



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151
FAX: 703-324-3926
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February 11, 1999

Martin D. Walsh, Esquire
Walsh, Colucci, Stackhouse,
Emrich and Lubeley, P.C.
2200 Clarendon Boulevard
Thirteenth Floor
Arlington, Virginia 22201-3359

RE: Rezoning Application
Number RZ 1998-HM-030

Dear Mr. Walsh:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on January 25, 1999 granting Rezoning Application Number RZ 1998-HM-030 in the name of Pulte Home Corporation, to rezone certain property in the Hunter Mill District from the R-1 District to the PDH-5 District, subject to the proffers dated January 25, 1999, on subject parcels 16-4 ((1)) 10, 11, 12, 13; and 25-2 ((1)) 1 consisting of approximately 8.09 acres.

The Conceptual Plan was approved; the Planning Commission having previously approved FDP 1998-HM-030 on November 19, 1998, subject to the Board's approval of RZ 1998-HM-030 and its subject proffers.

The Board also:

- **Waived the 600 foot maximum length of private streets;**
- **Modified the TS II Street Cross Section Requirements from Monroe Street and Frying Pan Road to that shown on the Conceptual development Plan/Final Development Plan (CDP/FDP) and as further described in the proffers; and**

RZ 1998-HM-030
February 11, 1999

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- **Modified the Public Facilities Manual (PFM) requirement for sidewalks on both sides of the street to permit sidewalks to be located on one side of the street only.**

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Fred R. Beales, Supervisor Base Property, Mapping/Overlay
Robert Moore, Trnsprt'n. Planning Div., Dept. of Transportation
Ellen Gallagher, Project Planning Section, Dept. of Transportation
Michelle A. Brickner, Acting Director, Site Development Services, DPW&ES
DPW&ES - Bonds & Agreements
Frank Edwards, Department of Highways - VDOT
Land Acq. & Planning Div., Park Authority
Planning Commission (District)
Thomas Dorman, Director, Facilities Mgmt. Div., DPW&ES
Barbara J. Lipka, Deputy Executive Director, Planning Commission

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
FEB 12 1999
ZONING EVALUATION DIVISION

PROFFERS

MONROE STREET

RZ 1998-HM-030

January 25, 1999

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, Pulte Home Corporation (hereinafter referred to as the "Applicant") for the owners, themselves, successors and assigns, in RZ 1998-HM-030, filed for property identified as Tax Map 16-4 ((1)) 10, 11, 12, 13 and 25-2 ((1)) 1 (hereinafter referred to as the "Application Property") agrees to the following proffers, provided that the Board of Supervisors approves the rezoning of the Application Property to the PDH-5 District.

1. Development Plan. Development of the Application Property shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan ("CDP/FDP"), prepared by Charles P. Johnson & Associates, P.C., dated April 22, 1998 and revised through October 2, 1998 consisting of six (6) sheets.
2. Final Development Plan Amendment. Notwithstanding that the CDP/FDP is presented on six sheets and said CDP/FDP is the subject of Proffer No. 1 above, it shall be understood that the CDP shall be the entire plan shown on Sheet 2 but only relative to the points of access, the total number and type of units, general location of units, amount of open space and general location of common open space areas, and limits of clearing and grading. The Applicant has the option of requesting a Final Development Plan Amendment ("FDPA") for elements other than the aforementioned CDP elements from the Planning Commission for all of or a portion of the CDP/FDP in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance, if in conformance with the approved CDP and proffers.
3. Minor Deviations. Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the FDP may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the CDP/FDP without requiring approval of an amended FDP provided such changes are in substantial conformance with the FDP as determined by the Zoning Administrator, agents or assigns and neither increase the total number of units nor decrease the amount of open space.
4. Recreational Facilities/Amenities. The Applicant shall comply with Paragraph 2 of Section 6-110 of the Zoning Ordinance regarding recreational facilities by providing a sand volleyball court and trails as generally shown on the CDP/FDP. In the event the costs associated with these facilities do not equate to \$955/unit, the Applicant shall provide additional on-site amenities such as a gazebo or picnic area or contribute the excess funds to the Fairfax County Park Authority for use in a nearby park in the Hunter Mill District as determined by the Applicant.

Property of Shahla Batmanghelidj
Hunter Mill District
Fairfax County, Virginia
September 15, 1997
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- 6). North $45^{\circ}34'42''$ East, 139.15 feet to a point on the southerly right-of-way line of Frying Pan Road, thence leaving Davis and running with Frying Pan Road and continuing with Fox Mill Road, Route 665, the following six (6) courses and distances
- 7). 284.60 feet along the arc of a curve, deflecting to the right, having a radius of 1,002.74 feet and a long chord leaving and distance of South $66^{\circ}04'15''$ East, 283.73 feet to a point, thence
- 8). South $32^{\circ}03'46''$ West, 6.00 feet to a point, thence
- 9). 94.05 feet along the arc of a curve, deflecting to the right, having a radius of 996.74 feet and a long chord bearing and distance of South $55^{\circ}14'03''$ East, 94.02 feet to a point of tangency, thence
- 10). South $52^{\circ}31'51''$ East, 23.32 feet to a point, thence
- 11). South $16^{\circ}34'54''$ East, 36.17 feet to a point, thence
- 12). South $78^{\circ}14'59''$ East, 6.91 feet to the point of beginning, containing 352,448 square feet or 8.09 acres of land more or less.

No Title Report furnished.

5. Density Credit. Advanced density credit shall be reserved as may be permitted by the provisions of Paragraph 4 of Section 2-308 of the Fairfax County Zoning Ordinance for all eligible dedications described herein or as may be reasonably required by Fairfax County or VDOT at time of subdivision plan approval.
6. Stormwater Management. The Applicant shall provide stormwater management (SWM) and best management practices (BMPs) off-site in a facility located on the adjacent property subject to RZ 92-C-009, "the Davis Property." In the event SWM/BMPs cannot be provided off-site, the Applicant acknowledges that a Proffered Condition Amendment (PCA) may be necessary in order to accommodate SWM/BMPs on-site.
7. Monroe Street.
 - a. Dedication. Subject to Virginia Department of Transportation (VDOT) and DPW & ES approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to a width of thirty-nine (39) feet from existing centerline along the frontage of Monroe Street as shown on the CDP/FDP. Dedication shall be made at time of recordation of the final subdivision plat or upon demand from either Fairfax County or VDOT whichever occurs first.
 - b. Construction. Subject to VDOT and DPW & ES approval, the Applicant shall construct frontage improvements to Monroe Street with curb set at thirty-five (35) feet from existing centerline within the dedicated right-of-way, as shown on the CDP/FDP.
8. Frying Pan Road.
 - a. Dedication. Subject to VDOT and DPW & ES approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors additional right-of-way to provide a right turn lane which is 250-feet in length with a 100-foot taper to Monroe Street as shown on Sheet 3 of the CDP/FDP. The additional right-of-way is to be measured three (3) feet from the face of curb of the right turn lane.
 - b. Construction. The Applicant shall construct a right-turn lane, measuring 250-feet in length with a 100-foot taper from Frying Pan Road to Monroe Street. It shall be understood that the County shall reimburse the Applicant for the cost of the right turn lane utilizing funds received from proffer obligations from other property owners. The actual cost of the right turn lane will equal the total costs incurred by the Applicant in connection with the construction of the right-turn lane, including, without limitation, the cost of design, engineering, utility relocation, substantial direct

overhead and construction. The Applicant shall provide invoices to DPW & ES in order to demonstrate the actual cost of the right turn lane.

- c. **Trail.** The Applicant shall construct an eight (8) foot wide trail along the Application property frontage of Frying Pan Road. This trail shall be located within a 12-foot easement outside of the right-of-way of Frying Pan Road.
9. **Noise.** In order to achieve a maximum exterior noise level of 65 dBA Ldn in rear yards of the proposed dwelling units adjacent to Monroe Street, noise attenuation measures such as acoustical fencing, walls, earthen berms or combinations thereof, shall be provided for those rear yards and that are unshielded by topography or built structures. If acoustical fencing or walls are used, they shall be architecturally solid from ground up with no gaps or openings (except where necessary to provide for a gate, drainage or utilities, as determined by the Department of Public Works and Environmental Services). The structures employed shall be of sufficient height to adequately shield the impacted area from the source of noise, as determined by DPW&ES.

As an alternative, the Applicant may, at its sole discretion, have a refined acoustical analysis performed to determine which units/buildings may have sufficient shielding to permit a reduction in the mitigation measures prescribed above, subject to approval by DPW&ES.

10. **Private Streets.**
- a. **Private Streets.** The private streets shall be constructed in conformance with Public Facilities Manual standard TS-5A with a minimum 30-foot easement and a minimum 24-foot pavement width. Said private streets shall be constructed of materials and depth of pavement consistent with Section 7-502 of the Public Facilities Manual. Sidewalks shall be provided on one side of the private streets.
 - b. **Disclosure.** Purchasers shall be advised in writing prior to entering into a contract of sale that the homeowners association shall be responsible for the maintenance of all the private streets in the development. The homeowners association documents shall specify that the homeowner's association is responsible for the maintenance of the private streets.
11. **Architecture.** The building elevations for the proposed single family detached homes shall be generally in character with the conceptual elevations shown on Sheets 5A, 5B, 5C, and 5D of the CDP/FDP, or of a comparable quality as determined by DPW&ES.

12. Homeowners Association. The Application Property shall be included in the homeowners association for the adjacent property subject to RZ 92-C-009 ("the Davis property"). The residents of the Application Property shall have the ability to utilize the open space and recreational amenities within the Davis property.
13. Use of Garages. A covenant shall be recorded which provides that garages shall only be used for a purpose that will not interfere with the intended purpose of garages (e.g., parking of vehicles). This covenant shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the homeowners association, which shall be established, and the Fairfax County Board of Supervisors. Purchasers shall be advised of the use restriction prior to entering into contract of sale.
14. Energy Conservation. Homes on the property shall meet thermal guidelines of the Virginia Power Saver Program for energy-efficient homes or its equivalent, as determined by DPW&ES, for either electrical or gas energy systems.
15. Design Detail. The design details shown on Sheets 3, 4 and 6 submitted with the CDP/FDP are provided to illustrate the design intent and overall community organization of the proposed development. Landscaping and on-site amenities shall be provided generally in character and quantity with the illustrations and details presented on these sheets. Specific features such as exact location of plantings, sidewalks, etc. are subject to modification with final engineering and architectural design.

The design of the proposed development shall be harmonious with the Davis property in terms of its entry feature(s)/signage, street trees, mailboxes and pedestrian connections as determined by DPW & ES.
16. Limits of Clearing and Grading. The Applicant shall minimize clearing and grading along the western property line so as to minimize negative impacts to the drip lines of the existing mature trees located within the open space area on the Davis Property, as determined by the Urban Forestry Branch.
17. Affordable Housing. At the time of final subdivision plan approval, the Applicant shall contribute to the Fairfax County Housing Trust Fund the sum equal to one percent (1%) of the projected sales price of the house to be built on each lot to assist Fairfax County's low and moderate income housing goals. The projected sales price shall be determined by the Applicant in consultation with the Fairfax County Department of Housing and Community Development (HCD) and DPW&ES. The timing and amount of such contribution may be

modified at the Applicant's sole discretion based on the adoption of a future amendment to the formula adopted by the Board of Supervisors.

18. Successors and Assigns. These proffers shall bind and inure to the benefit of the Applicant and his/her successors and assigns.
19. Counterparts. These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one and the same instrument.

Proffers
RZ 1998-HM-030
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APPLICANT/TITLE OWNER

Pulte Home Corporation

By:

Name: Stanley F. Settle, Jr.,

Its: Attorney in fact for Pulte Home Corporation

S.F.S. "Attorney In Fact For
~~PULTE HOME CORPORATION~~

PROPOSED FINAL DEVELOPMENT CONDITIONS

FDP 1998-HM-030

October 28, 1998

If it is the intent of the Planning Commission to approve FDP 1998-HM-055 for single-family detached residential development located at Tax Map 16-4 ((1)) 10, 11, 12, 13; 25-2 ((1)) 1, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions.

1. Development of the property shall be in substantial conformance with the six sheets (Sheet 5 with four parts) of the FDP entitled "Batman/Monroe Street, RZ 98-HM-030" and dated April 22, 1998, revised through October 2, 1998.
2. All peripheral lots of the development shall generally conform to the bulk regulations of the R-5 District, pursuant to Sect. 16-102 of the Zoning Ordinance.



Charles P. Johnson & Associates, Inc.

PLANNERS

ENGINEERS

LANDSCAPE ARCHITECTS

SURVEYORS

September 15, 1997

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING

DESCRIPTION OF

MAR 6 1998

THE PROPERTY OF

SHAHLA BATMANGELIDJ

ZONING EVALUATION DIVISION

HUNTER MILL DISTRICT

FAIRFAX COUNTY, VIRGINIA

Description of the property of Shahla Batmanghelidj acquired by deeds recorded in Deed Book 8588 at Page 831, Deed Book 8588 at Page 835, Deed Book 8588 at Page 835 and Deed Book 9526 at Page 1966 all among the Land Records of Fairfax County, Virginia and being more particularly described as follows:

Beginning for the same at a point on the southerly right-of-way line of Frying Pan Road/Fox Mill Road, Route 665 at a point on the westerly right-of-way line of Monroe Street, Route 666, thence along said Monroe Street the following (3) courses and distances

- 1). South 12°19'04" West, 57.30 feet to a point, thence
- 2). South 13°16'03" West, 102.07 feet to a point, thence
- 3). South 12°06'48" West, 484.67 feet to a point at a corner common to Richard Davis, Deed Book 3750 at Page 169, thence leaving said Monroe Street and running with Davis
- 4). North 52°41'30" West, 785.70 feet to a point on the easterly line of Richard N. Davis, Deed Book 5205 at Page 655, thence leaving Davis and running with Davis the following two (2) courses and distances
- 5). North 46°25'35" East, 405.68 feet to a point, thence

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 25th day of January, 1999, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 1998-HM-030

WHEREAS Pulte Home Corporation filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the R-1 District to the PDH-5 District, and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Hunter Mill District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the PDH-5 District, and said property is subject to the use regulations of said PDH-5 District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., §15.2-2303(a), which conditions are in addition to the Zoning Ordinance regulations applicable to said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcel.

GIVEN under my hand this 25th day of January, 1999.



Nancy Veers

Clerk to the Board of Supervisors

CONCEPTUAL/FINAL DEVELOPMENT PLAN

BATMAN / MONROE STREET

RZ 98-HM-030

HUNTER MILL DISTRICT
FAIRFAX COUNTY, VIRGINIA



SITE MAP
SCALE: 1" = 100'



VICINITY MAP
SCALE: 1" = 1/2 MI

SOIL NUMBER	SOIL NAME	SLOPE CLASS	PHASE	EROSION POTENTIAL	GEOTECHNICAL REQUIREMENT
100	CLAY	1 - 4%	RES. DEVELOPMENT	LOW	NO SPECIAL
101	CLAY (SANDY)	1 - 4%	RES. DEVELOPMENT	LOW	NO SPECIAL
102	CLAY (SANDY) (SAND)	1 - 4%	RES. DEVELOPMENT	LOW	NO SPECIAL
103	CLAY (SANDY) (SAND)	1 - 4%	RES. DEVELOPMENT	LOW	NO SPECIAL
104	CLAY (SANDY) (SAND)	1 - 4%	RES. DEVELOPMENT	LOW	NO SPECIAL

EXCERPTS

- THE PROPERTY DEPICTED ON THIS PLAN IS LOCATED IN FAIRFAX COUNTY ZONING MAP 98-0-0-07 PARCELS 10, 11, 12 & 13 AND 98-1-013 PARCELS 1 AND 2 SUBJECT TO ZONING 98-1-1. THE PROPOSED ZONING IS RZ 98-1-1.
- NO TITLE REPORT REQUIRED.
- THE PROPERTY DEPICTED ON THIS PLAN IS CURRENTLY IN THE CARE OF THE FOLLOWING:
 - PARCELS 10 (SHARLA B. HANCOCK) SEE SITE PLAN AT PAGE 100
 - PARCELS 11 (SHARLA B. HANCOCK) SEE SITE PLAN AT PAGE 100
 - PARCELS 12 (SHARLA B. HANCOCK) SEE SITE PLAN AT PAGE 101
 - PARCELS 13 (SHARLA B. HANCOCK) SEE SITE PLAN AT PAGE 101
 - PARCELS 1 (SHARLA B. HANCOCK) SEE SITE PLAN AT PAGE 102

- CONCEPTUAL SITEPLAN BASED ON A FIELD SURVEY BY CHARLES F. JOHNSON & ASSOCIATES.
- TOPOGRAPHIC INFORMATION BASED FROM A FIELD SURVEY BY CHARLES F. JOHNSON & ASSOCIATES. THE SHOWN ELEVATION SHOULD BE PAID. VERTICAL CURVES AS SHOWN HEREIN.
- IN ACCORDANCE WITH THE ADAPTED DEVELOPMENT PLAN THE PROPOSED DEVELOPMENT WILL PROVIDE INTERIOR DEVELOPMENT.
- ROADS ARE NOT REQUIRED ACCORDING TO THE CONCEPTUAL PLAN.
- THERE ARE NO ENVIRONMENTAL QUALITY CONCERNS OR RESOURCE PROTECTION AREAS ON-SITE.
- PROPOSED PUBLIC UTILITIES:
 - A WATER SERVICE TO BE PROVIDED BY AN EXTENSION OF MAIN IS LOCATED IN ADJACENT PARCELS.
 - SEWERAGE SERVICE TO BE PROVIDED BY THE EXTENSION OF MAIN IS LOCATED IN ADJACENT PARCELS.
- STORMWATER MANAGEMENT AND BEST MANAGEMENT PRACTICES WILL BE PROVIDED ON-SITE BY A STORMWATER MANAGEMENT PLAN SUBMITTED TO THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES.
- THE PROPOSED NUMBER OF SINGLE FAMILY UNITS IS 48. THE PROPOSED DENSITY IS 4.88 UNITS PER AC. (11.22 PER ACRE) AND THE PROPOSED LOT AREA IS 11,222 SQ. FT. (0.255 AC). THE LOT AREA SHALL BE ADJUSTED TO A MINIMUM OF 10,000 SQ. FT. FOR EACH UNIT.
- TO THE BEST OF OUR KNOWLEDGE THERE ARE NO OTHER SPECIAL USES OR STRUCTURES SHOWN AS SHOWN ON THIS PLAN.
- THERE ARE NO APPLICABLE ZONING CODES (LAW) REQUIRED FOR THIS PROJECT.
- TO THE BEST OF OUR KNOWLEDGE THERE ARE NO OTHER REGULATIONS OR ZONING ORDINANCES AS SET FORTH IN TITLE 48 CODE OF FEDERAL REGULATIONS PARTS 101.1, 101.2 AND 101.3, INCLUDING BUT NOT LIMITED TO, REGULATIONS OF VARIOUS DEPARTMENTS OF STATE GOVERNMENT OR 972-10-1 FEDERAL GOVERNMENT STATE REGULATIONS AND REGULATORY PROVISIONS AS SET FORTH IN TITLE 48, CODE OF FEDERAL REGULATIONS PART 101.1, TO BE CONSIDERED. OTHER APPLICABLE REGULATIONS WILL BE PROVIDED BY THE DDC.
- LANDSCAPING WILL BE PROVIDED IN SUBSTANTIAL CONFORMANCE WITH THE LANDSCAPING DESIGN HANDBOOK SUBJECT TO PUBLIC CONSULTATION AND REVIEW.

- PERMITTEE TO PAGE 1 OF SET, IS-AND OF THE ZONING ORDINANCE, OTHER REGULATIONS MAY BESETL FROM PUBLIC CONSULTATION AND REVIEW IN ORDER TO OBTAIN NECESSARY LOCATION OF UTILITIES AND THE LAYOUT OF ALLEYS AND DRIVWAYS.
- PERMITTEE SHALL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 14 OF THE ZONING ORDINANCE.
- THE PROPOSED DEVELOPMENT CONFORMS TO APPLICABLE ORDINANCES, REGULATIONS AND ADAPTED STANDARDS EXCEPT:
 - A. NUMBER OF THE REQUIREMENT FOR ON-SITE STORMWATER MANAGEMENT MAY BE EXCEEDED.
 - A. REQUIREMENT IS RESULTING OF THE SITE REQUIREMENT FOR UTILITIES TO BE LOCATED ON THE SIDE OF THE STREET. THE RULE IS PROVIDED BY A MINIMUM OF THE SIDE OF THE FRONT STREET.
 - A. NUMBER OF THE SITE REQUIREMENT THAT FRONT STREET IS NOT EXCEED 10% (10%) IN LENGTH IS EXCEED REQUIREMENT.
- THE DEVELOPMENT SCHEDULE IS NOT RETURNED AT THIS TIME.
- SEE SHEET 5 FOR ALL NEIGHBORING SHEETS.
- SPECIAL AGREEMENTS ARE NOT ANTICIPATED UPON THE DEVELOPMENT.
- CONCEPTUAL NEIGHBOR RELATIONSHIP STATEMENTS OF PROVISIONS ARE NOT PRESENT ON-SITE.
- ALL EXISTING UTILITIES ARE TO BE MAINTAINED.

EXCERPTS

TOTAL SITE AREA = 5.88 AC (257,760 SQ. FT.)

TYPE OF LAND	PERCENTAGE	ACRES
Residential	100%	5.88
Commercial	0%	0.00
Industrial	0%	0.00
Public	0%	0.00
Water	0%	0.00
Other	0%	0.00

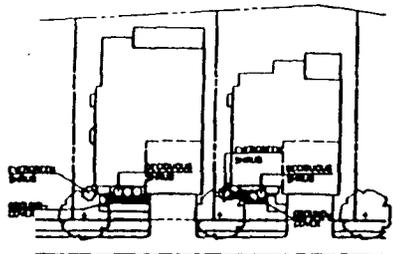
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- COVER SHEET
- CONCEPTUAL/FINAL DEVELOPMENT PLAN
- OTHER SHEETS
- EXHIBITING THE SITE LAYOUT
- ARCHITECTURAL ELEVATIONS
- EXHIBITING THE SHEETS

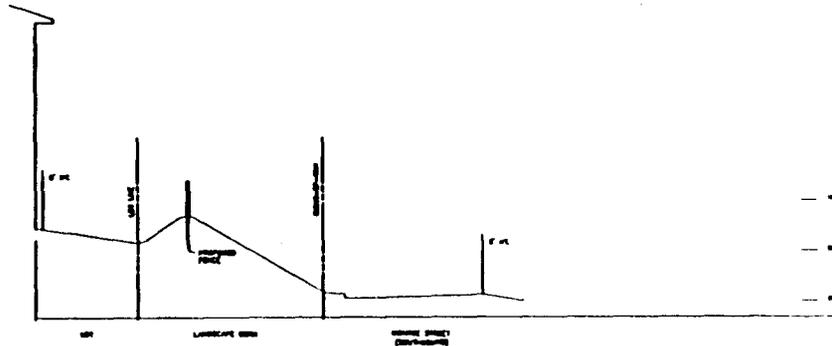
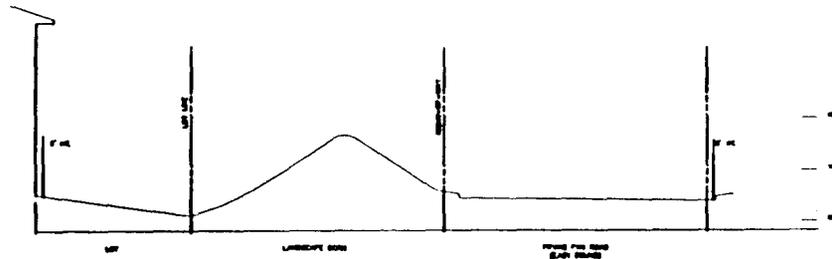


Charles F. Johnson & Associates, P.C.
ARCHITECTS, ENGINEERS, PLANNERS
1000 COMMONWEALTH BLVD., SUITE 200
FAIRFAX, VA 22031

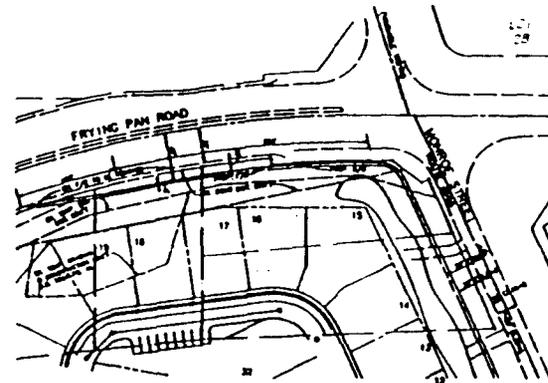
APRIL 22, 1998
OCTOBER 21, 1998



TYPICAL LOT LAYOUT



TYPICAL LANDSCAPE BERM CROSS-SECTIONS

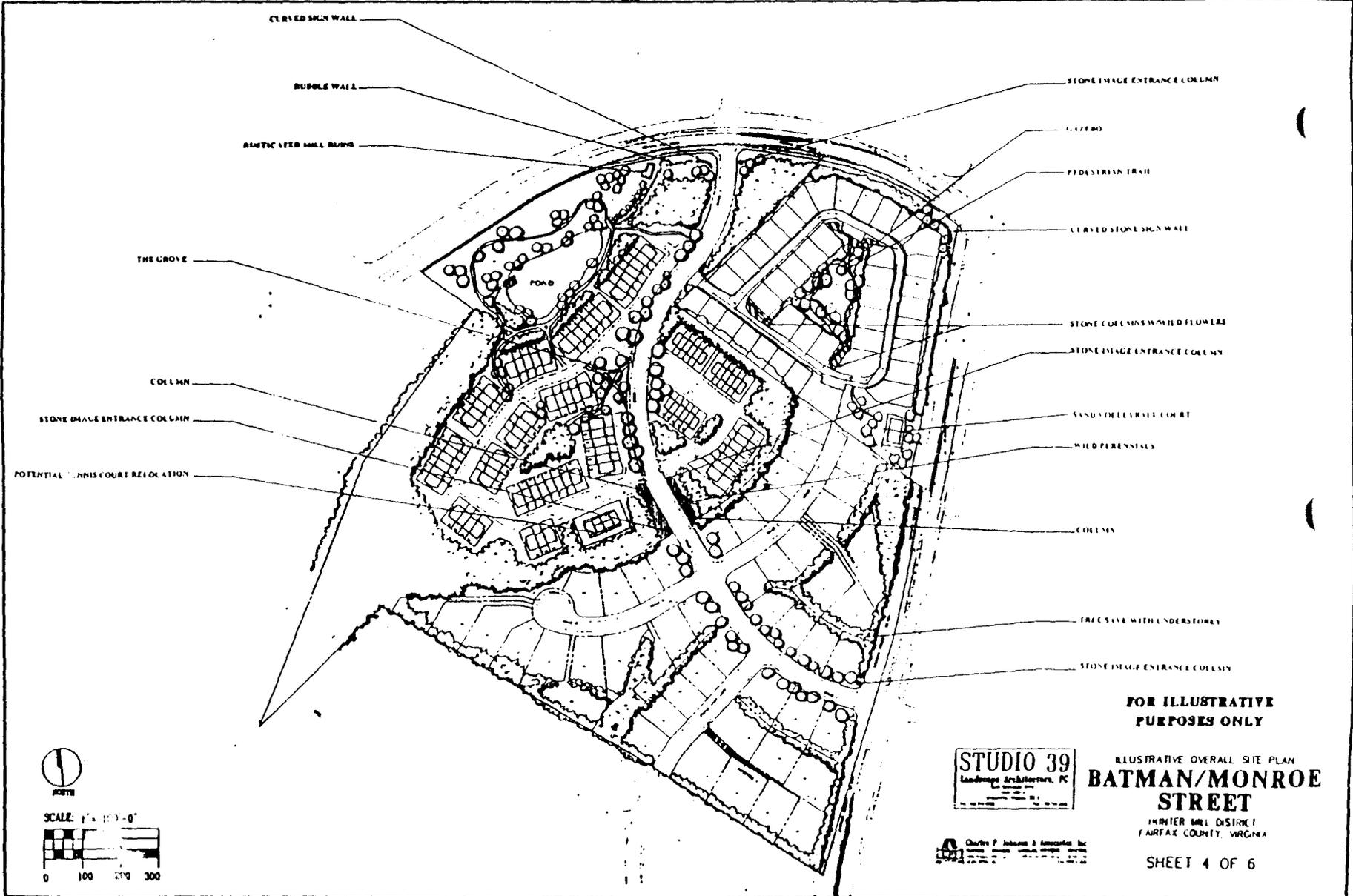


FRYING PAN ROAD 250' RIGHT TURN LANE DETAIL

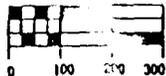


DETAILS SHEET
BATMAN/MONROE STREET

HUNTER HILL DISTRICT
 FARFAX COUNTY, VIRGINIA



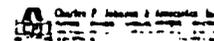
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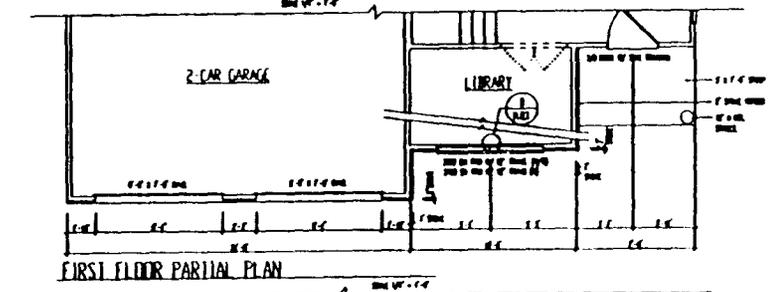
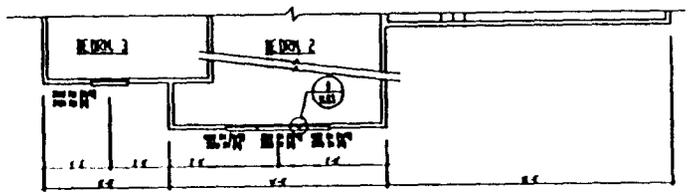
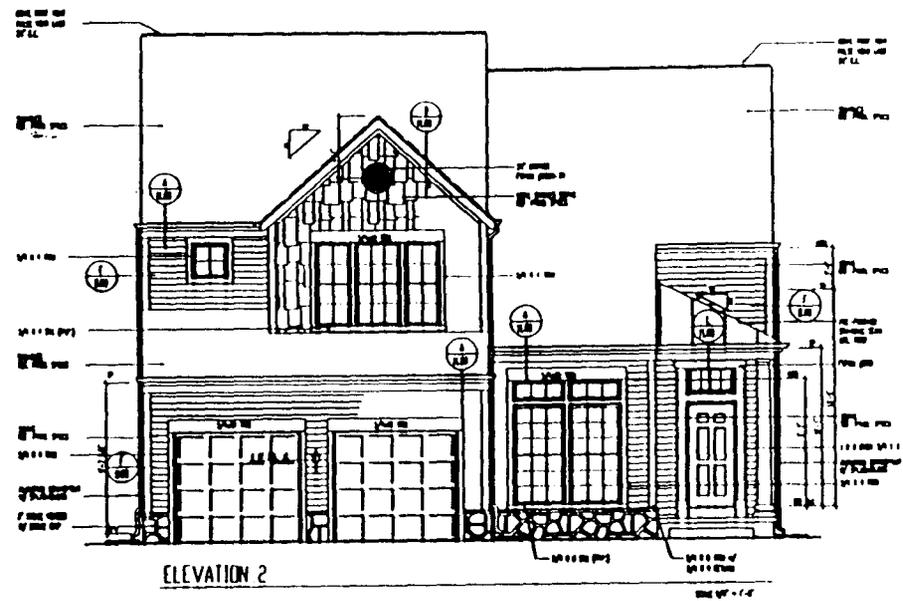
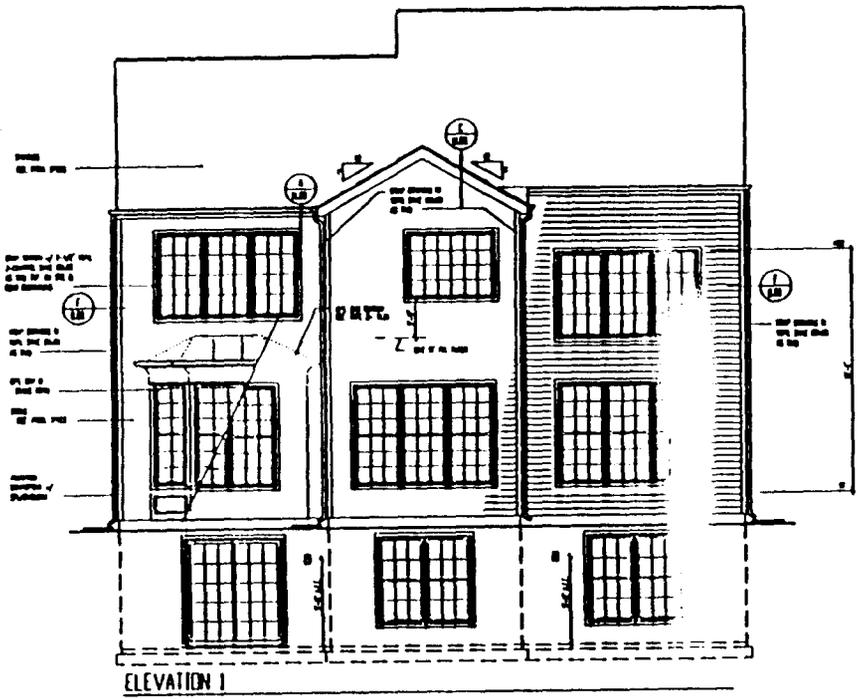


FOR ILLUSTRATIVE PURPOSES ONLY

**ILLUSTRATIVE OVERALL SITE PLAN
BATMAN/MONROE STREET**

WINNER MILL DISTRICT
FAIRFAX COUNTY, VIRGINIA





APPROXIMATE SHEET
BATMAN/MONROE
STREET
 HUNTER HILL DISTRICT
 FAIRFAX COUNTY, VIRGINIA

Charles F. Johnson & Associates, Inc.
 10000 AGGROHEAD DRIVE SUITE 225
 FAIRFAX COUNTY, VIRGINIA 22031

P E HOME NORTH
 10000 AGGROHEAD DRIVE SUITE 225
 FAIRFAX COUNTY, VIRGINIA 22031

PULP

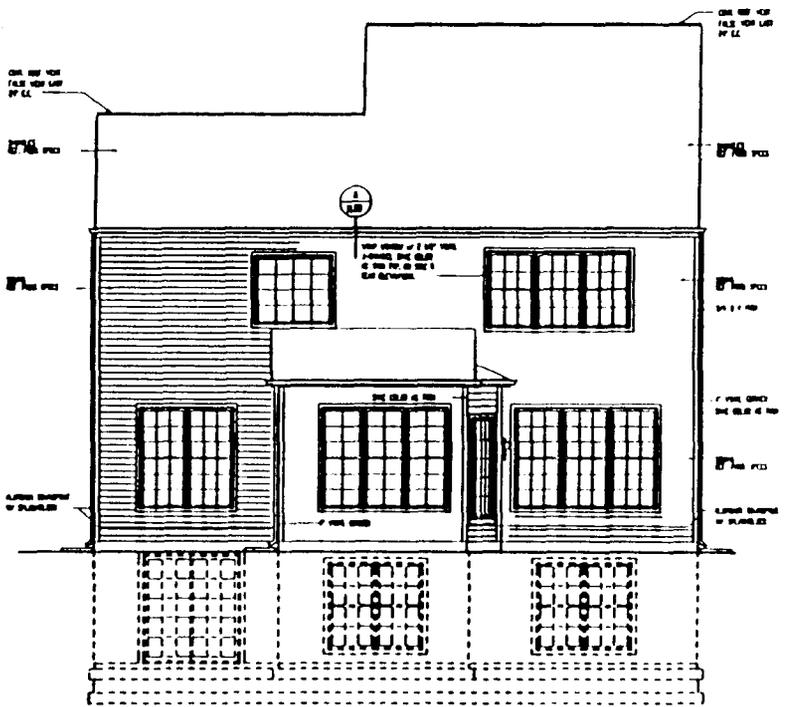
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DATE	BY

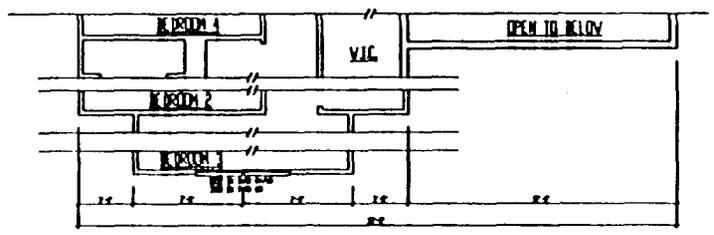
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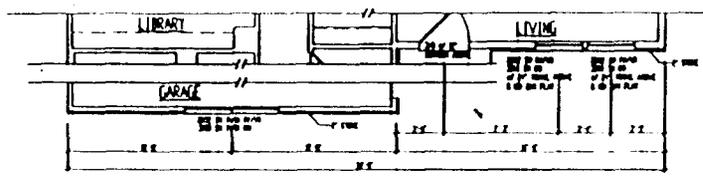
ELEVATION - 1



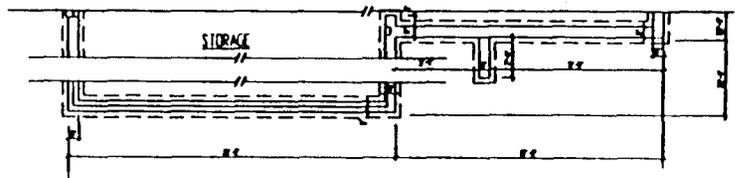
REAR ELEVATION



ELEVATION 1 - PART 2ND FLOOR PLAN

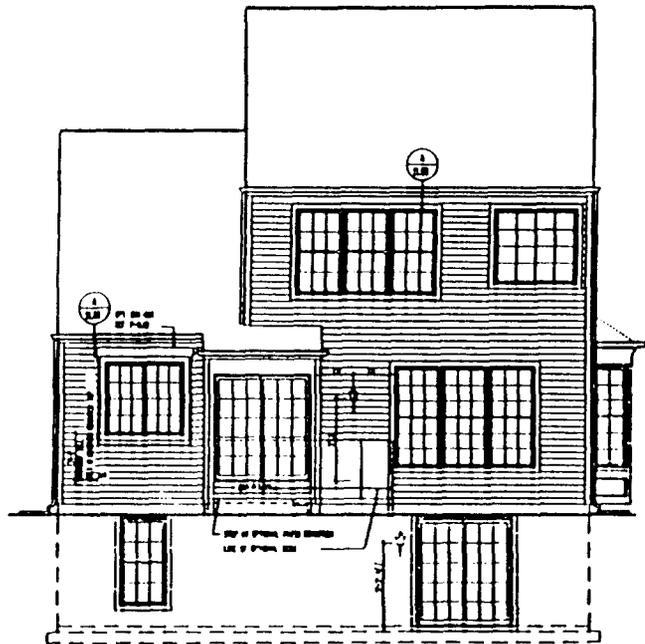


ELEVATION 1 - PART 1ST FLOOR PLAN

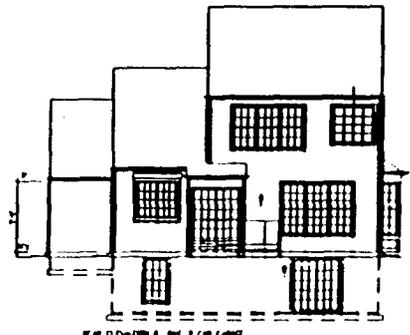


ARCHITECTURE SHEET
**BATMAN/MONROE
 STREET**
 PLANTER HILL DISTRICT
 FAIRFAX COUNTY, VIRGINIA

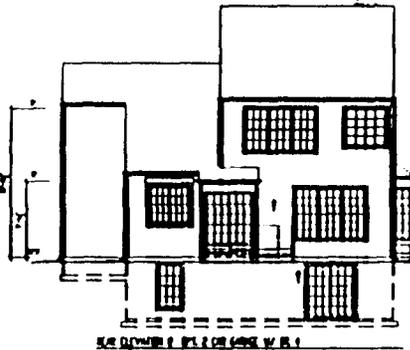
PULTE HOME NORTH
 RAPPINGTON
 95



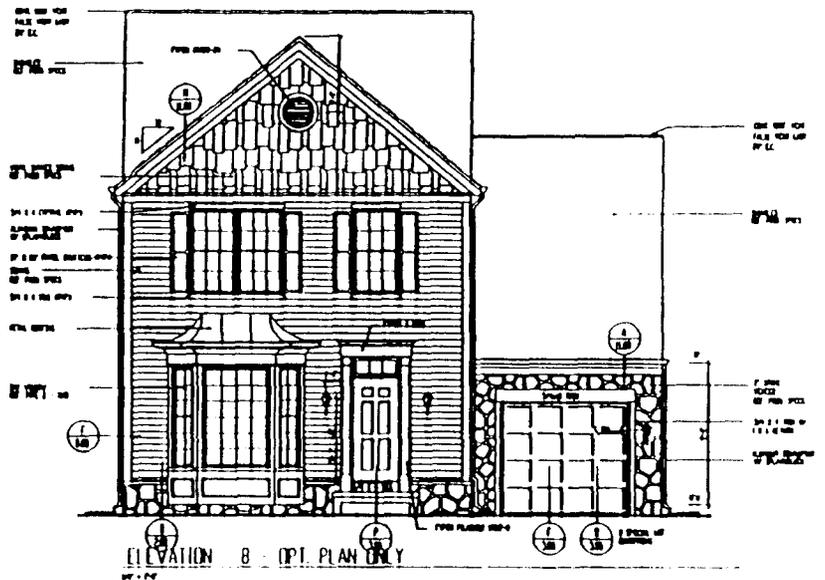
REAR ELEVATION & STD. 1st FLOOR PLAN
W-170



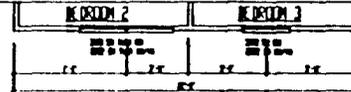
SIDE ELEVATION - W. BY GARAGE W-170



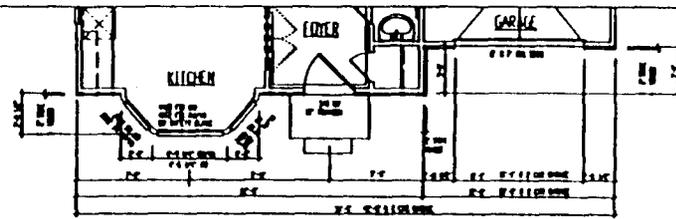
SIDE ELEVATION - W. BY GARAGE W-170



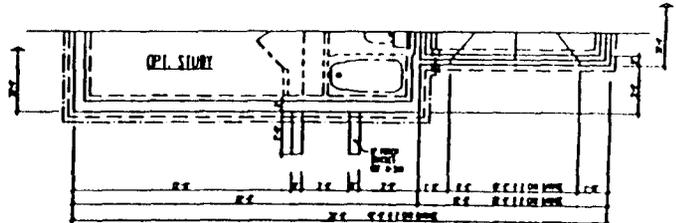
ELEVATION - B - OPT. PLAN ONLY
W-170



PARTIAL SECOND FLOOR PLAN
W-170



PARTIAL FIRST FLOOR PLAN
W-170



OPT. 1st FLOOR PLAN
W-170



ELEVATION - B - W. BY GARAGE W-170



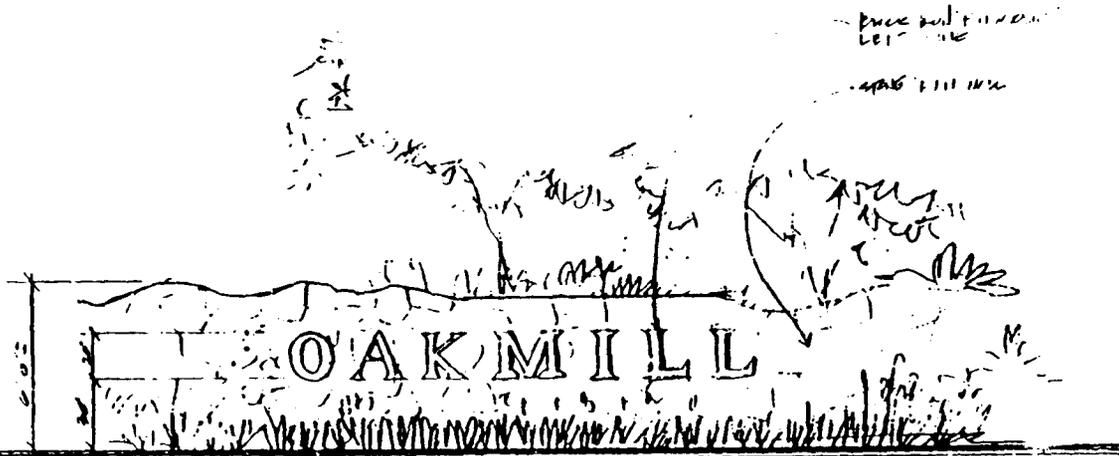
ELEVATION - B - W. BY GARAGE W-170



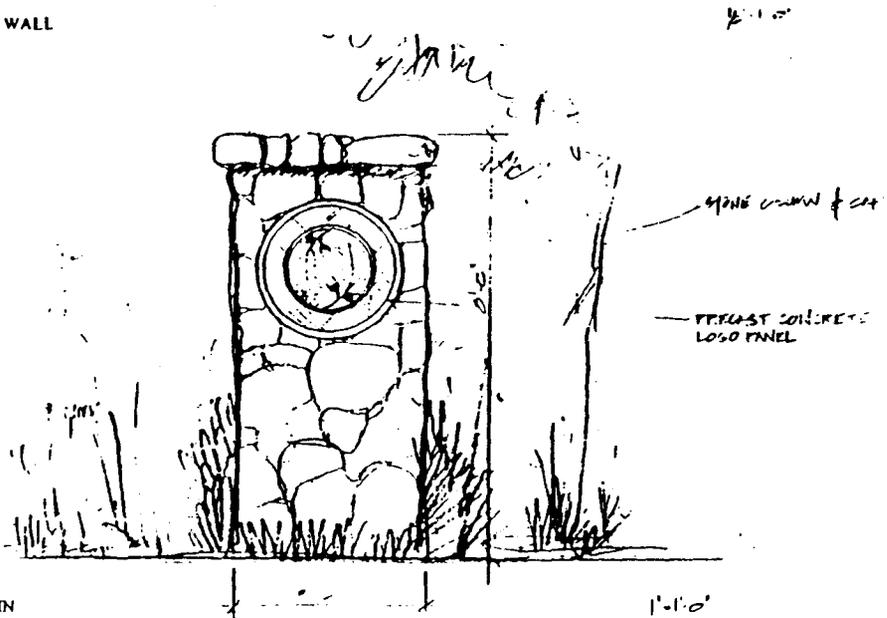
ELEVATION - B - W. BY GARAGE W-170

FOR ILLUSTRATIVE PURPOSES ONLY

ARCHITECTURE SHEET
**BATMAN/MONROE
 STREET**
 HUNTER HILL DISTRICT
 FAYETTE COUNTY, VIRGINIA



ENTRY SIGN WALL



ENTRY COLUMN

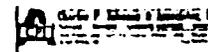
FOR ILLUSTRATIVE PURPOSES ONLY



ILLUSTRATIVE SKETCHES
BATMAN/MONROE STREET

HUNTER HILL DISTRICT
FAIRFAX COUNTY, VIRGINIA

SHEET 6 OF 6



F A I R F A X C O U N T Y

BOARD OF SUPERVISORS ACTION
ZONING MAP AMENDMENT
DATE OF ACTION 01/25/99

APPLICATION NUMBER: RZ 98-H-030

HUNTER MILL DISTRICT

APPLICANT: PULTE HOME CORP

STAFF: RUSS

APPLICATION DATA

EXISTING ZONING AND ACREAGE

ZONING: R- 1

ACRES: 8.09

PROPOSED:

PDH- 5
8.09

ACTION:

PDH- 5
8.09

TOTAL ACRES

8.09

TOTAL ACRES

8.09

MAP NUMBERS

016-4- /01/ /0010- ,0011- ,0012- ,0013-
025-2- /01/ /0001-

REMARKS:

REQUEST TO REZONE 8.09 ACRES FROM R-1 TO PDH-5 TO DEVELOP 40 SINGLE-FAMILY DETACHED HOMES AT A DENSITY OF 4.94 DWELLING UNITS PER ACRE.

ZONING MAP AMENDMENT

RZ 98-H-030

ZONING DISTRICT DATA

ZONING DISTRICT: PDH- 5

PROFFERED/CONDITIONED DWELLING UNIT DATA

TYPES	UNITS	ACRES	DENSITY	RANGE	LOMOD INCL	LOMOD ADD
-------	-------	-------	---------	-------	------------	-----------

MFD	5	8.09				
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TOT	5	8.09	.62			

PROFFERED/CONDITIONED NON-RESIDENTIAL GROSS FLOOR AREAS

USE	GFA	FAR	USE	GFA	FAR
-----	-----	-----	-----	-----	-----

COMMERICAL-GEN			PUBLIC/QUASI PUB		
HOTEL/MOTEL			OFFICE		
INDUSTRIAL-GEN			TRAN-UTIL-COMM		
CULT/EDU/RELG/ENT			RETAIL-EATING EST		
INDUST-WAREHOUSE			*****TOTAL*****		

REMARKS:

ZONING MAP AMENDMENT

RZ 98-H-030

CONDITION/CONTRIBUTION DATA

COND CODE DESCRIPTION	COND CODE DESCRIPTION
5E CONTRIBUTION-HOUSING *SEE BELOW	4Z OTHER - ENVIRONMENT
4I ENERGY CONSERVATION	2Z OTHER - LAND USE
4E NOISE ATTENUATION	2I ARCHITECTURE
3Z OTHER - TRANSPORTATION	3Z OTHER - TRANSPORTATION
3F PEDESTRIAN FACILITY/TRAIL	4Z OTHER - ENVIRONMENT
3B RIGHT-OF-WAY: DEDICATION/RESERV	3Z OTHER - TRANSPORTATION
2H RECREATION FACIL/SITES	7A OTHER MISCELLANEOUS - SEE FILE
1B CONCEPTUAL DEVEL PLAN	

CONTRIB DATA:	CND CODE	AMOUNT	CONDITIONED	EXPIRES	CONTRIB CODE
		\$0		00/00/00	
		\$0		00/00/00	
		\$0		00/00/00	
		\$0		00/00/00	

REMARKS:

1/11/99

5:00 p.m. Item - RZ-1998-HM-030 - PULTE HOME CORPORATION
Hunter Mill District

On Thursday, November 19, 1998, the Planning Commission voted 10-2 (Commissioners Alcorn and Coan opposed) to recommend to the Board of Supervisors approval of RZ-1998-HM-030, subject to the execution of proffers consistent with those dated November 17, 1998.

The Planning Commission voted 10-1-1 (Commissioner Coan opposed; Commissioner Alcorn abstaining) to approve FDP-1998-HM-030, contingent upon the Board's approval of RZ-1998-HM-030 and its subject proffers.

The Commission voted 11-1 (Commissioner Coan opposed) to recommend to the Board of Supervisors a waiver of the 600-foot maximum length of private streets.

The Commission also voted 10-0-2 (Commissioners Alcorn and Coan abstaining) to recommend to the Board of Supervisors a modification of the TS II Street Cross Section Requirements from Monroe Street and Frying Pan Road.

The Commission further voted 9-2-1 (Commissioners Alcorn and Coan opposed; Commissioner Harsel abstaining) to recommend to the Board of Supervisors a modification of the PFM requirement for sidewalks on both sides of the street.

Planning Commission Meeting
November 19, 1998
Verbatim Excerpts

RZ-1998-HM-030 - PULTE HOME CORPORATION
FDP-1998-HM-030 - PULTE HOME CORPORATION

Decision Only During Commission Matters

Commissioner Palatiello: Mr. Chairman, on November 12th, the Planning Commission held a public hearing on a Rezoning and Final Development Plan application by Pulte Home Corporation. This is at the intersection of Frying Pan Road and Monroe Street. We had one speaker come from one of the adjoining homeowners associations, Ms. Aycock, and she spoke in favor of the application. The staff report provided a staff recommendation of denial and that was on the basis of one issue. This is an application of fewer than 50 units. It does not require the construction, on this particular property, of affordable dwelling units, although this applicant is developing the adjoining properties and is providing ADUs in that section of the application. I deferred the hearing on November 12th in order to work with the applicant on their compliance with the County policy with regard to contributions to the Housing Trust Fund for those applications under 50 dwelling units. Last night the Commission had distributed to it a set of revised draft proffers dated November 17th. I would call to your attention the two modifications. One is on Proffer #8C which has been added to indicate the applicant's commitment to construct a trail along the property frontage on Frying Pan Road. And the second is a new Proffer #17 in which the applicant has proffered to contribute \$62,500 to the County's Housing Trust Fund which, by my calculation, is a little bit more than 50 percent of the requirement. I do not believe that this necessarily changes the recommendation of staff, but I feel that this is a very worthy application. With that, Mr. Chairman, I would MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-1998-HM-030 and FDP-1998-HM-030, SUBJECT TO THE -- or consistent with the -- PROFFERS DATED NOVEMBER 17TH, 1998.

Commissioners Byers and Hunter: Second.

Chairman Murphy: Seconded by Mr. Byers and Mr. Hunter. Is there a discussion of the motion?

Commissioner Coan: Mr. Chairman, I wonder if staff could comment on these changes?

Ms. Donna McNeally: Mr. Coan, I'm not familiar with this case or with these changes, so I can't comment on them.

Commissioner Coan: Who's the staff person on this?

Ms. McNeally: The staff person is Gregory Russ. He's not here tonight.

Chairman Murphy: Is there further discussion of the motion? I think we'd better have

separate motions; one on the Rezoning and one on the Final Development plan. All those --

Commissioner Alcorn: Mr. Chairman, before we vote, could I ask perhaps Ms. Byron -- what is the staff position on the Pulte Home application, RZ-1998-HM-030, which we have for decision? Is that anything you have any information on? Has there been a change in the staff recommendation?

Ms. Barbara Byron: I'm sorry, Mr. Alcorn. The last few days I've kind of been focusing on the Potomac School and the church.

Commissioner Alcorn: I understand.

Ms. Byron: My recollection of this case was that our one outstanding issue was the issue of the affordable housing. I haven't seen revised proffers, but if the proffers meet the Board's policy for the contribution, then we would be recommending approval of the case. Is that consistent with what Mr. Palatiello said?

Commissioner Alcorn: Generally.

Commissioner Palatiello: Mr. Palatiello said that they were meeting the Board policy half way and I did not think that changed the staff recommendation.

Mr. Byron: Ah, okay. That would be true. If they didn't meet the full one percent contribution, that would not change our recommendation.

Commissioner Coan: Is it not -- I mean, we've just got a flat amount here. Mr. Chairman?

Chairman Murphy: Mr. Coan.

Commissioner Coan: We just have a flat amount here? Not a -- normally it's some percentage of the estimated sales price of the dwelling units. How did we arrive at this amount of \$62,500?

Commissioner Palatiello: If I may, Mr. Chairman, may I ask Mr. Walsh to come forward as the representative of the applicant. It is his client's proffer and I would defer to him to explain how that figure was arrived at. Or Mr. Settle, the applicant.

Martin Walsh, Esquire: Mr. Palatiello, Mr. Coan, this application -- the sale price of the units will be somewhere between \$200,00 and \$250,000 or \$225,000 and \$250,000. There are 40 units. One way of calculating is, you take the 40 units, -- just round it up because I'm not a very good mathematician -- at \$250,000 per unit, I think that comes out to \$10,000,000. So one percent of that would be \$100,000 and then basically Mr. Settle felt he could contribute \$62,500. There are some road improvements that are going on here and also he's got a number of different pieces of this with different components and

what he wanted to do was try to provide these single family detached homes on small lots at an affordable rate and so that was his rationale, or our rationale.

Commissioner Coan: So 40 -- you estimated it could have been \$100,000 and you're offering \$62,500.

Mr. Walsh: Right.

Commissioner Coan: So the \$38,500 divided by 40 is less than \$1,000 per unit. That's going to make a difference in the ability to sell these properties?

Mr. Walsh: I assume it will, Mr. Coan.

Commissioner Palatiello: Mr. Chairman, let me add -- if you recall, Cheryl Aycock came and spoke on this application. What I think is significant, in addition to the housing contribution, is the road construction contribution that's being proffered. The intersection of Frying Pan Road and Monroe Street has been one of great interest in that part of the County for quite some time. It is in fact a dangerous and very precarious intersection at the present time, with part of the road being completed, part of the road not being completed, with there being a barrier up there. I know members of the Commission that live in the western part of the County may be familiar with that. And I know the citizens in the area view this road construction proffer as being a significant improvement to the community. So, in my judgment, when you combine that with the -- with what is added here as a Housing Fund contribution, I believe this applicant has really stepped to the plate with regard to their fair share of improvements in the area.

Commissioner Coan: Mr. Chairman, I'd like to ask staff a further question. According to the staff report, it says that the applicant has satisfied three of the five applicable residential density criteria -- that's 60 percent. "To justify the requested density of 4.94 dwelling units per acre" -- and I'll interject here that the range goes up to only 5 units per acre -- "the applicant must satisfy three-fourths of the criteria. In addition, the applicant has not addressed the affordable dwelling unit policy which specifies that an applicant should not achieve a density above 60 percent of the base limit of the Plan absent a contribution for affordable housing." So is it not correct to say that in two instances, this does not satisfy the standards? It doesn't meet the requirement for three-fourths of the applicable criteria, which is an Ordinance provision, is it not?

Ms. Byron: Actually, the three-fourths is a guide. And the second --

Commissioner Coan: But we apply it on a normal basis, correct?

Ms. Byron: Yes. And the second, it specifically does not meet the Board policy, that to achieve the high end, you should make the full one percent contribution.

Commissioner Coan: Okay. Thank you.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ-1998-HM-030, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Alcorn and Coan: No.

Chairman Murphy: Mr. Coan votes no; Mr. Alcorn votes no. Mr. Palatiello.

Commissioner Palatiello: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP-1998-HM-030, CONTINGENT UPON THE BOARD'S APPROVAL OF RZ-1998-HM-030.

Commissioners Byers and Thomas: Second.

Chairman Murphy: Seconded by Mr. Byers and Mr. Thomas. Is there a discussion of the motion? All those in favor of the motion to approve FDP-1998-HM-030, subject to the Board's approval of the Rezoning and Conceptual Development Plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Coan: No.

Commissioner Alcorn: Abstain.

Chairman Murphy: Motion carries. Mr. Coan votes no; Mr. Alcorn abstains.

Commissioner Palatiello: Thank you, Mr. Chairman.

Chairman Murphy: Thank you very much.

Ms. McNeally: Mr. Palatiello, I believe there's some waivers and modifications.

Commissioner Palatiello: I didn't see that. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS WAIVER OF THE 600-FOOT MAXIMUM LENGTH OF PRIVATE STREETS.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Discussion of the motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Coan: No.

Chairman Murphy: Motion carries. Mr. Coan votes no.

Commissioner Palatiello: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD A MODIFICATION OF THE TS II STREET CROSS SECTION REQUIREMENTS FROM MONROE STREET AND FRYING PAN ROAD.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Alcorn and Coan: Abstain.

Chairman Murphy: Motion carries. Let the record reflect, Mr. Coan and Mr. Alcorn abstain on both those waiver motions.

Commissioner Harsel: Oh, no. He voted no on the first one.

Chairman Murphy: Mr. Coan voted no on the first waiver and Mr. Alcorn abstained. Both abstained on the second.

Commissioner Palatiello: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD A MODIFICATION OF THE PFM REQUIREMENT FOR SIDEWALKS ON BOTH SIDES OF THE STREET.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Alcorn and Coan: No.

Commissioner Harsel: Abstain.

Chairman Murphy: Motion carries. Mr. Alcorn and Mr. Coan vote no.

Commissioner Harsel: I abstained.

Chairman Murphy: And Mrs. Harsel abstains.

//

(The first motion carried by a vote of 10-2 with Commissioners Alcorn and Coan opposed.)

(The second motion carried by a vote of 10-1-1 with Commissioner Coan opposed;
Commissioner Alcorn abstaining.)

(The third motion carried by a vote of 11-1 with Commissioner Coan opposed.)

(The fourth motion carried by a vote of 10-0-2 with Commissioners Alcorn and Coan
abstaining.)

(The fifth motion carried by a vote of 9-2-1 with Commissioners Alcorn and Coan opposed;
Commissioner Harsel abstaining.)

GLW