SMITH ENGINEERING

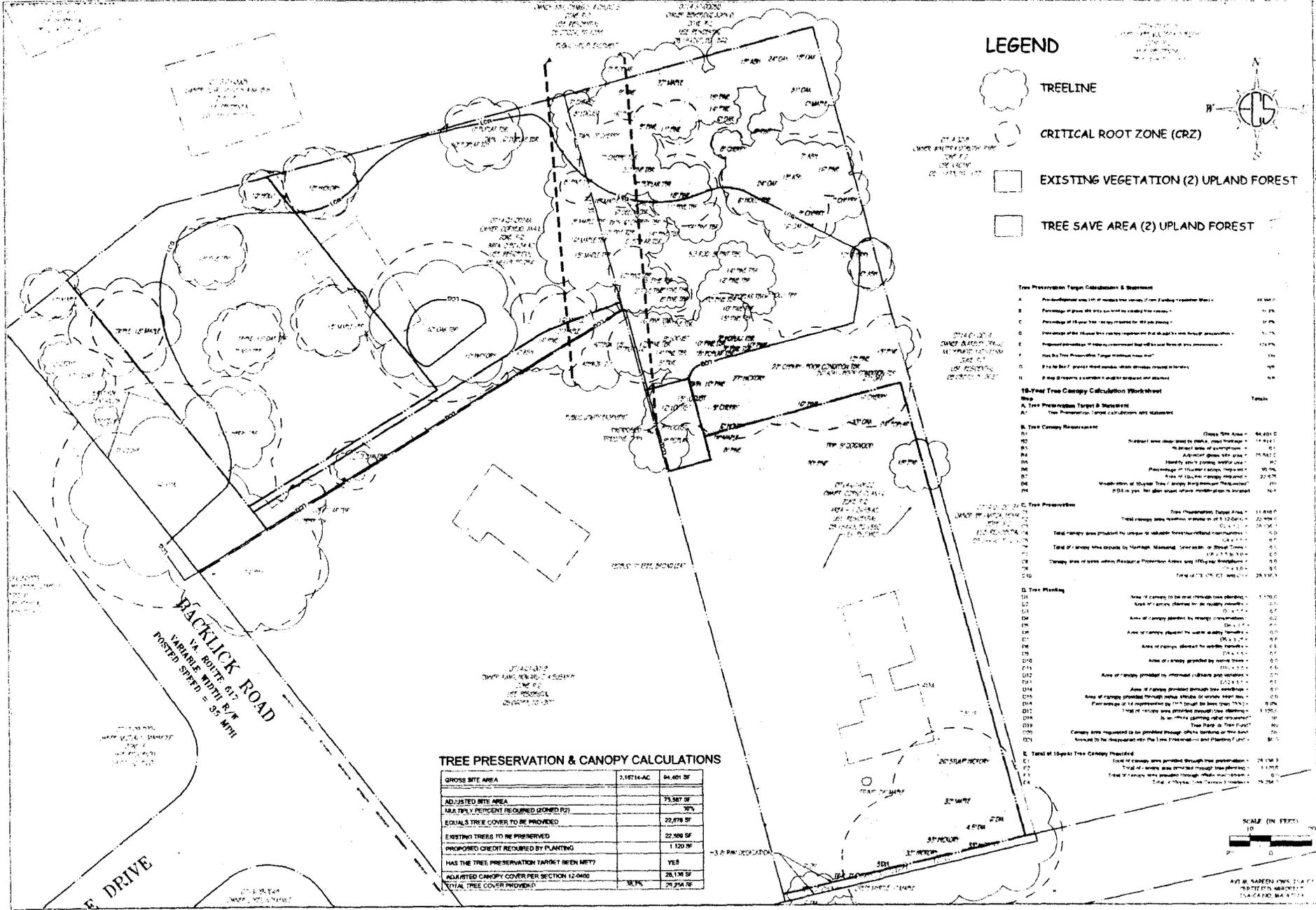
LAYOUT PLAN
CORNEJO PROPERTIES
SPECIAL EXCEPTION



SMITH ENGINEERING
CORNEJO PROPERTIES
SPECIAL EXCEPTION

DATE: 11/15/2011
BY: [Signature]

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BY: [Signature]



LEGEND

- TREELINE
- CRITICAL ROOT ZONE (CRZ)
- EXISTING VEGETATION (2) UPLAND FOREST
- TREE SAVE AREA (2) UPLAND FOREST

Tree Preservation Target Calculation & Statement

A	Pre-developed area (10% of existing tree canopy) (from existing condition sheet)	84,401 SF
B	Percentage of gross site area to be retained (10%)	10.0%
C	Percentage of gross site area to be retained for 10% site plan	10.0%
D	Percentage of gross site area to be retained for 10% site plan (10%)	10.0%
E	Percentage of gross site area to be retained for 10% site plan (10%)	10.0%
F	Has the Tree Preservation Target been met?	YES
G	If not, by how much (percentage) does the site plan fall short of the target?	0.0%
H	If not, by how much (percentage) does the site plan exceed the target?	0.0%

10-Year Tree Canopy Calculation Worksheet

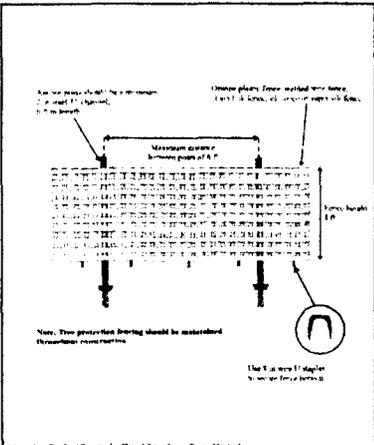
Map		Total
A. Tree Preservation Target & Statement		
Tree Preservation target calculation and statement		
B. Tree Canopy Measurement		
B1	Tree Canopy Area	84,401 SF
B2	Adjusted tree canopy area (10% of existing tree canopy)	8,440 SF
B3	Adjusted tree canopy area (10% of existing tree canopy)	8,440 SF
B4	Adjusted tree canopy area (10% of existing tree canopy)	8,440 SF
B5	Adjusted tree canopy area (10% of existing tree canopy)	8,440 SF
B6	Adjusted tree canopy area (10% of existing tree canopy)	8,440 SF
B7	Adjusted tree canopy area (10% of existing tree canopy)	8,440 SF
B8	Adjusted tree canopy area (10% of existing tree canopy)	8,440 SF
B9	Adjusted tree canopy area (10% of existing tree canopy)	8,440 SF
B10	Adjusted tree canopy area (10% of existing tree canopy)	8,440 SF

TREE PRESERVATION & CANOPY CALCULATIONS

GROSS SITE AREA	0.18714 AC	84,401 SF
ADJUSTED SITE AREA		75,587 SF
MULTIPLY PERCENT REQUIRED (10%)		7,559 SF
EQUALS TREE COVER TO BE PROVIDED		22,978 SF
EXISTING TREES TO BE PRESERVED		22,978 SF
PROPOSED CREDIT REQUIRED BY PLANTING		1,120 SF
HAS THE TREE PRESERVATION TARGET BEEN MET?	YES	
ADJUSTED CANOPY COVER PER SECTION 12.0400		26,138 SF
TOTAL TREE COVER PROVIDED	100%	26,138 SF

CORNEJO PROPERTIES
EXISTING VEGETATION MAP
SMITH ENGINEERING
 FAIRFAX COUNTY
 15487
 5 OF 4

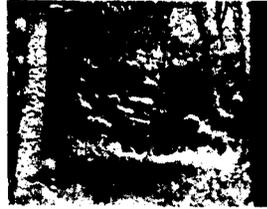
FAIRFAX COUNTY PUBLIC FACILITIES MANUAL



NO. 1000000	TREE PROTECTION FENCE INSTALLATION	DATE: 6-12	REV: 00
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Tree Preservation Narrative

- § 12-0908.26: Any dead or potentially hazardous trees shall be removed upon their discovery. If they are located within 100 feet of the proposed limits of clearing, dead trees not within the area shall be left in place to serve as wildlife habitat.
- § 12-0908.27: Based on the current condition of the existing vegetation, no adverse human health risks are anticipated.
- § 12-0908.28: No sensitive plants are present within the northern portion of the Seward Lane parcel and should be removed upon their discovery. Additionally, a large amount of debris from fallen trees is present in this area. The debris is slated for removal to ensure the removal and survival of the remaining trees.
- § 12-0908.29: The Applicant is not requesting official Species Tree designation for any of the large trees located onsite and is not using a multiplier for tree canopy calculations.
- § 12-0908.30: Nonprotected Specimen trees located on and off-site shall be protected throughout all phases of construction by utilizing tree protection fencing as required by § 12-0908.32(1).
- § 12-0908.36: No special arboricultural practices or treatments should be required for the existing habitat to be preserved.
- § 12-0908.34: No trees will be transplanted or part of the proposed construction activities.
- § 12-0908.31: Tree protection fencing and signage shall be placed subsequent to the staking of the limits of clearing in the field prior to construction.
- § 12-0908.32: No work shall occur within the area to be protected.
- § 12-0908.33: There are no trees per se condition which would require a tree inventory tree count for tree valuation or tree banking information.



Photograph 3 was taken facing north and shows the northern portion of the site and the debris contained within.



Photograph 4 was taken facing north and shows the northern portion of the site and the debris contained within.



Photograph 7 was taken facing north and shows the northern portion of the site and the debris contained within.



Photograph 8 was taken facing south and shows the area around the gateway where trees have fallen (located between Seward Lane and Seward Lane SW).

Tree Inventory & Condition Analysis

ECS Mid-Atlantic, LLC (ECS) conducted a site reconnaissance to assess the existing habitat on the project site in June and September 2016. Document any vegetation is listed below in Table 1. The photographed portions of the site are representative of typical conditions (i.e., soil fertility and aspect and soil moisture (i.e., above average)).

Table 1: Document Site Vegetation

Common Name	Scientific Name
1/2" Spine	<i>Lawsonia inermis</i>
Red Spruce	<i>Juniperus horizontalis</i>
11/16" Bark Oak	<i>Quercus rubra</i>
Red Cedar	<i>Juniperus virginiana</i>
Shrub Maple	<i>Acer spicatum</i>
Tree of Heaven	<i>Schinus molle</i>
Honey Suckle	<i>Lonicera japonica</i>
Flowering Dogwood	<i>Cornus florida</i>
Black Oak	<i>Quercus velutina</i>
Red's Cherry	<i>Prunus serotina</i>
American Holly	<i>Ilex opaca</i>
American Birch	<i>Betula pumila</i>
Virginia Pine	<i>Pinus virginiana</i>
Japanese Hollyhock	<i>Coccoloba japonica</i>

Based on our site reconnaissance, sensitive and/or specimen trees are present in the northern portion of the project site and should be removed and replaced. Additionally, the northern portion of the Seward Lane parcel contains a large amount of debris from fallen trees. The debris is slated for removal to ensure the survival and growth of the remaining trees. Overall, the existing habitat areas is in good condition with 100% tree preservation of debris or relocation. The debris is slated for removal to ensure the survival and growth of the remaining trees. Overall, the existing habitat areas is in good condition with 100% tree preservation of debris or relocation. The debris is slated for removal to ensure the survival and growth of the remaining trees. Overall, the existing habitat areas is in good condition with 100% tree preservation of debris or relocation.

In accordance with § 12-0908.32(1) all trees designated for preservation shall be protected during construction.



Photograph 1 was taken facing southeast and shows the western portion of the project site along Seward Lane.



Photograph 2 was taken facing southeast and shows the central portion of the project site.



Photograph 5 was taken facing east and shows the southern portion of the project site.



Photograph 6 was taken facing north and shows the northern portion of the site and the debris contained within.

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

DESCRIPTION OF THE APPLICATION

This application is a request for a Category 6 Special Exception to permit a waiver of the minimum lot width requirement in order to subdivide two lots zoned R-2 and totaling 2.17 acres into four lots with proposed lot widths of 144' (for Lot 1), 125' (for Lot 4), and two lots at 5' (Lot 2 is a pipestem lot and Lot 3 is an interior lot.) As the required lot width for an interior lot in the R-2 zone is 100', this request represents a lot width reduction of 95 feet for proposed Lot 3. There are two existing single family detached dwellings on the subject property; the dwelling on proposed Lot 4 will remain and the dwelling that straddles Lots 1 and 2 will be demolished. The maximum density for the R-2 district is 2 dwelling units per acre; the applicant's proposal would result in a density of 1.84 du/acre.

The applicant's affidavit and statement of justification can be found in Appendices 2 and 3, respectively.

Requested Waivers:

The applicant has requested a waiver of the minimum pavement width for pipestem driveways as shown in PFM Plate 11-7. The reason for this waiver is to maximize tree preservation and minimize disturbance to tree roots.

The applicant has also requested a waiver of Section 2-0103.2 (no more than 20% of a development may be pipestems.) 4 lots are proposed, with one being a pipestem, bringing the total pipestem lots in the development to 25%.

LOCATION AND CHARACTER

Site Description

The 2.17 acre subject property is located at 4954 Sunset Lane and 4921 Backlick Road, located north of the intersection of Backlick and Braddock roads. The site is zoned R-2 and is surrounded by single family detached units to the north, east and west. A property zoned R-2 and containing a church use is located south of the property.

There are two existing single family detached dwellings on the property. The residence facing Sunset Lane (on proposed Lot 4) was constructed in 1954 and a building addition was added in 1994. Access to this property is obtained through a driveway on Sunset Lane, and no changes to this access are proposed with this special exception request. The second existing residence on the subject property was constructed in 1947 and has access from Backlick Road. This residence is proposed to be demolished, but the proposed development will continue to use the access point.

The topography is generally highest at the northeast corner of the property, and this area of the site is heavily vegetated. Overall, the vegetation on the property is in good health, but the presence of invasive plant species threatens its future success.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Residential; Single family detached	R-2	Residential, 2-3 du/ac
South	Church	R-2	Public Facilities
East	Residential; Single family detached	R-2	Residential, 2-3 du/ac
West	Residential; Single family detached	R-1	Residential, 2-3 du/ac

BACKGROUND

Site History:

County records indicate that the existing single-family detached dwelling on proposed Lots 1 and 2 was constructed in 1947. The existing single family detached dwelling on proposed Lot 4 was constructed in 1954; in 1994, the previous land owner obtained permits to demolish the existing garage and shed and construct a building addition containing a 2 car garage and living area. No special permit was required for this addition, and no changes to the dwelling on proposed Lot 4 are included as part of this application.

COMPREHENSIVE PLAN PROVISIONS (Appendix 4)

Plan Area: Area I, Annandale Planning District

Planning Sector: A3- Indian Run Community Planning Sector

Plan Map: Residential; 1-2 du/ac

The Fairfax County Comprehensive Plan, 2007 Edition, Area I, Annandale Planning District, A-3 Indian Run Community Planning Sector, as amended through January 26, 2009, starting on page 74, states that:

The Indian Run Community Planning Sector contains 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.

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

There is no site specific text for the subject property.

ANALYSIS

Special Exception / Special Permit Amendment Plat (Copy at front of staff report)

Title of SE Plat: Special Exception for Cornejo Properties

Prepared By: Smith Engineering

Original and Revision Dates: June 12, 2009 as revised through October 22, 2009

Description of Plat:

The combined SE Plat consists of 6 sheets.

SE PLAT: CORNEJO PROPERTIES	
Sheet #	Description of Sheet
1 of 6	Cover Sheet, General Notes, Vicinity Map, Sheet Index
2 of 6	Existing Conditions Plan
3 of 6	Special Exception Layout Plan
4 of 6	BMP/SWM and Outfall Analysis
5 of 6	Existing Vegetation Map
6 of 6	Tree Preservation Narratives

Site Layout: The SE Plat depicts two existing lots to be subdivided into four lots. Lot 1 is proposed to be 16,105 square feet in area, with a front yard of 35 feet, and a lot width of 144 feet. This proposed lot meets all bulk standard requirements.

Lot 2 is a pipestem lot proposed at 15,430 square feet, with a lot width of 5 feet and a front yard of 35 feet. One of the two existing dwelling units on the property is located between proposed Lots 1 and 2 and is proposed to be demolished as part of this application. Lot 2 is defined as a pipestem lot and, therefore, meets all bulk standard requirements. Lot 3 is defined as an interior lot and is proposed at 24,229 square feet with a lot width of 5 feet, therefore requiring a waiver in minimum lot width. Lot 4 is proposed at 28,592 square feet and contains the existing single family detached dwelling that is to remain. This lot has a minimum lot width of 125 feet and the dwelling is set back 55 feet from the proposed right of way.

Right of Way Dedication: The SE Plat shows 40 feet of right of way dedication along the Backlick Road frontage and approximately 4 feet of right of way dedication along the Sunset Lane frontage.

Access and Parking: The SE Plat indicates that ingress/egress to Proposed Lots 1, 2, and 3 will be provided via an existing access point along the property's Backlick Road frontage. The existing asphalt driveway will be extended in order to serve all 3 lots. Proposed Lot 4 has access from Sunset Lane via an existing asphalt driveway, and this access is not proposed to be modified. The SE Plat depicts that there will be at least two off-street parking spaces for each lot.

Existing Trees and Landscaping: The SE Plat depicts the locations of the existing vegetation and what is proposed to be preserved. The primary area of existing tree cover on the site is in the northeast portion and this area contains mature trees worthy of preservation. The plat shows that after development the site will have 38.7% tree cover, exceeding the minimum requirements of 30%.

In addition, while transitional screening is not required, the SE plat shows additional tree plantings between the shared access drive and the adjacent lot to the southwest. Sheet 5 of the SE Plat provides specific tree notes and calculations.

Stormwater Management/Best Management Practices: The application proposes to meet SWM/BMP requirements through two infiltration trenches on the property. The trenches will be located in two separate outlots for stormwater management; one located to the south of the shared access drive and the other on the southwest corner of proposed Lot 3. As noted on sheet 4 of the SE Plat, the trenches have been sized to provide water quality and quantity controls for the subject property and will provide the required phosphorous removal rate of 40%.

Utilities: The existing and proposed dwellings on the subject property will be served by public water and sewer.

Land Use Analysis

Density

The 2.17 acre subject property contains two parcels and is located within the Indian Run Community Planning Sector. The Comprehensive Plan shows the site as a residential use at a density of 1-2 du/ac. The applicant is requesting a waiver of the minimum lot width requirement in order to subdivide the property into four lots. There are two existing residences on the subject property; one will remain and one will be demolished. The resulting density for the proposed 4 parcels would be 1.84 du/acre. The existing lots are not part of an existing subdivision; therefore, the proposed application would not adversely impact the density of an existing subdivision. The proposed use and density is consistent with the recommendations of the Plan.

Lot Size, Widths, and General Layout

In evaluating the potential land use impacts of this request, staff specifically analyzed both the size and widths of lots in the area surrounding the subject site. While the dominant land use surrounding the property is residential, the lot sizes vary. On the west side of Backlick Road, across the street from the subject site, the Wilburdale subdivision contains lots zoned R-1 and approximately 21,000 square feet in area. One lot abutting the subject property is 50,000 square feet while another is 27,000 square feet. There are also at least eight pipestem lots in the vicinity with widths ranging from 5 to 25 feet, with the average lot being about 100-125 feet wide.

As evidenced from Figure 1 below, the proposed development will not create an atypical situation from what currently exists in the surrounding neighborhood. Pipestem lots are common in the neighborhood, and the view from both Backlick Road and Sunset Lane will essentially remain the same as that which currently exists. The visual impact of the proposed homes on the existing adjacent landowners will be minimal; the limits of clearing and grading have been designed to preserve tree cover on the north and west portions of proposed Lot 3, and the proposed homes are meeting the setback requirements.

Because the layout, widths, and sizes of the proposed lots are similar to the existing development patterns in the area, staff believes the proposal will not adversely affect the character of the area and finds the proposal in conformance with the Comprehensive Plan.

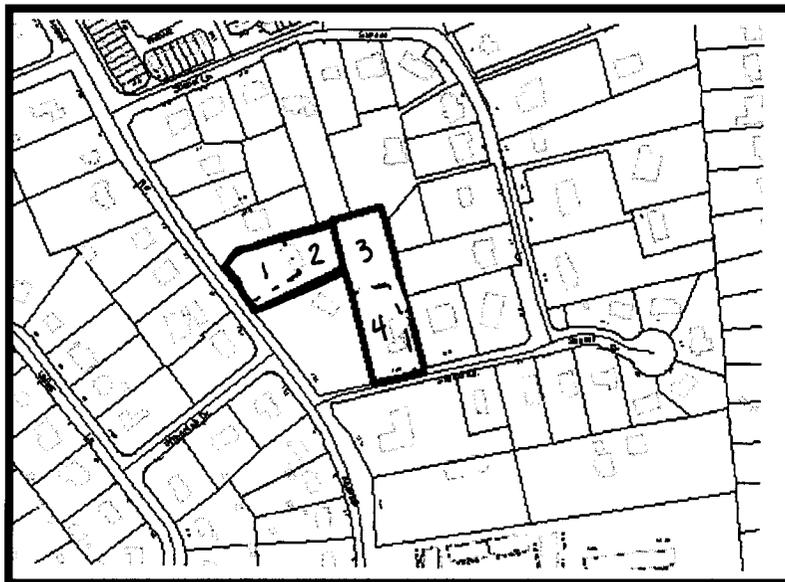


Figure 1: Map showing subject property and surrounding properties

Environmental Analysis (Appendix 5)

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.

Issue: Green Building Practices

The Policy Plan recommends that residential proposals seeking the high end of the planned density range should obtain Energy Star Qualified Homes designation. This site is planned for residential use at 1 to 2 dwelling units per acre. As the proposed density of 1.84 dwelling units per acre is at the high end of the density range, the three new houses should be Energy Star Qualified Homes to be in accordance with the Policy Plan's green building guidance.

Resolution: The applicant has agreed to design and construct the new dwelling units as Energy Star qualified homes. The applicant will submit documentation to DPZ prior to the issuance of a Residential Use Permit (occupancy permit) that demonstrates that the dwelling unit has attained the Energy Star for Homes qualification. Staff has included a development condition to this effect, which the applicant agrees to. This issue is addressed.

Issue: Transportation Noise

The subject property will be affected by traffic noise from Backlick Road. Any noise mitigation measures should account for increased traffic volume and associated increased noise levels with the widening of Backlick Road. Lot 1 is of particular concern because of its close proximity to Backlick Road. In accordance with Comprehensive Plan guidance regarding mitigation of transportation generated noise on new residential use, the applicant should commit to building materials which ensure that noise in interior areas of the new home on Lot 1 does not exceed 45 dBA L_{dn} , and that noise levels in the rear yard do not exceed 65 dBA L_{dn} . The applicant may pursue other methods of mitigating transportation generated noise if it can be demonstrated through an independent noise study (for review and approval by the Department of Public Works and Environmental Services (DPWES) in consultation with the Department of Planning and Zoning) that these methods will be effective in reducing exterior noise levels to 65 dBA L_{dn} or less and interior noise levels to 45 dBA L_{dn} or less.

Resolution:

In order to reduce interior noise to a maximum level of approximately DNL 45 dBA, the Applicant has agreed to a development condition for the residential unit adjacent to Backlick Road, which includes the following:

- Exterior walls shall have a laboratory sound transmission class ("STC") rating of at least 45. Exterior doors shall have a laboratory sound transmission class ("STC") rating of at least 34.
- Glazed areas, including doors and windows, shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20% of any facade exposed to noise levels of DNL 65 dBA or above. If glazing constitutes more than 20% of an exposed facade, then the windows shall have a STC rating of at least 35.

- All surfaces shall be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials ("ASTM") to minimize sound transmission.

These building materials and techniques are in line with what would be used to qualify the proposed units for Energy Star for homes designation. Staff believes this issue is addressed.

Issue: Tree Preservation

The subject property is characterized by a dense deciduous canopy worthy of preservation. The development plan includes an inventory of existing vegetation as well as a depiction of tree preservation areas throughout the site. The applicant is encouraged to look for additional opportunities for tree preservation in conjunction with the Urban Forestry Management Branch of DPWES in order to protect the existing canopy, as well as individual specimen trees during the construction process.

Resolution: The applicant has demonstrated their commitment to preserving as much of the existing vegetation as possible by agreeing to development conditions related to tree preservation and methods to protect the trees during construction. The applicant has also committed to working with DOT and UFM to utilize extraordinary means in order to preserve the large 56" oak which is located in the area to be dedicated as right of way for Backlick Road. Therefore, staff believes this issue is addressed.

Urban Forest Management Analysis (Appendix 6)**Issue: Tree Canopy Calculations**

The UFM memo, based on an earlier development plan, noted that the tree canopy calculation worksheet subtracted 18,814 square feet of road frontage for future right of way dedication along Backlick Road. This proposed ROW was not shown on the landscaping plan. It appeared as though many trees that are proposed to be preserved are located within the proposed ROW and therefore their canopy coverage cannot be used towards meeting the 10-year tree cover calculations. The applicant should show the proposed ROW dedication on the landscaping plan and remove any canopy credit for the trees located within this ROW from the 10-year tree canopy calculations. The tree canopy calculation worksheet should be updated.

Resolution: The applicant has since modified the plan to show the proposed right of way dedication and the canopy credits have been removed from the map and calculations. The tree canopy calculation worksheet has been updated. This issue is addressed.

Issue: Tree Preservation Techniques for 56" Oak

Although no tree cover canopy can be taken for the 56" oak due to the right of way dedication, this tree should still be considered a high priority for preservation. It is in good condition and the canopy overhangs almost all of Backlick Road and shades a large portion of the site. While Backlick Road will eventually be widened, this tree could

remain a focal point for the neighborhood and community until such time that widening takes place. Furthermore, Urban Forest Management staff met with the Department of Transportation regarding the sidewalk along the frontage of Backlick; the suggestion was made to move the sidewalk to the edge of the pavement of Backlick and within the VDOT right-of-way to stay as far away from the larger roots of this tree as possible, in an attempt to save the tree. UFM strongly recommends that Applicant evaluate further possibilities to save this tree. Several alternatives should be evaluated and considered. These consist of, but are not limited to:

1. Moving the driveway to the opposite side of the lot completely away from the oak.
2. Adjusting limits of clearing by using the existing driveway with limited widening to access the property. (By returning to the previous layout of access for two houses via this driveway, the width can be reduced.)
3. Use of root aeration matting.
4. Location of the sidewalk at the edge of the pavement, without a grassy strip between the edge of pavement and the sidewalk.
5. Use of pervious materials for the sidewalk and a small retaining wall to further reduce grading and impacts to the root system of the oak.

All sidewalk designs should be coordinated with VDOT and the Fairfax County Department of Transportation.

Resolution: The applicant has consulted with an Arborist and has considered all reasonable options to save this tree. In considering options suggested by UFM, the applicant explored the possibility of relocating the driveway to the other side of the lot, but believes this option is not feasible and would create additional land disturbance on other portions of the property. The applicant has scaled back the limits of clearing and grading to the extent possible and has proposed to use the existing driveway with limited (or no) widening to access the property. The proposed lot layout with access for three homes via the existing Backlick Driveway minimizes the overall impact to the trees on the property and allows a greater amount of existing vegetation to remain.

The applicant has agreed to a development condition describing the continued coordination with VDOT, FCDOT, and UFM regarding measures to protect the 56" oak as the sidewalk and Backlick Road improvements move forward. With the imposition of this development condition, staff feels this issue is addressed.

Issue: Clearing Limits

The limits of clearing are too close to the trunk of the 26" cherry along the front of the Backlick Road parcel to be able to save it as more than 40% of its critical root zone will be impacted by construction. Similarly, the 40" oak that is located just east of the existing

building will have 100% of its root zone impacted by construction as limits of clearing are approximately 10-12 feet from the trunk of this tree. UFM recommends the 26" cherry and 40" oak should not be preserved with the present limits of clearing. Applicant should move the limits of clearing further away from the trunk of these trees, or show these trees to be removed and take the canopy area square footage out of the tree preservation area and tree cover calculations.

Resolution: The applicant has elected to show these trees as "to be removed" and has removed their canopy coverage from the calculations. However, staff believes the 40" oak is worthy of preservation efforts and all reasonable measures should be taken to preserve the tree during construction. Staff has included development conditions to ensure measures are taken to preserve as much vegetation as possible on the site.

Transportation Analysis (Appendix 7)

Comment: Backlick Road Pedestrian Project

There is a County Pedestrian Project which includes the portion of Backlick Road along the site's frontage. The plans for the project include the construction of a 5 foot wide sidewalk along the site. Fairfax County DOT has expressed that the applicant does not need to provide any sidewalk or trail improvements along Backlick as the sidewalk will be constructed as part of the County project; the proposed right of way dedication (40 feet along Backlick Road) is sufficient for this Special Exception. The applicant has submitted trail and sidewalk waivers to Fairfax County DOT, as requested. Furthermore, the applicant has agreed to continue to work with UFM, VDOT, and FCDOT to mitigate the construction impact to the extent possible in order to preserve the 56" oak in the proposed right of way. No outstanding issues remain.

Stormwater Management Analysis (Appendix 8)

Issue: Water Quality Controls

Water quality controls are required for this development (PFM 6-0401.2A). The BMP calculations on Sheet 4 of the previous development plan identified a total phosphorous removal rate of 37%. A 40% reduction in phosphorous is required using the Occoquan Method.

Resolution: The applicant revised the development plan and BMP calculations to provide a 40% reduction using the Occoquan Method (see Sheet 4) by adding two stormwater/BMP outlots. This issue is addressed.

Issue: BMP Location

Water quality controls are allowed to be located on individual single family lots only for subdivisions with 2 or 3 lots; a 4 lot subdivision will be required to have its BMPs on an HOA parcel (PFM 6-1307.2A). The facilities were originally shown on the single-family lots and not on an HOA parcel as required by the PFM, and controls were only shown for only 3 of the 4 lots. The proposed locations of the water quality controls were not shown on the layout plan on Sheet 3; the maintenance access easements to the controls were also not shown.

Resolution: The applicant has revised the plan to propose water quality controls on two outlots (A and B) to be owned and maintained by an established HOA. The applicant will complete soils infiltration testing at final engineering, and, if needed, collector pipe shall be incorporated at the bottom of the trench to collect and distribute any runoff that does not percolate. The proposed infiltration trenches, maintenance access easements, and pipe location (should it be needed) are now shown on Sheet 3 of the SE Plat.

Issue: Pervious Pavers

The revised Statement of Justification for the application states that pervious pavers will be used. While SWM would be improved with their use, pervious pavers are still considered an impervious surface (PFM Table 6.4) and are not available for use as a BMP on single-family lots (PFM 6-1304.2A (1) (d)).

Resolution: The applicant is aware that pervious pavers are not available for use as a BMP on single-family lots, and the applicant has not designated any pavement on the SE Plat as pervious pavers. Staff believes that, although pervious pavers are not available for BMP, the applicant should not be discouraged from using pervious pavers as a method to reduce impacts to trees or for other environmental benefits, even though BMP credit can not be given.

Issue: Stormwater Detention

Stormwater detention or an approved waiver will be required (PFM 6-0301.3). The detention methods available for use on single family lots require infiltration. The soils on this site are marginal for infiltration. The applicant should provide infiltration test results to show that this type of facility can be used in the location(s) proposed.

Resolution: The applicant has discussed this issue with DPWES staff and, based on the county soils map, it appears that the soils in the area of the proposed infiltration trenches will have an acceptable infiltration rate. With this knowledge, the required infiltration test will be performed at final engineering. Upon the unlikely discovery that the infiltration rates are not acceptable, a collector pipe shall be incorporated at the bottom of the trench to collect and distribute any runoff of which does not percolate. Sheet 3 of the SE Plat shows the location of the pipe, should it be needed.

Parks Analysis (Appendix 9)

Issue: Cultural Resources Impact

The parcels were subject to archival review, which indicated this property has a high potential for archeological resources. Staff requested that the property be subjected to a Phase I archeological survey. If any potentially significant resources are found by the Phase I survey, then a Phase II assessment should be done.

Resolution: Staff has included a development condition to require the applicant's completion of a Phase I study. This issue is addressed.

Issue: Contribution to Parks

The Fairfax County Park Authority requests a fair share contribution of \$8,037 for recreational facility development at one or more park sites located within the service area of the subject property. However, this amount does not take into consideration that there are two existing homes on the site and one will be demolished, which means an overall increase of two homes to the area.

Staff notes that the contribution amount per new unit requested is \$2,679.00. This application requests two new housing units (two are existing, one to be demolished), which would make the total fair share contribution amount for this application \$5,358.00.

Resolution: The applicant has agreed to a contribution to the Park Authority in the amount of \$5,358.00. Staff has added a development condition for this contribution; this issue is addressed.

Schools Analysis (Appendix 11)**Issue: Additional Students and School Overcrowding**

Two students are anticipated from this lot width waiver. It is noted that the elementary, middle, and high schools in this area are currently over capacity and projected to be over capacity. The lot width waiver is anticipated to yield two new students that would further exacerbate the overcrowding at the receiving schools.

Resolution: In order to offset the projected addition of two students, the applicant has agreed to contribute \$23,096.00 to the Board of Supervisors for transfer to the Fairfax County School Board. This amount is based on the 2008 suggested contribution rate \$11,548 per student, which is applicable to this application as it was accepted prior to the 2009 adopted rate that became effective September 1, 2009. These funds shall be allocated by the Board of Supervisors for capital improvements contained in the adopted Capital Improvement Program (CIP) for public schools within Fairfax County. Staff has added a development condition to this effect; this issue is addressed.

Sewer Analysis (Appendix 12)

Comment: The application property is located in the Cameron Run watershed. It would be sewered into the Alexandria Sanitation Authority (ASA). Based on current and committed flow, there is excess capacity in the ASA at this time. An existing 8" line located in the street is adequate for the proposed use at this time.

ZONING ORDINANCE PROVISIONS (Appendix 10)

NOTE: Proposed Lots 1, 3 and 4, in consultation with the Zoning Administration Division, have been determined to be interior lots. Proposed Lot 2 has been determined to be a pipestem lot. An interior lot is defined as "Any lot, including a through lot, other than a

corner lot." A pipestem lot is defined as "A lot approved in accordance with the provisions of Sect.2-406 which does not abut a public street other than by its driveway which affords access to the lot" Lot 3 abuts both Backlick Road and Sunset Lane, therefore, as it does not meet the definition of a pipestem lot, it has been determined to be an interior lot.

Bulk Standards (R-2 Zoning)					
Standard	Required	Provided Proposed Lot 1 (interior lot)	Provided Proposed Lot 2 (pipestem lot)	Provided Proposed Lot 3 (interior lot)	Provided Proposed Lot 4 (interior lot)
Min. Lot Area	15,000 sq. ft.	16, 105 sq. ft.	15,430 sq. ft.	24,229 sq. ft.	28,592 sq. ft.
Lot Width	100 ft.	144 ft	5 ft	5 ft.	125 ft.
Building Height	35 ft.	35 ft. max.	35 ft. max.	35 ft. max.	30 ft.
Front Yard	35 ft. [25 ft.*]	35 ft.	35ft.	35 ft.	55 ft.
Side Yard	15 ft.	45 ft.	28 ft.	26 ft.	30 ft.
Rear Yard	25 ft.	25 ft.	25 ft.	70 ft.	99 ft.
Density	2 dwelling units per acre	1.84 dwelling units per acre			
Parking Spaces	2 spaces per unit	4 spaces	4 spaces	4 spaces	4 spaces

* Zoning Ordinance Section 2-416: On a pipestem lot, notwithstanding the minimum yard requirements of the district in which located, the front yard shall be a minimum of twenty-five (25) feet. The required twenty-five (25) feet shall be measured from the lot line formed by the pipestem or the edge of the pipestem driveway pavement, whichever is the greater distance.

Requested Waivers:

The applicant has requested a waiver of the minimum pavement width for pipestem driveways as shown in PFM Plate 11-7. The reason for this waiver is to maximize tree preservation, minimize disturbance to tree roots, and to allow minimal disturbance at the site entrance along Backlick Road. Staff supports the requested minimum pavement width waiver.

The applicant has also requested a waiver of PFM Section 2-0103.2 (no more than 20% of a development may be pipestems.) Four lots are proposed, with one being a pipestem, bringing the total pipestem lots in the development to 25%. Staff does not object to this waiver; as previously discussed, the proposed lot sizes and layouts are consistent with the surrounding neighborhood.

Other Zoning Ordinance Requirements:

Special Exception Requirements (Appendix 10)

Provisions for Waiving Minimum Lot Size Requirements (Sect. 9-610)

General Standards (Sect. 9-006)

Provisions for Waiving Minimum Lot Size Requirements (Sect. 9-610)

The Board may approve, either in conjunction with the approval of a rezoning or as a special exception, the waiving of the minimum district size and/or lot width requirement for an R District... but only in accordance with the following:

Paragraph 1 states that such lot has not been reduced in width or area since the effective date of this Ordinance to a width or area less than required by this Ordinance. The subject property has not been reduced in width or area since the effective date of the Zoning Ordinance; therefore this standard has been met.

Paragraph 2 states that the applicant shall demonstrate that the waiver results in a development that preserves existing vegetation, topography, historic resources and/or other environmental features; provides for reduced impervious surface; maintains or improves stormwater management systems; and/or similar demonstrable impact.

As discussed previously, the subject property is characterized by vegetation primarily on the northeast area of the property; this area is proposed to be preserved. The application proposes to preserve as much of the existing vegetation as possible. In addition, development conditions have been proposed to address adherence to the limits of clearing and grading and the limiting use of motorized equipment in tree preservation areas to hand-operated equipments such as chainsaws, wheel barrows, rakes and shovels. Any work that requires the use of motorized equipment such as tree transplanting spades, skid loaders, tractors or trucks or any accessory equipment shall not occur unless pre-approved by Urban Forest Management. In addition, due to the presence of invasive plants on the property, staff has included a development condition to require an invasive plant removal plan to be submitted with the subdivision plan. The removal of invasive species from the tree preservation areas will ensure the survivability of this vegetation and improve the conditions on site and in the surrounding area. With the tree preservation shown on the SE Plat and the development conditions proposed, staff believes the proposed development provides significant tree preservation and environmental improvements.

While there are no known historical resources on the property, the property is in an area identified in the Comprehensive Plan as having the potential for significant heritage resources. With the imposition of a proposed development condition, the applicant will conduct a Phase I archeological survey to determine if any significant resources are present on site.

There are no existing water quality controls on the subject property; the applicant is proposing two infiltration trenches which will address BMP/SWM for the project and improve the quality of the discharge from the site.

The application provides for reduced impervious surface by utilizing the existing driveways on the subject site and by minimizing the pavement width for the driveway

extension. With that shown on the SE Plat and the adoption of the proposed development conditions, staff believes this standard will be met.

Paragraph 3 states that it shall be demonstrated that development of the subject lot will not have any deleterious effect on the existing or planned development of adjacent properties or on area roadways. The proposed application would not create any significant additional impacts on the surrounding public street system. As noted, the addition of two (2) single family detached dwellings will not create a significant impact on the traffic on the public street system. As previously discussed, the SE Plat shows a proposed a 40-foot wide ROW dedication along the Backlick Road frontage, providing dedication to the satisfaction of DOT and adequate space for future Backlick Road improvements. Therefore, staff finds this standard is satisfied.

Paragraph 4 states that such waiver shall be approved only if the remaining provisions of this Ordinance can be satisfied. As discussed previously, the application satisfies all applicable Zoning Ordinance provisions other than the lot width requirement.

General Standards (Sect. 9-006)

Paragraph 1 requires that the proposed use be in harmony with the Comprehensive Plan. As described in the Land Use Analysis section, the resulting density of the proposed development of the subject site would be 1.87 du/acre. Staff believes that the proposed density is in harmony with the Comprehensive Plan and the character of the surrounding neighborhood. In addition, staff believes that the layout of the proposed lots will be compatible in bulk, orientation and scale to the surrounding homes in the vicinity. Therefore, this standard has been met.

Paragraph 2 requires that the proposed use be in harmony with the purpose and intent of the applicable zoning district regulations. The R-2 District was established to provide for single family detached dwellings at a density not to exceed two (2) dwelling units per acre; to provide for affordable dwelling unit developments at a density not to exceed two and four-tenths (2.4) dwelling units per acre; to allow other selected uses which are compatible with the low density residential character of the district; and otherwise to implement the stated purpose and intent of this Ordinance.

As noted earlier, this application provides for a density which satisfies the R-2 District density requirement and is harmonious with the surrounding developments. Due to the nature of this application (waiver of minimum lot width requirement), affordable housing units are not applicable to this request. With the exception of the minimum lot width requirement, the proposal meets the applicable Zoning Ordinance provisions. Therefore, this standard has been met.

Paragraph 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with applicable zoning district regulations and the adopted Comprehensive Plan. It further states

that 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.

The applicant is proposing the development of two (2) additional single-family detached dwelling units within the R-2 district, which is consistent and harmonious with the neighboring properties. Staff believes that proposal will not adversely affect the use or development of neighboring properties due to the existing development pattern and the proposed minimum yards. The adjacent properties are zoned R-1 or R-2; this proposal seeks to maintain the current residential character associated with the existing zoning of the area. Lot sizes in the area vary from 21,000 square feet to 50,000 square feet, with lot widths typically ranging from 5 feet (pipetems) to 115 feet. While the land use in the area is predominantly residential, there is a wide range of lot types and sizes. The applicant's proposal represents a similar pattern to the existing development in the area. Lot 19 is surrounded to the north and east by this proposed development, but the future development potential of this lot is not impeded by this request. With over 230' of frontage along Backlick Road, this parcel could subdivide by-right.

There are no screening or barrier requirements required by the Zoning Ordinance for this proposal, as the abutting properties are residentially zoned and developed with single-family detached dwellings. The applicant has, however, provided additional tree plantings along the southwest property line in order to provide screening for the abutting residence on Lot 19. The existing dwelling to remain is approximately 30 feet in height and the maximum height proposed for all dwellings on the subject site is 35 feet, which in accordance with the Zoning Ordinance provisions for the R-2 District.

As such, staff believes the proposed application will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. Therefore, this standard has been met.

Paragraph 4 states that 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. The Fairfax County Department of Transportation (FCDOT) has not found any particular conflict related to the proposed access points along Backlick Road or Sunset Lane. Also, in staff's opinion, the proposed application, which will result in the addition of two (2) single family dwellings in the neighborhood, would not create any significant additional impacts on the surrounding public street system. As previously discussed, the SE Plat shows a proposed 40 foot wide right of way (ROW) dedication along Backlick Road and approximately 4 feet of dedication along Sunset Lane. Therefore, staff finds this standard satisfied.

Paragraph 5 states that, in addition to the standards which may be set forth in this Article for a particular category or use, the Board may require landscaping and screening in accordance with the provisions of Article 13. There are no screening requirements associated with the application. Nevertheless, as noted above, the applicant will be

providing additional landscaping on the southwest property line to screen the proposed dwelling from the adjacent residence. The tree cover requirement in the R-2 District is 30%. The applicant has demonstrated on the SE Plat that the tree cover requirement is being exceeded with this application. With the tree preservation and supplemental plantings, the total tree cover provided is 38.7%. Therefore, this standard has been met.

Paragraph 6 states that open space should be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. This standard is not applicable, as there is no requirement for open space in the R-2 District for conventional subdivisions.

Paragraph 7 states that adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Two off-street parking spaces are provided for each of the single-family detached dwellings shown on the SE Plat. This development will be served by public water and sewer, and staff has determined there is capacity for this proposed development. Loading spaces are not required for this type of residential development. The infiltration trenches as proposed appear to adequately provide drainage for the site, and a collector pipe will be installed if the soils warrant additional methods of drainage. Therefore, this standard has been met.

Paragraph 8 states that 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. This standard is not applicable as there are no signs proposed with this application.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The application is a request for a Category 6 Special Exception to permit a waiver of the minimum lot width requirement in order to subdivide two lots into four lots with proposed lot widths of 144', 125', and two lots at 5' (one is a pipestem lot.) The resulting density would be 1.84 du/ac. Staff believes that the application is in harmony with the land use recommendations of the Comprehensive Plan and is in conformance with the applicable Zoning Ordinance provisions.

Recommendations

Staff recommends approval of SE 2009-MA-015 subject to the proposed development conditions contained in Appendix 1 of this report.

Staff recommends that the Board of Supervisors direct the Director of DPWES to waive the minimum pavement width for pipestem driveways as shown in PFM Plate 11-7.

Staff recommends that the Board of Supervisors direct the Director of DPWES to waive PFM Section 2-0103.2 (no more than 20% of a development may be pipestems.)

Staff recommends approval of a waiver of the sidewalk and trail requirement along Backlick Road, in favor of County Project Number 4YP201-PB025.

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

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

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

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Comprehensive Plan Text
5. Environmental Analysis
6. Urban Forest Management Analysis
7. Transportation Analysis
8. Stormwater Management Analysis
9. Parks Analysis
10. Applicable Zoning Ordinance Provisions
11. Glossary

PROPOSED DEVELOPMENT CONDITIONS

SE 2009-MA-015

November 30, 2009

If it is the intent of the Board of Supervisors to approve SE 2009-MA-015 located at 4954 Sunset Lane and 4921 Backlick Road (Tax Map 71-3 ((1)) 24A and 71-4 ((1)) 20) to permit a waiver of the minimum lot width requirement pursuant to Sect. 9-610 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. Replacement of the existing structure, accessory structures, extensions, and/or additions that conform with the applicable Zoning Ordinance Provisions and these development conditions, as determined by the Zoning Administrator, may be permitted without an amendment to this Special Exception.
3. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
4. Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Special Exception for Cornejo Properties", consisting of six (6) sheets, prepared by Smith Engineering and dated June 12, 2009 as revised through October 22, 2009, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. All new dwelling units shall be designed and constructed as ENERGY STAR qualified homes. The major features of an ENERGY STAR home include: Effective Insulation, High-Performance Windows, Tight Construction and Ducts, Efficient Heating and Cooling Equipment, Efficient Products, and Third Party Verification (Home Energy Rater.) Prior to issuance of the Residential Use Permit (RUP) for each dwelling unit, documentation shall be submitted to the Environment and Development Review Branch of the Department of Planning and Zoning (DPZ) from a home energy rater certified through the Residential Energy Services Network (RESNET) program that demonstrates that the dwelling unit has attained the ENERGY STAR for Homes qualification, as described in these conditions.

6. In order to reduce interior noise to a maximum level of approximately DNL 45 dBA, the Applicant proffers that the residential unit adjacent to Backlick Road shall have the following acoustical attributes:
 - a. Exterior walls shall have a laboratory sound transmission class ("STC") rating of at least 45. Exterior doors shall have a laboratory sound transmission class ("STC") rating of at least 34.
 - b. Glazed areas, including doors and windows, shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20% of any facade exposed to noise levels of DNL 65 dBA or above. If glazing constitutes more than 20% of an exposed facade, then the windows shall have a STC rating of at least 35.
 - c. All surfaces shall be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials ("ASTM") to minimize sound transmission.
 - d. Prior to the issuance of building permits, alternative noise attenuation measures may be provided subject to the implementation of a noise study as reviewed and approved by DPWES after consultation with DPZ.
7. The sidewalk design for the Backlick Road pedestrian project (Project number 4YP201-PB025) shall be coordinated with VDOT, Fairfax County DOT, and UFM, and should incorporate creative techniques such as, but not limited to, the use of pervious materials for the sidewalk, a small retaining wall, and/or other measures to further reduce grading and impacts to the root system of the 56" oak tree; any necessary ancillary easements shall be provided.
8. Landscaping & Tree Preservation
 - a. The limits of clearing and grading shall be strictly adhered to during and after construction. Prior to any demolition, clearing and grading on the site, the limits of clearing and grading shall be fenced and flagged, as determined appropriate by Urban Forest Management, DPWES, to protect existing vegetation which is to be preserved, both on and off-site, and to prevent intrusions into tree save areas. Clearing and grading limits around the border of the proposed septic field and sewer lateral shall be adjusted, as recommended by the Urban Forest Management, to minimize damage and/or removal of trees in that area.
 - b. Minor field adjustments shall be permitted to the location of the limits of clearing and grading to protect individual trees which are located off-site and on the boundary line at time of subdivision plan review and

construction, in conjunction with and to the satisfaction of the Urban Forest Management, DPWES. However all trees shown to be located off-site near the property boundary and co-owned trees shall be protected by adjusted limits of clearing located a minimum of ten (10) feet from the off-site or co-owned tree trunks.

- c. The limits of clearing and grading shall be marked with a continuous line of flagging prior to the demolition and/or pre-construction meeting. Before or during the pre-construction meeting, the limits of clearing and grading shall be walked by the Owner, and a representative of the Owner, who is a certified arborist or landscape architect, with an Urban Forest Management, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified specifically by Urban Forest Management in writing as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees and associated understory vegetation and soil conditions.
- d. A tree preservation plan shall be prepared and submitted for the review and approval of DPWES and the Urban Forester's office as part of the first and all subsequent submissions of the subdivision plan. The plan may include, but shall not be limited to the use of root aeration matting, supersonic air tools, retaining walls and other measures to be approved by Urban Forest Management. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of the Urban Forest Management, DPWES.
- e. The tree preservation plan shall consist of a final tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 12 inches in diameter and greater, and 20 feet to either side of the limits of clearing and grading shown on the SE Plat for the entire site. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SE Plat, and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of trees identified to be preserved, such

as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

- f. The use of motorized equipment in tree preservation areas will be limited to hand-operated equipment such as chainsaws, wheel barrows, rake and shovels. Any work that requires the use of motorized equipment, such as tree transplanting spades, skid loaders, tractors, trucks, stump-grinders, etc., or any accessory or attachment connected to this type of equipment shall not occur unless pre-approved by Urban Forest Management, DPWES.
 - g. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing (four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart, or other measures as approved by Urban Forest Management, DPWES) shall be erected at the limits of clearing and grading as shown on the demolition, and Phase I and II erosion and sediment control sheets, as may be modified by Urban Forest Management.
 - h. All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fence types shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three days prior to the commencement of any clearing, grading, or demolition activities, but subsequent to the installation of the tree protection devices, Urban Forest Management, DPWES and the District Supervisor shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by Urban Forest Management, DPWES.
9. At the time of subdivision plan, an invasive plant removal plan for those areas identified for preservation as shown on the SE Plat shall be submitted to Urban Forest Management; the plan shall be implemented to the satisfaction of UFM.
 10. Prior to record plat approval, the necessary residential covenants shall be established governing the maintenance of the infiltration/percolation trenches and shared driveway on the proposed lots as shown on the SE Plat. Residential covenants shall be recorded which disclose to the existing and all subsequent property owners the maintenance obligations of the infiltration/percolation trenches and shared driveway.

11. At the time of subdivision plan approval, the Applicant shall contribute a sum of \$23,096.00 to the Board of Supervisors for transfer to the Fairfax County School Board. These funds shall be allocated by the Board of Supervisors for capital improvements contained in the adopted Capital Improvement Program (CIP) for public schools within Fairfax County. If approved by the Board of Supervisors or its authorized agent, the Applicant may make an in-kind contribution for capital improvements to the Fairfax County School Board equal to, or greater in value than, the cash contribution, as determined by the Board of Supervisors or its agent.
12. At the time of subdivision plan approval, Applicant shall contribute the sum of \$5,358.00 to the Fairfax County Park Authority for the provision of recreational facilities in the vicinity of the Application Property.
13. Prior to subdivision plan approval, a Phase I archeological survey shall be completed, using a scope of work provided by the Fairfax County Park Authority's Cultural Resource Management and Protection section (CRMPS). If any potentially significant archeological resources are found by the Phase I survey than a Phase II assessment shall be completed. If any sites are determined to be significant then they shall be avoided or a Phase III data recovery shall be performed in accordance with a scope provided by the CRMPS. One copy of the draft and final archeological reports shall be provided to the Park Authority's Resource Management Division within 30 days of completion of the study or survey.

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 Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. If the project is phased, development of the initial phase shall be considered to establish the use for the entire development as shown herein. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

SPECIAL EXCEPTION AFFIDAVIT

DATE: June 3, 2009
 (enter date affidavit is notarized)

I, Keith C. Martin, 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

105587

in Application No.(s): SE 2009-MA-015
 (enter County-assigned application number(s), e.g. SE 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Ana L. Cornejo	4954 Sunset Lane Annandale, VA 22003	Applicant/Title Owner
Sack Harris & Martin, P.C. Keith C. Martin	8270 Greensboro Drive, Suite 810 McLean, VA 22102	Attorneys/Agent Agent / <i>Attorney</i>
Smith Engineering Blake A. Smith	3931 Avian Park Court, Suite C116 Chantilly, VA 20151	Engineers/Agent Agent

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: June 3, 2009
 (enter date affidavit is notarized)

105587

for Application No. (s): SE 2009-MA-015
 (enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code) Sack Harris & Martin, P.C.
 8270 Greensboro Drive, Suite 810
 McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

James M. Sack
 Robert A. Harris IV
 Keith C. Martin

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

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

Special Exception Attachment to Par. 1(b)

DATE: June 3, 2009
(enter date affidavit is notarized)

105587

for Application No. (s): SE 2009-MA-015
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Smith Engineering
3931 Avian Park Court, Suite C116
Chantilly, VA 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 SHAREHOLDERS: (enter first name, middle initial, and last name)

Blake A. Smith

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

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: June 3, 2009
(enter date affidavit is notarized)

105587

for Application No. (s): SE 2009-MA-015
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

N/A

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

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: June 3, 2009
(enter date affidavit is notarized)

105587

for Application No. (s): SE 2009-MA-015
(enter County-assigned application number(s))

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

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

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

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

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

None.

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

Application No.(s): SE 2009-MA-015
(county-assigned application number(s), to be entered by County Staff)

SPECIAL EXCEPTION AFFIDAVIT

DATE: June 3, 2009
(enter date affidavit is notarized)

105587

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

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

None.

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

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

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

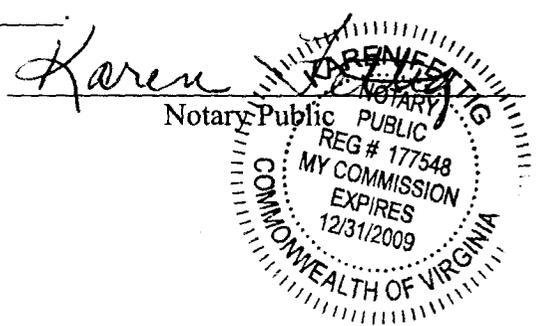
WITNESS the following signature:

(check one) [] Applicant [x] Applicant's Authorized Agent

Keith C. Martin, Agent
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 3rd day of June 20 09, in the State/Comm. of Virginia, County/City of Fairfax

My commission expires: 12.31.09



SACK HARRIS & MARTIN, P.C.

ATTORNEYS AT LAW

SUITE 810
8270 GREENSBORO DRIVE
MCLEAN, VIRGINIA 22102
TELEPHONE (703) 883-0102
FACSIMILE (703) 883-0108

September 23, 2009

Ms. Regina Coyle
Department of Planning & Zoning
12055 Government Center Parkway
Suite 801
Fairfax, Virginia 22035

Re: Special Exception Application SE2009-MA-015 for Waiver of Minimum Lot
Width on Tax Map 71-4((1))20 and 71-3((1))24A ("Property")
Mason District

Dear Ms. Coyle:

The following is submitted as a revised Statement of Justification for the above referenced Special Exception application. The Property consists of 2.17 acres and has public street frontage on both Backlick Road and Sunset Lane. The owner, Ana Cornejo desires to subdivide the Property into four lots so that her three sons and their families may build homes next to her house.

1. Type of Operation

The Special Exception Plat shows the lot layout, existing vegetation and proposed limits of clearing and grading. Lots 1 and 2 are similar in size; 16,105 sq. ft. and 17,721 sq. ft., respectively; as are Lots 3 and 4 which are 23,316 sq. ft. and 30,458 sq. ft. in size. The lot configuration and lot sizes are comparable to other lots and pipe stem configurations in the neighborhood. The lot layout and limits of clearing allow for maximum tree preservation on the four lots. Lots 1, 2 and Lot 3 will share segments of a common driveway to access a singular point on Backlick Road and the existing house on Lot 4 will use the existing driveway to Sunset Lane. The design and the use of pervious pavers will minimize impervious surfaces and improve stormwater management.

The Applicant chose the Special Exception process for waiver of minimum lot width versus a rezoning to a PDH or Cluster district for several reasons. Although the proposed layout meets the ordinance's technical criteria for R-2 Cluster it would fail to meet the intent of the Cluster provisions. The PDH District provisions require meaningful open space and recreational facilities which would be impractical.

SACK HARRIS & MARTIN, P.C.

Ms. Regina Coyle
September 23, 2009
Page 2 of 6

2. Hours of Operation

The Special Exception is requested to permit four single-family detached houses. No commercial uses are proposed. Therefore the hours of operation is not applicable.

3. Estimated Number of Patrons/Clients/Patients/Pupils/Etc.

Again, the proposed use is single-family detached. No commercial uses are proposed. Therefore this section is not applicable.

4. Proposed Number of Employees/Attendants/Teachers/Etc.

Again, the proposed use is single-family detached. No commercial uses are proposed. Therefore this section is not applicable.

5. Estimation of Traffic Impact of the Proposed Use, Including the Maximum Expected Trip Generation and the Distribution of Such Trips by Mode and Time of Day

The subject property currently contains two single-family detached houses. The current trip generation is twenty vehicles per day per the guidelines established by the Institute of Transportation Engineers. By granting this Special Exceptions, the subject property may contain a maximum of four single-family detached houses. This will increase the trips per day from twenty to forty. This increase in trip generation will have no impact on the transportation infrastructure and will not warrant any transportation improvements. Please note that the proposed subdivision is compatible with surrounding land use patterns and the Applicant has not received any comments from the Virginia Department of Transportation of Fairfax County requesting road improvements; other than right-of-way dedication along Backlick Road.

6. Vicinity of General Area to be Served by the Use

The proposed single-family detached uses will serve only the subject property. There is no commercial aspect to this use.

7. Description of Building Façade and Architecture of Proposed New Building Additions

The proposed house on the subject property will be consistent with the surrounding architecture. Elevations of the proposed house are not yet available, but will be made available to Staff as soon as they are available.

SACK HARRIS & MARTIN, P.C.

Ms. Regina Coyle
September 23, 2009
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8. A Listing of All Hazardous or Toxic Substances

To the best of our knowledge, the subject property does not contain any hazardous or toxic substances.

9. A Statement of How the Proposed use Conforms to the Provision of All Applicable Ordinances, Regulations, Adopted Standards and Any Applicable Conditions

The subject property and proposed use will conform to the provision of all applicable ordinances, regulations, adopted standards and any applicable conditions, except for those waivers and Special Exception requested as part of this application.

In addition to the items listed above, the application proposes to meet the following general standards:

10. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.

The Comprehensive Plan recommends development of the subject property at a density of one to two dwelling units per acre. The proposed Special Exception to permit the subdivision into four residential lots is in accordance with the Comprehensive Plan recommendations for this area and will result in a density of 1.9 dwelling units per acre.

11. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

The general purpose and intent of the Zoning Ordinance is to protect the "health, safety, and general welfare of the public and to implement the adopted comprehensive plan for the orderly and controlled development of the County." The proposed subdivision will be compatible with the surrounding land uses and neighborhood in terms of lot size and use. The Applicant's proposed lot sizes are similar to or larger than surrounding properties.

The proposed tree preservation will provide additional benefits to the surrounding parcels including the retention of runoff as well as screening.

Further, the proposed houses will be served by adequate utilities including public water and sewer. Adequate access to Backlick Road and Sunset Lane will be provided via two individual driveways, both of which currently exist. No access will be provided through the adjacent neighborhood. The proposed subdivision is in accordance with the density guidelines established by the Zoning Ordinance.

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Ms. Regina Coyle
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Page 4 of 6

12. 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 proposed Special Exception and subsequent subdivision will not have an adverse affect on the surrounding properties. As previously mentioned, the surrounding properties to the north, east and west have also been subdivided and the Applicants are proposing a similar subdivision, in terms of lot size and configurations. The addition of two houses on the subject property will match the character of the surrounding neighborhood.

As stated above, the Applicant's objective is to build three houses for her three adult sons and their families adjacent to her existing house. Therefore, the Applicant is proposing this Special Exception in order to construct two additional houses and rebuilding one of the existing houses on the subject property for her children. The one existing house will remain and cannot be removed without obtaining a Special Exception Amendment.

13. 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.

Pedestrian and vehicular traffic associated with the proposed use will not be hazardous or in conflict with the existing and anticipated traffic. Again, the Applicants are requesting this Special Exception in order to subdivide their property to add two additional houses. This small increase in traffic will not have a detrimental effect on the surrounding properties, which have also been recently subdivided. The trips generated from the proposed subdivision will be directed to Backlick Road and Sunset Lane and not through the adjacent neighborhood.

14. 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.

The subject property is surrounded to the north, east and west by single-family detached uses. The existing/proposed use is single-family detached. Therefore, landscaping and screening are not required in accordance with Article 13. However, the Applicant has shown conservative limits of clearing and grading and will preserve existing vegetation to the greatest extent feasible. The preservation of existing mature vegetation will provide screening where none is required. The Applicant will meet the twenty percent tree cover requirement via the preservation of existing vegetation.

15. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.

SACK HARRIS & MARTIN, P.C.

Ms. Regina Coyle
September 23, 2009
Page 5 of 6

The subject property is zoned R-2, which does not have a minimum open space requirement. The approximate limits of clearing and grading are shown on the attached plat and will be strictly adhered to upon development of the subject property. The Applicants will be preserving existing vegetation to the greatest extent feasible.

16. 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.

The existing and proposed houses will be served by a public water and sewer in accordance with County requirements. In accordance with Article 11, two parking spaces are required per house. The existing house will meet parking requirements via the existing garage and the proposed houses will meet parking requirements via new garages. No loading spaces are required for single-family detached uses.

17. 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.

No signs are proposed as part of this application.

The subject property will also meet the following specific standards:

1. Such lot has not been reduced in width or area since the effective date of this Ordinance to a width or area less than required by this Ordinance.

The subject property is currently zoned R-2 and requires a minimum lot width of 100' and a minimum lot area of 12,000 square feet, in accordance with the current Zoning Ordinance, effective August 14, 1978. The subject property currently contains approximately 130' and 146' of lot width and each parcel is approximately one acre. Therefore the subject property has not been reduced to a lot width or area less than that required by the Ordinance.

2. The applicant shall demonstrate that the waiver results in a development that preserves existing vegetation, topography, historic resources, and/or other environmental features; provides for reduced impervious surface; maintains or improves stormwater management systems; and/or similar demonstrable impact.

The proposed waiver of minimum lot width requirements for the proposed residential lots will result in development that minimizes disturbance to existing vegetation and topography, while providing for two additional building lots. The limits of clearing and grading have been reduced to the maximum extent and a Tree Preservation Plan has been included in the Special Exception Plat. A combined driveway for Lots 1, 2, and 3 is now proposed to save additional trees in the center of the Property. The driveway on Lot 1 has been shifted to preserve the 56' oak tree. Finally, the applicant is not aware of any historic resources on the subject property.

SACK HARRIS & MARTIN, P.C.

Ms. Regina Coyle
September 23, 2009
Page 6 of 6

3. It shall be demonstrated that development of the subject lot will not have any deleterious effect on the existing or planned development of adjacent properties or on area roadways.

The subject property is currently accessed from Backlick Road and Sunset Lane. According to the Comprehensive Plan and Countywide Transportation Plan, Backlick Road is planned to be widened to six lanes. As a condition of approval of the Special Exception and subdivision approval, the Applicants will dedicate right-of-way in accordance with the Comprehensive Plan. This dedication will occur at the time of recordation. This application is proposing the addition of two houses to the subject property via a subdivision of the property. This minor increase in vehicle trips will have no impact on the adjacent roadways. In addition, the subdivision of this property is consistent with adjacent properties, which have also been recently subdivided.

4. Such waiver shall be approved only if the remaining provisions of this Ordinance can be satisfied.

All applicable ordinance and requirements will be met with this application other than the following waivers.

- PFM Section 2-0103.2 (no more than 20% of a development may be pipestems)
- PFM Section 2-0103.5 (houses must be at least 25' away from pipestem driveways)
- PFM Plate 11-7; minimum pavement width of 12' and 18' for a pipestem driveway

All of these waivers are related directly to maximum tree preservation and minimum impervious surface.

Very truly yours,

SACK HARRIS & MARTIN, P.C.



Keith C. Martin

cc: Ana Cornejo

A3 INDIAN RUN COMMUNITY PLANNING SECTOR

CHARACTER

Most of the Indian Run Community Planning Sector lies outside the Annandale Community Business Center and is predominantly developed in single-family residential use. However, scattered commercial areas include:

- The northeastern quadrant of Backlick Road and Braddock Road where the Bradlick Shopping Center is located as well as some low-rise office. These tracts abut existing stable single-family residential neighborhoods.
- The east side of Backlick Road between Cindy Lane and Sunset Lane -- the location of a small commercial area surrounded by a townhouse development. Several single-family residences front on Backlick Road, surrounded either by commercial or townhouse uses.
- The south side of the Little River Turnpike (Route 236) corridor between Old Columbia Pike and Braddock Road -- characterized by a strip of commercial and higher density residential uses.

The Indian Run Stream Valley is a significant environmental feature running diagonally across the entire length of this sector. It has been designated as an Environmental Quality Corridor. A large portion of this sector is in older and dispersed residential neighborhoods which, because of the relatively minor cutting and filling that occurred during their construction, retain the potential for significant heritage resources.

CONCEPT FOR FUTURE DEVELOPMENT

The Indian Run Community Planning Sector contains lands which are recommended to develop as part of the Annandale Community Business Center (CBC) and those which fall outside of the CBC. The Annandale Community Business Center is discussed in a separate section of this Plan following the Annandale District overview. The remainder of this planning sector is recommended to develop as Suburban Neighborhoods in the Concept for Future Development.

RECOMMENDATIONS

Land Use

The Indian Run Community Planning Sector contains 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.

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

Figure 29 indicates the geographic location of land use recommendations for this sector.

1. The approximately three-quarter acre vacant parcel immediately south of the low-rise office structure in the southwestern quadrant of the intersection of Route 236 and Minor Lane [tax map 71-2((1))39] is planned for office use up to .30 FAR. Effective, landscaped buffering should be provided along the periphery of the parcel to mitigate visual impacts upon adjacent, noncommercial uses.
2. At the intersection of Carrico Drive and Little River Turnpike on Parcels 71-1((5))3A and 4 are planned for residential use at 3-4 dwelling units per acre. If these lots are consolidated for the purpose of coordinated development, low-intensity office uses (e.g., townhouse offices) up to .25 FAR may be appropriate for the site under the following conditions:
 - Office development (structures and parking) extends only as far south on parcel 4 as the existing southern extent of commercial development along the west side of Carrico Drive, with the remaining portion of parcel 4 designated as undeveloped open space;
 - Effective visual screening is provided along the southern periphery of the property, preferably consisting of a brick wall six (6) feet in height with landscaping along its southern side adjacent to the existing residential unit on parcel 5; and
 - The office uses are residential in appearance to enhance compatibility with the nearby residential community.
3. The 10.3-acre tract located along the south side of Route 236 immediately east of the Indian Run townhouse development is planned for residential development at 4-5 dwelling units per acre. The Indian Run Stream Valley and acreage to the south of the stream should be dedicated to the Fairfax County Park Authority, thus ensuring an appropriate open space buffer for the existing stable residential community farther south.
4. The Bradlick Shopping Center, located in the northeastern quadrant of the intersection of Braddock and Backlick Roads, is planned for retail use up to .35 FAR. Parcel 71-4((1))28, on the eastern boundary of the Bradlick Shopping Center, is planned for residential use at 2-3 dwelling units per acre. This parcel is associated with the stable residential area to the east, and should not be subject to commercial encroachment.
5. Uses requiring special permits and special exception approval should be rigorously reviewed and permitted only when the use is of a size and scale that will not adversely impact adjacent land uses and the overall low density residential character of the area and to prevent commercial or quasi-commercial encroachment. [Not Shown]
6. Parcel 71-2((1))42 is planned for public facilities, governmental and institutional uses. As an option, a portion of the property on the south and east, approximately 4.5 acres, may be appropriate for 5-8 du/ac. This residential option may be appropriate if no vehicular access is provided directly to Little River Turnpike, but limited to the service drive that also provides access to Mayhunt Court. Any residential development should provide a landscaped buffer to the existing electrical substation and the adjacent residential neighborhoods.

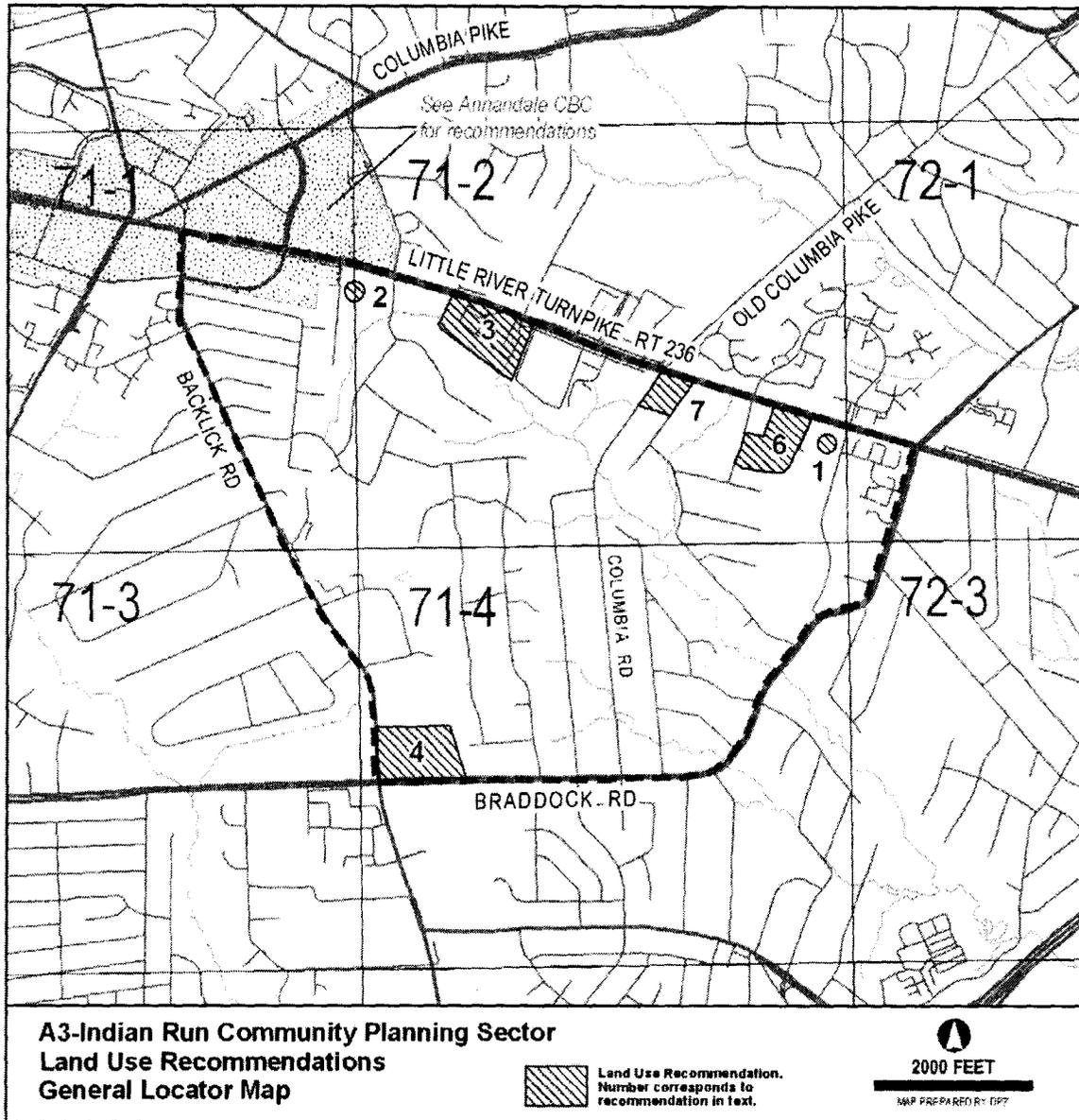


FIGURE 29

7. The commercial area south of Little River Turnpike, between Randolph Drive and Columbia Road is planned for retail use. As an option, parcels 71-2((10))1,2,11, and 12 may be appropriate for office use up to .40 FAR, with full consolidation, a maximum height of 35 feet, a minimum 25 foot landscaped buffer, and effective visual screening including provision of a 6 foot high brick wall next to the residential neighborhood to the south. Any redevelopment of the site should improve the area's storm water drainage and minimize impacts to traffic on Randolph Drive.

Transportation

Transportation recommendations for this sector are shown on Figure 30. In some instances, site-specific transportation recommendations are included in the land use recommendations section. The figures show access orientation, circulation plans, interchange impact areas and generalized locations of proposed transit facilities. The recommendations contained in the Area Plan text and maps, the Policy Plan and Transportation Plan map, policies and requirements in the Public Facilities Manual, the Zoning Ordinance, and other standards will be utilized in the evaluation of development proposals.

Heritage Resources

Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found. In those areas where significant heritage resources have been recorded, an effort should be made to preserve them. If preservation is not feasible, then, in accordance with countywide objectives and policies as cited in the Heritage Resources section of the Policy Plan, the threatened resource should be thoroughly recorded and in the case of archaeological resources, the artifacts recovered.

Public Facilities

1. Construct a ground storage tank for additional water storage.

Parks and Recreation

Park and recreation recommendations for this sector are shown on Figure 31. The column "Park Classification" includes existing park facilities. The "Recommendations" column includes entries for both existing and proposed facilities. Prior to developing parkland, the Fairfax County Park Authority initiates a master planning process to determine the appropriate facilities and design for that park. This process involves extensive citizen review and participation. If an existing park is listed but no recommendation appears on that line, it means the park has been developed in accordance with its master plan.



County of Fairfax, Virginia

MEMORANDUM

DATE: October 29, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: Environmental Assessment: SE 2009-MA-015
Ana L. Cornejo

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed revised Special Exception (SE) Plat dated October 22, 2009.

Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on pages 7-9, 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 j. Regulate land use activities to protect surface and groundwater resources. . . .

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on page 10, the Plan states:

“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on page 16, the Plan states:

“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on pages 17 and 18, 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®) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR® 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 c. Ensure that zoning proposals for residential development will qualify for the ENERGY STAR Qualified Homes designation, where such zoning proposals seek development at the high end of the Plan density range and where broader commitments to green building practices are not being applied.”

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.

This application seeks approval for four lots on a 2.17 acre parcel of land at a density of 1.84 dwelling units per acre. Three new homes are proposed to be built, two homes currently exist on the subject property but only one will remain.

Transportation Noise: The subject property will be affected by traffic noise from Backlick Road. Any noise mitigation measures should account for increased traffic volume and associated increased noise levels with the widening of Backlick Road. Lot 1 is of particular concern because of its close proximity to Backlick Road. In accordance with Comprehensive Plan guidance regarding mitigation of transportation generated noise on new residential use, the applicant should commit to building materials which ensure that noise in interior areas of the new home on Lot 1 does not exceed 45 dBA L_{dn} , and that noise levels in the rear yard does not exceed 65 dBA L_{dn} . The applicant may pursue other methods of mitigating transportation generated noise if it can be demonstrated through an independent noise study for review and approval by the Department of Public Works and Environmental Services (DPWES) in consultation with the Department of Planning and Zoning, that these methods will be effective in reducing exterior noise levels to 65 dBA L_{dn} or less and interior noise levels to 45 dBA L_{dn} or less.

Tree Preservation: The subject property is characterized by a dense deciduous canopy worthy of preservation. The development plan includes an inventory of existing vegetation as well as a depiction of tree preservation areas throughout the site. The applicant is encouraged to look for additional opportunities for tree preservation in conjunction with the Urban Forestry Management Branch of DPWES in order to protect the existing canopy, as well as individual specimen trees during the construction process.

Green Building Practices: The Policy Plan recommends that residential proposals seeking the high end of the planned density range should obtain Energy Star Qualified Homes designation. This site is planned for residential use at 1 to 2 dwelling units per acre. As the proposed density of 1.84 dwelling unit is at the high end of the density range, the three new houses should be Energy Star Qualified Homes to be in accordance with the Policy Plan's green building guidance.

COUNTYWIDE TRAILS MAP:

The Countywide Trails Plan depicts an on-road bike lane and a major paved trail described as asphalt or concrete, 8 foot wide or more in width along the property's Backlick Road frontage. The development plan notes that funds will be escrowed in lieu of construction of the 8-foot wide Comprehensive Plan trail along the property's Backlick Road frontage. It is not clear from the development plan how the planned on-road bike lane will be addressed by the applicant.

PGN: MAW



County of Fairfax, Virginia

MEMORANDUM

October 5, 2009

TO: Suzie Zottl, Staff Coordinator
Department of Planning and Zoning, ZED

FROM: Ineke Dickman, Urban Forester II *AD*
Forest Conservation Branch, DPWES

SUBJECT: Cornejo Properties (4954 Sunset Lane and 4921 Backlick Road), SE 2009-MA-015

Urban Forest Management Division staff has reviewed the above referenced Special Exception plan stamped as received by the Department of Planning and Zoning, Zoning Evaluation Division, September 24, 2009. A site visit was performed on August 19, 2009 during the review of the previous submission.

1. **Comment:** The tree canopy calculation worksheet subtracts 18,814 sf of road frontage for future right of way dedication along Backlick Road. This proposed ROW is not shown on the landscaping plan. It appears as though many trees that are proposed to be preserved are located within the proposed ROW and therefore their canopy coverage cannot be used towards meeting the 10-year tree cover calculations.

Recommendation: Applicant should show the proposed ROW dedication on the landscaping plan and remove any canopy credit for the trees located within this ROW from the 10-year tree canopy calculations. The tree canopy calculation worksheet should be updated.

2. **Comment:** Although no tree cover canopy can be taken for the 56" oak due to the right of way dedication, this tree should still be considered a high priority for preservation. It is in good condition and the canopy overhangs almost all of Backlick Road and shades a large portion of the site. While Backlick Road will eventually be widened, this tree could remain a focal point for the neighborhood and community until such time that widening takes place. Furthermore, Urban Forest Management staff has met with the Department of Transportation regarding the sidewalk along the frontage of Backlick a few months ago. The suggestion was made to move the sidewalk to the edge of the pavement of Backlick and within the VDOT right-of-way to stay as far away from the larger roots of this tree as possible in an attempt to save the tree.

Recommendation: We strongly recommend that Applicant evaluates further possibilities to save this tree. Several alternatives should be evaluated and considered. These consist of but are not limited to:

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



1. Moving the driveway to the opposite side of the lot completely away from the oak.
2. Adjusting limits of clearing by using the existing driveway with limited widening to access the property. By returning to the previous layout of access for two houses via this driveway, the width can be reduced.
3. Use of root aeration matting.
4. Location of the sidewalk at the edge of the pavement, without a grassy strip between the edge of pavement and the sidewalk.
5. Use of pervious materials for the sidewalk and a small retaining wall to further reduce grading and impacts to the root system of the oak.

All sidewalk design should be coordinated with VDOT and the Fairfax County Department of Transportation.

We suggest the following development condition: "A tree preservation plan shall be developed by a Certified Arborist experienced in the preparation of tree preservation plans for these type of situations. The tree preservation plan shall include the 56" diameter oak along Backlick Road, and other trees which are shown to be saved but might be compromised by construction. This preservation plan may include, but shall not be limited to the use of root aeration matting, supersonic air tools, retaining walls and other measures to be approved by Urban Forest Management Division staff".

3. **Comment:** The limits of clearing are too close to the trunk of the 26" cherry along the front of the Backlick Road parcel to be able to save it as more than 40% of its critical root zone will be impacted by construction. Similarly, the 40" oak that is located just east of the existing building will have 100% of its root zone impacted by construction as limits of clearing are approximately 10-12 feet from the trunk of this tree (even though limits of clearing are not shown on the existing vegetation map sheet).

Recommendation: The 26" cherry and 40" oak should not be preserved with the present limits of clearing. Applicant should move the limits of clearing further away from the trunk of these trees, or show these trees to be removed and take the canopy area sf out of the tree preservation area and tree cover calculations.

4. **Comment:** The tree inventory and poor condition analysis of all trees 8" and larger in diameter located 25' from both sides of the limits of grading is not complete. It appears as though there are some off-site trees within 25' of the limits of clearing that are not shown on the inventory.

Recommendation: Applicant should provide a tree inventory and poor condition analysis of all trees 8" and larger in diameter located 25' from **both** sides of the limits of grading. Off-site trees should also be included in this inventory. Location, size and condition may be estimated and marked as such. Dead trees and trees in poor condition should be labeled on the plan.



October 5, 2009

Page 3 of 3

5. **Comment:** There is inconsistency between the 10-year tree canopy calculation worksheet and the tree preservation and canopy calculations. One states that 28,545 sf of total tree canopy meets the standards of 12-0200 (should read 12-0400) and the other states that 33,016 sf is proposed to be preserved.

Recommendation: After adjusting the tree cover calculations worksheet per the previous comments, applicant should also provide consistency in tables.

Please call if you have any questions.

AID/

UFMID #: 147001

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: October 6, 2009

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

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

FILE: 3- 5 (SE 2009-MA-015)

SUBJECT: Transportation Impact

REFERENCE: SE 2009-MA-015; Ana L. Cornejo
Traffic Zone: 1408
Land Identification Map: 71-3 ((01)) 24A, 20

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the submitted plat dated July 6, 2009.

This special exception is proposed to subdivide the subject property into four lots under a R-2 District zoning along with a waiver request for minimum lot width.

This department has reviewed the subject application and provides the following comment.

- The applicant should submit sidewalk and trail waivers for the location along the site on Backlick Road.

AKR/AK W: SE 2009-MA-015 AnaLCornejo..SZ
CC: Michelle Brickner, Director, Design Review, DPW & ES



County of Fairfax, Virginia

MEMORANDUM

DATE: October 7, 2009

TO: Suzianne Zottl, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Stormwater Engineer *BF*
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Special Exception Application #SE 2009-MA-015, Comejo Property,
Special Exception Plat dated September 24, 2009, LDS Project #25216-
ZONA-001-2, Tax Map #71-4-01-0020 & -0024A, Mason District

We have reviewed the subject application and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site.

Water quality controls are required for this development (PFM 6-0401.2A). A 40% reduction in phosphorous is required using the Occoquan Method. The BMP calculations on Sheet 4 show a total phosphorous removal rate of 37%.

Water quality controls are allowed to be located on individual single-family lots only for subdivisions with 2 or 3 lots; a 4-lot subdivision will be required to have its BMPs on an HOA parcel (PFM 6-1307.2A). The facilities are shown on the single-family lots and not on an HOA parcel as required by the PFM. This submission continues to show controls for only 3 of the 4 lots.

The proposed locations of the water quality controls are not shown on the layout plan on Sheet 3 (ZO 9-011.2.J). The maintenance access easements to the controls are also not shown (ZO 9-011.2.J.1.d).

The revised Statement of Justification for the application states that pervious pavers will be used. While SWM would be improved with its use, pervious pavers are considered an impervious surface (PFM Table 6.4) and are not available for use as a BMP on single-family lots (PFM 6-1304.2A(1)(d)).



Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

Stormwater detention or an approved waiver will be required (PFM 6-0301.3). The detention methods available for use on single-family lots require infiltration. The soils on this site are marginal for infiltration. The applicant should provide infiltration test results (LTI 07-04) to show that this type of facility can be used in the location(s) proposed.

Site Outfall

An adequate outfall narrative has been provided. At site plan submission, calculations and a narrative description demonstrating adequate outfall meeting the PFM requirements will be necessary (PFM 6-0203 & 6-0204).

Please contact me at 703-324-1720 if you require additional information.

BF/

cc: Zoning Application File



FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

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

FROM: Sandy Stallman, Manager 
Park Planning Branch, PDD

DATE: September 4, 2009

SUBJECT: SE 2009-MA-015, Cornejo Properties
Tax map 71-4 ((1)) 20; 71-3 ((1)) 24A

The Park Authority staff has reviewed the proposed Development Plan dated July 6, 2009, for the above referenced application and provides the following park related Comprehensive Plan citations, analysis and recommendations..

COMPREHENSIVE PLAN CITATIONS

1. Park Services and New Development (The Policy Plan, Parks and Recreation Objective 6, p. 8)

“Objective 6: Ensure the mitigation of adverse impacts to park and recreation facilities and service levels caused by growth and land development through the provision of proffers, conditions, contributions, commitments, and land dedication.”

“Policy a: Offset residential development impacts to parks and recreation resources, facilities and service levels based on the adopted facility service level standards (Appendix 2). The provision of suitable new park and recreational lands and facilities will be considered in the review of land development proposals in accordance with Residential Development Criteria - Appendix 9 of the Land Use element of the Countywide Policy Plan.”

“Policy b: To implement Policy a. above, residential land development should include provisions for contributions, or dedication, to the Park Authority of usable parkland and facilities, public trails, development of recreational facilities on private open space, and/or provision of improvements at existing nearby park facilities.”

2. Heritage Resources (The Policy Plan, Heritage Resources, Objective 1, p. 3)

“Objective 1: Identify heritage resources representing all time periods and in all areas of the County.”

“Policy a: Identify heritage resources well in advance of potential damage or destruction.”

3. Heritage Resources (Comprehensive Policy Plan, Heritage Resources Objective 3, page 4)

“Objective 3: Protect significant historical resources from degradation or damage and destruction by public or private action.”

4. Parks and Recreation Needs (Comprehensive Plan, Area I, Annandale Planning District, Overview, Parks and Recreation, pp. 14)

“Upgrading of athletic fields at existing park and school sites is required to meet current and projected needs for these facilities.”

5. Parks and Recreation Needs (Comprehensive Plan, Area I, A3-Indian Run Community Planning Sector, Overview, Heritage Resources, pp. 77)

“Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found. In those areas where significant heritage resources have been recorded, an effort should be made to preserve them. If preservation is not feasible, then, in accordance with countywide objectives and policies as cited in the Heritage Resources section of the Policy Plan, the threatened resource should be thoroughly recorded and in the case of archaeological resources, the artifacts recovered.”

6. Parks and Recreation Needs (Comprehensive Plan, Area I, A3-Indian Run Community Planning Sector, Overview, Parks And Recreation Recommendations, pp. 79)

- “Poe Terrace: Complete park development in accordance with the master plan.”
- “Expand and upgrade existing athletic fields at Weyanoke Elementary and Poe Intermediate Schools to provide needed active recreation facilities.”

ANALYSIS AND RECOMMENDATIONS

The Development Plan shows three new single-family homes on a 2.14-acre parcel. Based on an average single-family household size of 2.88 in the Annandale Planning District, the development could add 9 new residents (4 new – 1 existing = 3 x 2.88 = 9) to the Mason Supervisory District.

Currently, there are seven parks located within a mile of this site. Due to the concentration of high suburban development in this area, there is a need for all types of parkland and recreational facilities. Existing nearby local parks include Backlick Stream Valley, Deerlick, Edsall, Leewood, Indian Run Stream Valley, Poe Terrace, and Wilburdale. Of these parks, two are for natural resource protection while the other five are local serving parks with typical amenities

such as playgrounds, courts, little league fields, and natural areas that meet only a portion of the demand for parkland generated by residential development in the Annandale area. Poe Terrace Park is undeveloped. In addition to parkland, the recreational facilities in greatest need in this area include basketball courts, playgrounds, and trails.

With the Countywide Comprehensive Policy Plan as a guide (Appendix 9, #6 of the Land Use section, as well as Objective 6, Policy a, b and c of the Parks and Recreation section), the Park Authority requests a fair share contribution of \$893 per new resident with any residential rezoning application to offset impacts to park and recreation service levels. This allows the Park Authority to build additional facilities needed as the population increases. To offset the additional impact caused by the proposed development, the applicant should contribute \$8,037 (or \$2,679 per unit) to the Park Authority for recreational facility development at one or more park sites located within the service area of the subject property.

Cultural Resources Impact:

The parcels were subject to archival review, which indicated that this property has a high potential for archeological resources. A review of aerial photographs from 1937 indicated that the property has an historic archeological site in its northeast corner, which does not appear on later aerial photographs. Based on the preliminary site plan, it appears this archaeological site could be avoided with an adjustment in the limits of clearing and grading, after first defining the site boundaries.

Staff requests that the property be subjected to a Phase I archaeological survey, using a scope of work provided by the Cultural Resource Management and Protection section (CRMP). If any potentially significant archaeological resources are found by the Phase I survey then a Phase II assessment should be done. If any sites are determined to be significant then either they should be avoided or Phase III data recoveries should be performed in accordance with a scope provided by the CRMP. Any phase III scopes will provide for public interpretation of the results.

The Park Authority requests that the applicant provide one copy of the draft and final Archaeology Reports to the Park Authority's Resource Management Division (Attention: Liz Crowell) within 30 days of completion of the study or survey. Should significant archaeological resources be discovered, the Park Authority requests that further archaeological studies be conducted and copies of the reports provided to the Cultural Resource Management and Protection section (CRMP). At the completion of any cultural resource studies, field notes, photographs, and artifacts should be submitted to CRMP within 30 days.

SUMMARY OF RECOMMENDATIONS

The section summarizes the recommendations included in the preceding analysis section.

- Contribute \$8,037 to the Park Authority for recreational facility development at one or more park sites located within the service area of the subject property.
- Conduct a Phase I archaeological study

FCPA Reviewer: Andy Galusha

DPZ Coordinator: Chris Demanche

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



County of Fairfax, Virginia

MEMORANDUM

DATE: August 18, 2009

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

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

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. SE2009-MA-015
Tax Map No. 071-3- /01/ /0024A, 071-4- /01/ /0020

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

- The application property is located in the Cameron Run (I-3) watershed. It would be sewered into the Alexandria Sanitation Authority (ASA).
- Based upon current and committed flow, there is excess capacity in the ASA at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
- An existing 8" inch line located in the street is adequate for the proposed use at this time.
- The following table indicates the condition of all related sewer facilities and the total effect of this application.

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

- Other pertinent information or comments:

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





Department of Facilities and Transportation Services

**FAIRFAX COUNTY
PUBLIC SCHOOLS**

 Office of Facilities Planning
 10640 Page Avenue
 Fairfax, Virginia 22030

TO: Suzianne Zottl
 Fairfax County Department of Planning & Zoning
 Zoning Evaluation Division

FROM: Denise M. James, Director
 Office of Facilities Planning Services

SUBJECT: SE 2009-MA-015, Lot Width Waiver

DATE: November 23, 2009

ACREAGE: 2.17 acres

TAX MAP: 71-3 ((1)) 24A; 71-4 ((1)) 20

This is in response to SE 2009-MA-015, in which a lot width waiver is being requested that would permit the development of four lots from the existing two lots. The proposal is within the Annandale Terrace Elementary School, Poe Middle School, and Annandale High School boundaries. The chart below shows the existing school capacity, enrollment, and projected five year enrollment. It is noted that a boundary study was approved and is effective for the 2010-2011 school year for the Poe MS and Annandale HS boundaries but the approved boundary changes do not impact this application area.

School	Capacity	Enrollment (9/30/09)	2010-2011 Projected Enrollment	Capacity Balance 20010-2011	2014-15 Projected Enrollment	Capacity Balance 2014-15
Annandale Terrace ES	660	827	878	-218	984	-324
Poe MS	1125	1267	1285	-160	1490	-365
Annandale HS	2202	2649	2583	-381	2800	-598

Capacity and enrollment are based on the FCPS FY 2011-15 draft CIP; formal adoption is anticipated January 2010.

The chart below shows the number of anticipated students by school level based on the applicant's proposal. It is noted that the 2008 student yield ratio has been applied since the applicant's application was accepted on July 30, 2009 and the current student yield ratios did not become effective until September 2009.

School level	Single family detached ratio	Proposed # of units	Student yield	Single family detached ratio	Current # of units permitted by-right	Student yield
Elementary	.239	4	1	.239	2	0
Middle	.069	4	0	.069	2	0
High	.172	4	1	.172	2	0
			2 total			0 total

Two students are anticipated from this lot width waiver. It is noted that the elementary, middle, and high schools in this area are currently over capacity and projected to be over capacity. The lot width waiver is anticipated to yield two new students that would further exacerbate the overcrowding at the receiving schools.

9-610 Provisions for Waiving Minimum Lot Size Requirements

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

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

9-006 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.

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 be 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		