



# FAIRFAX COUNTY

2ED  
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  
TTY: 703-324-3903

March 23, 1999

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

RE: Rezoning Application  
Number RZ 1998-SU-043

Dear Mr. Martin:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on March 8, 1999 granting Rezoning Application Number RZ 1998-SU-043 in the name of PS/SE Centreville Assemblage, LLC, to rezone certain property in the Sully District from the R-1 District; Highway Corridor Overlay and Water Supply Protection Overlay Districts to the PDH-16 District; Highway Corridor Overlay and Water Supply Protection Overlay Districts subject to the proffers dated January 29, 1999, on subject parcel 65-2 ((1)) 1, 2, Pt. 3 and Pt. 4, consisting of approximately 5.77 acres.

The Conceptual Development Plan was approved; the Planning Commission having previously approved FDP 1998-SU-043 subject to the development conditions dated January 13, 1999; and subject to the Board's approval of RZ 1998-SU-043.

**The Board also:**

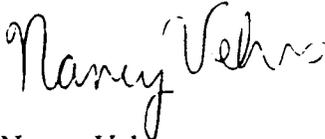
- **Waived the 200 foot minimum privacy yard requirement;**

RZ 1998-SU-043  
March 23, 1999

- 2 -

- **Waived the service drive requirement along Centreville Road; and**
- **Waived the 600 foot maximum length of private streets.**

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

cc: Chairman Katherine K. Hanley  
Supervisor-Sully District  
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 Brickner, Deputy Director, DPW&ES  
DPW&ES - Bonds & Agreements  
Frank Edwards, Department of Highways - VDOT  
Land Acqu. & Planning Div., Park Authority  
District Planning Commissioner  
Barbara J. Lippa, Deputy Executive Director, Planning Commission  
Thomas Dorman, Director, Facilities Mgmt. Div., DPW&ES

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 8th day of March, 1999, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROPOSAL NUMBER RZ 1997-SU-043

WHEREAS PS/SE Centreville Assemblage, LLC filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the R-1 District; Highway Corridor Overlay and Water Supply Protection Overlay Districts to the PDH-16 District; Highway Corridor Overlay and Water Supply Protection Overlay Districts, 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 Sully District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the PDH-16 District; Highway Corridor Overlay and Water Supply Protection Overlay Districts, and said property is subject to the use regulations of said PDH-16 District; Highway Corridor Overlay and Water Supply Protection Overlay Districts, 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 8th day of March, 1999.



Nancy Velts

Clerk to the Board of Supervisors

**RECEIVED**  
DEPARTMENT OF PLANNING AND ZONING

MAR 25 1999

ZONING EVALUATION DIVISION

August 6, 1998

DESCRIPTION OF  
THE PROPERTY OF  
RITA ELLEN KOCH, ET AL  
SULLY DISTRICT  
FAIRFAX COUNTY, VIRGINIA

---

Beginning at a point on the northwesterly line of Centreville Road (Route 28), said point marking the southeasterly corner of Castellani Meadows, L.P.; thence with the northwesterly line of Centreville Road S 23° 38' 21" W, 139.18 feet to a point; thence through the property of Rita Ellen Koch, Et Al with a curve to the right whose radius is 1392.71 feet and whose chord is S 29° 33' 38" W, 14.92 feet, an arc distance of 14.92 feet and S 29° 52' 03" W, 257.63 feet to a point marking the northeasterly corner of Parcel "A", Section 5, Centre Ridge ; thence with the northeasterly line of Parcel "A", N 59° 37' 08" W, 471.17 feet and N 55° 34' 13" W, 144.33 feet to a point on the southeasterly line of Parcel "B", Section 4, Centre Ridge; thence with the southeasterly line of the said Parcel "B" and continuing with the southeasterly line of Upperridge Drive and Church of Jesus Christ of Latter Day Saints N 39° 47' 53" E, 462.20 feet to a point marking the southwesterly corner of Castellani Meadows, L.P.; thence with the southwesterly line of Castellani Meadows, L.P. S 53° 32' 37" E, 523.59 feet to the point of beginning, containing 5.77 acres of land.

All being more particularly described on a part attached hereto and made a part hereof.

c:\wpdocs\mjich\ritakoch.des

**RECEIVED**  
DEPARTMENT OF PLANNING AND ZONING

MAR 25 1999

ZONING EVALUATION DIVISION

## **PROFFERS**

**RZ 1998-SU-043**

**January 29, 1999**

Pursuant to Section 15.2-2303(A) Code of Virginia, 1950 as amended, the undersigned owners, for themselves, their successors and assigns, and PS/SE Centreville Assemblage, LLC (hereinafter referred to as the "Applicant"), as the Applicant in RZ 1998-SU-043, filed for property identified on Fairfax County tax map as 65-2 ((1)) Parcels 1, 2, Part of 3, and Part of 4 (hereinafter referred to the "Application Property"), agrees to the following proffers, provided that the Fairfax County Board of Supervisors (hereinafter referred to as the "Board") approves a rezoning of the Application Property from the R-1 Zoning District to the PDH-16 Zoning District in conjunction with a Conceptual/Final Development Plan (CDP/FDP) for 72 residential single-family attached dwelling units.

### **1. CONCEPTUAL/FINAL DEVELOPMENT PLAN (CDP/FDP) -**

- a. Subject to the provisions of Section 16-403 of the Fairfax County Zoning Ordinance (hereinafter referred to as "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the CDP/FDP, prepared by Dewberry & Davis, dated December 15, 1998.
- b. Pursuant to Section 16-403 minor deviations from the CDP/FDP may be permitted as determined by the Zoning Administrator.
- c. Any conversion of garages that will preclude the parking of vehicles within the garage is prohibited. A covenant setting forth this restriction 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. Prospective purchasers shall be advised of the use restriction prior to entering into a contract of sale.

### **2. TRANSPORTATION -**

- a. Prior to entering into a contract of sale, prospective purchasers of houses shall be notified in writing of the maintenance responsibility of the private streets, open space, and landscaping by the homeowners association and shall acknowledge receipt of this information in writing. Acknowledgment of receipt of this information within the body of the contract of sale and inclusion of this responsibility in the Homeowner Association (HOA) documents will be sufficient confirmation of the compliance with this proffer.

- b. All of the private streets shall be constructed to pavement thickness standards of public streets as set forth in the Public Facilities Manual, subject to DPWES approval.
- c. At the time of site plan approval or upon demand from VDOT or Fairfax County whichever occurs first, the Applicant shall dedicate and convey in fee simple to the Board right-of-way along the Application Property's Upper Ridge Drive frontage, as shown on the CDP/FDP.
- d. Prior to the issuance of the first Residential Use Permit (RUP), the Applicant shall substantially complete road improvements (base paving and open to traffic) for a full section of Upper Ridge Drive with appropriate transitions and tie-ins to existing pavement sections adjacent to the Application Property, as approved by DPWES.
- e. At time of site plan approval, the Applicant shall contribute one-thousand seven hundred twenty-six dollars and no cents (\$1,726.00) per dwelling unit shown on the CDP/FDP to the Board of Supervisors. Said funds shall be utilized as determined by the Board of Supervisors for road improvements within the Centreville area that will benefit the residents of the immediate area. Said contribution amount shall be adjusted by increases to the Construction Cost Index from the Engineering News Record from the date of Board approval of this rezoning application, to the date of site plan approval.

### 3. RECREATION -

- a. Applicant shall provide active recreational facilities valued at a minimum of nine-hundred and fifty-five dollars and no cents (\$955.00) per unit in accordance with Paragraph 2 of Section 6-110 of Zoning Ordinance.

In order to satisfy this requirement and subject to the Board's approval of facilities on land which is not part of the subject PDH District, the Applicant shall:

- Construct a tot lot with perimeter fence or a combination of fencing and landscaping as shown on the CDP/FDP.
  - Contribute \$30,000 to the Fairfax County Park Authority (FCPA) for park improvements to the Old Centreville Road Park.
  - Contribute \$20,000 to the Homeowners' Association for purchase of recreation memberships in the Asherview Community Association swim club facility or to FCPA for additional park improvements to the Old Centreville Road Park.
- b. The value of the above contributions and improvements shall be documented as to satisfaction of Paragraph A above, as determined by the director, DPWES. In the event the total contribution/improvement value is less than \$955.00 per unit, then an

additional contribution will be made to FCPA for park improvements to the Old Centreville Road Park.

- c. The Applicant shall construct a public six-foot wide asphalt trail along the Application Property's Centreville Road frontage. A five-foot wide trail connection from the internal sidewalk system shall be provided.
- d. The Applicant shall construct a five-foot sidewalk within the right-of-way along the Application Property's Upper Ridge Drive frontage.

**4. LANDSCAPING AND OPEN SPACE -**

- a. Street trees and peripheral landscaping shall be provided by the Applicant as shown on the CDP/FDP. The exact location of the proposed plantings may be modified as necessary for the installation of utilities as determined appropriate by the Urban Forester, DPWES. Street trees shall be planted approximately 30 feet on center along the Property's Upper Ridge Drive frontage.
- b. An entrance feature shall be constructed which substantially conforms to the design and style of the entry feature shown on Sheet 3 of CDP/FDP.
- c. The on-site stormwater management pond shall be maintained by Fairfax County. Nevertheless, the homeowners' association for the proposed development shall provide supplemental landscaping as approved by DPWES and shall maintain the aesthetic appearance of the stormwater management pond area by maintaining the landscaping and trimming the grass in this area on a regular basis, subject to receiving permission from DPWES. This responsibility shall be set forth in the HOA documents. The Applicant shall work with DPWES at the time of site plan submission to determine if less land consumptive stormwater management alternatives than the proposed SWM facility are desirable or feasible for the subject property. If determined feasible, such facilities shall be implemented on the Subject Property in lieu of the pond shown on the GDP.

**5. NOISE -**

- a. In order to achieve a maximum interior noise level of 45 dBA Ldn, the Applicant proffers that all residential units impacted by highway noise having levels between 65 and 70 dBA Ldn, (up to 280 feet from centerline) shall have the following acoustical attributes:
  - (1) Exterior walls shall have a laboratory Sound Transmission Class (STC) of at least 28. If windows constitute more than twenty percent (20%) of any facade, they shall have the same laboratory STC rating as walls.

- (2) Doors and windows will have a laboratory Sound Transmission Class (STC) of at least 28. If windows constitute more than twenty percent (20%) of any facade, they shall have the same laboratory STC rating as walls.
  - (3) Adequate measures to seal and caulk between surfaces will be provided.
- b. In order to achieve a maximum interior noise level of 45 dBA Ldn, the developer proffers that all residential units impacted by highway noise levels between 70 and 75 dBA Ldn (up to 210 feet from centerline) shall have the following acoustical attributes:
- (1) Exterior walls will have a laboratory Sound Transmission Class (STC) of at least 45.
  - (2) Doors and windows will have a laboratory Sound Transmission Class (STC) of at least 37. If windows constitute more than twenty percent (20%) of any facade, they shall have the laboratory STC rating as walls.
  - (3) Adequate measures to seal and caulk between surfaces will be provided.
- c. In order to achieve a maximum exterior noise level of 65 dBA Ldn, noise attenuation measures such as acoustical (architecturally solid, no gaps) fences, walls, earthen berms, or combinations thereof, shall be provided for open space areas unshielded by topography or built structures as determined by DPWES.
- d. As an alternative to "A," "B," "C," above, the Applicant may elect to have a refined acoustical analysis performed subject to approval by DPWES, to verify or amend the noise levels and impact area set forth above and/or to determine which units may have sufficient shielding to permit a reduction in the mitigation measures prescribed above or which may include alternative measures to mitigate noise impact on the site.

## **6. ARCHITECTURE -**

The single-family attached houses shall be constructed with architectural features generally conforming to the illustrative elevations as shown on Sheet 3 of the CDP/FDP.

## **7. BLASTING -**

If blasting is required, and before any blasting occurs on the Subject Property, the Developer will insure that blasting is done per Fairfax County Fire Marshal requirements and all safety recommendations of the Fire Marshal, including, without limitation, the use of blasting mats shall be implemented. In addition, the Developer shall:

- a. Retain a professional consultant to perform a preblast survey of each house or building, to the extent that any of these structures, are located within one hundred fifty (150) feet of the blast site.

- b. Require his consultant to request access to house, buildings, or swimming pools that are located within said 150 foot range, to determine the pre-blast conditions of these structures. The Developer's consultants will be required to give adequate notice of the scheduling of the pre-blast survey.
- c. Require his consultant to place seismographic instruments prior to blasting to monitor the shock waves. The Developer shall provide seismographic monitoring records to County agencies upon their request.
- d. Upon receipt of a claim of actual damage resulting from said blasting, the Developer shall cause his consultant to respond expeditiously by meeting at the site of the alleged damage to confer with the property owner. The Developer will require subcontractors to maintain necessary liability insurance to cover the costs of repairing any damages to structures which are directly attributable to the blasting activity.

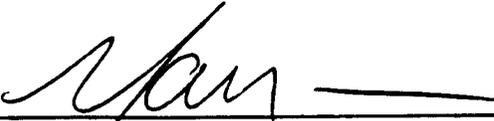
**8. ARCHAEOLOGY -**

The Developer shall obtain a Phase I Archaeological Survey of the Subject Property. Said survey shall be provided to the County Archaeologist within sixty days after rezoning of the Subject Property. After rezoning, the Developer will send written notification to the County Archaeologist granting authorization to conduct additional archaeological assessments, if necessary, and to remove artifacts of significance, provided no significant vegetation is disturbed, and provided said on-site activities do not interfere with the Developer's construction schedule or construction activities. The County Archaeologist will be granted sixty days from receipt of said written survey to complete on-site activities.

**[SIGNATURES BEGIN ON THE FOLLOWING PAGE]**

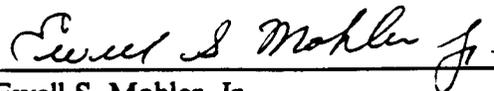
CONTRACT PURCHASER:

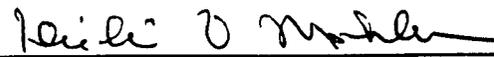
PS/SE CENTREVILLE ASSEMBLAGE, LLC

By:   
Mark W. Morgan

Title: MANAGER

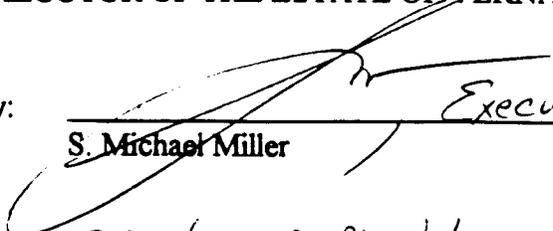
OWNERS:

  
Ewell S. Mohler, Jr.

  
Heidi U. Mohler

EXECUTOR OF THE ESTATE OF VERNA R. LIGHT

By:

  
S. Michael Miller

Executor

~~By:~~

Gladys S. Mohler By Counsel & Mohler  
her attorney in fact  
Gladys S. Mohler

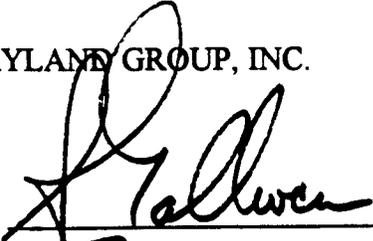
~~By:~~

Rita E. Koch  
Rita E. Koch

CONTRACT PURCHASER:

THE RYLAND GROUP, INC.

By:



Name:

SCOTT GALLIVAN

Title:

PRESIDENT - WASHINGTON DC  
DIVISION

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That I/We, GLADYS M. MOHLER, legal resident(s) of the County of Frederick County, State of Virginia, do hereby constitute and appoint EWELL S. MOHLER, presently residing in the County of Fairfax, State of Virginia, my/our true and lawful attorney-in-fact for and in our name(s), place and stead to sign any deed, obligation, settlement statements, deed of trust, mortgage, check, contract, or other papers pertinent to the purchase or sale and settlement of a parcel of real estate known as:

SEE SCHEDULE "A" ATTACHED

Granting and giving unto said attorney-in-fact full authority and power to do and perform any and all other acts necessary or incident to the performance and execution of the powers herein expressly granted, with power to do and perform all acts authorized hereby, as fully to all intents and purposes as the grantor(s) might or could do if personally present, with full power of substitution.

This power of attorney shall not terminate on disability of the principal, which terminology shall have the meaning and purpose as contemplated by Section 11-9. Code of Virginia, 1950, as amended, but shall continue as provided in such Code section.

WITNESS the following signature(s) and seal(s), this 12/13/97 day of December, 1997.

Gladys M. Mohler (SEAL)  
GLADYS M. MOHLER

STATE OF VIRGINIA  
COUNTY OF CITY OF At Large. to-wit:

I, Steven M. Miller, a Notary Public in and for the said State and County, do hereby certify that Gladys M. Mohler, whose name(s) is/are signed to the writing above, bearing date on the 13<sup>th</sup> day of December, 1997, has/have this day acknowledged the same before me in my County and State aforesaid.

My Commission expires 9/30/2000.

GIVEN under my hand and Notarial Seal this 13<sup>th</sup> day of December 1997.

Steven M. Miller  
Notary Public As Aforesaid



TOTAL  
254,213'

UPPER RIDGE DRIVE 2110' WIDE

CENTREVILLE ROAD ROUTE #28  
(VARIABLE WIDTH)

CURB  
80,244.0  
-CURB  
-11.46'  
-CURB  
-11.215'



NO DATE

DESIGNED BY: CHARLES P. JOHNSON

CHARLES P. JOHNSON & ASSOCIATES, Inc.  
PLANNING ENGINEERS, ARCHITECTS, SURVEYORS  
1000 N. GARDEN STREET, SUITE 100, FARMERS BURKE, VIRGINIA 22191-1000  
TEL: 703/426-1100 FAX: 703/426-1101  
© 1998 CHARLES P. JOHNSON & ASSOCIATES, Inc.

SITE PLAN  
**RYLAND/  
UPPER RIDGE  
DRIVE PROPERTY**  
SULLY DISTRICT  
FAIRFAX COUNTY, VIRGINIA

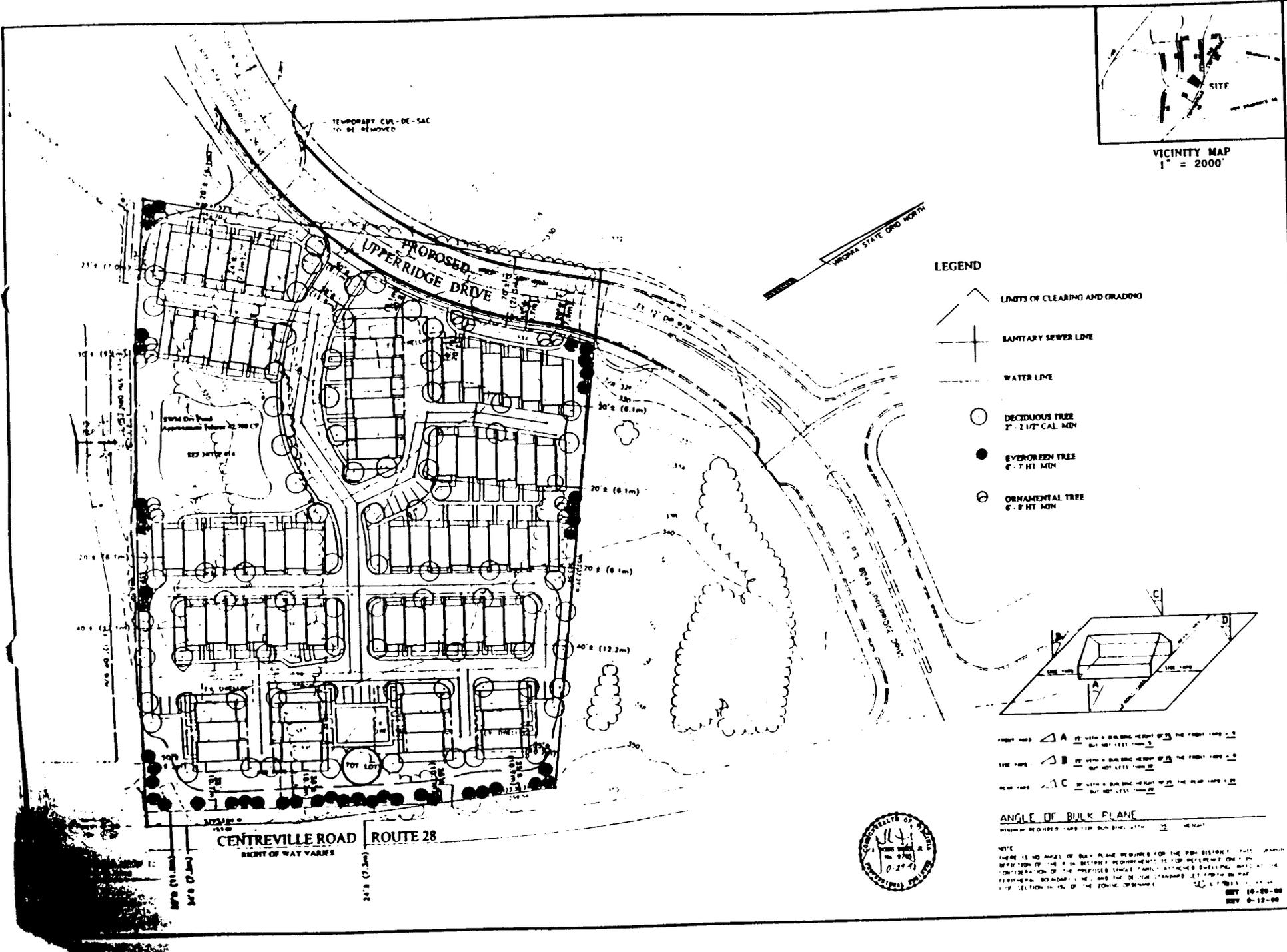


DATE	BY	CHK'D BY	APP'D BY

RYLAND HOMES

SHEET 1 OF 1

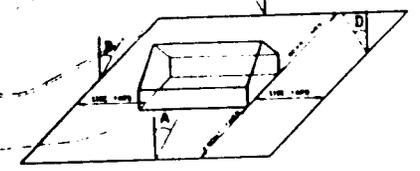
98-617-400



VICINITY MAP  
1" = 2000'

LEGEND

- LIMITS OF CLEARING AND GRADING
- SANITARY SEWER LINE
- WATER LINE
- DECIDUOUS TREE  
1" - 2 1/2" CAL. MIN.
- EVERGREEN TREE  
6' - 7' HT. MIN.
- ORNAMENTAL TREE  
6' - 8' HT. MIN.



- FRONT FACE A: 10' WITH A BUILDING HEIGHT OF 10' THE FRONT FACE IS NOT SET BACK
- SIDE FACE B: 10' WITH A BUILDING HEIGHT OF 10' THE FRONT FACE IS NOT SET BACK
- REAR FACE C: 10' WITH A BUILDING HEIGHT OF 10' THE FRONT FACE IS NOT SET BACK

ANGLE OF BULK PLANE

NOTE: THERE IS NO ANGLE OF BULK PLANE REQUIRED FOR THE FRONT, SIDE OR REAR FACE OF THE BULK PLANE. THE ANGLE OF BULK PLANE IS REQUIRED FOR THE FRONT FACE OF THE BULK PLANE. THE ANGLE OF BULK PLANE IS REQUIRED FOR THE FRONT FACE OF THE BULK PLANE. THE ANGLE OF BULK PLANE IS REQUIRED FOR THE FRONT FACE OF THE BULK PLANE.



**Dewberry & Davis**  
 8401 Arlington Blvd., Fairfax, VA 22031  
 (703) 448-0100 FAX (703) 448-0118

CONCEPTUAL/FINAL  
DEVELOPMENT PLAN

RYLAND/  
UPPERRIDGE DRIVE PROPERTY

DATE	10/20/00
BY	...
CHECKED	...
SCALE	AS SHOWN
PROJECT NO.	...
SHEET NO.	...

## PROPOSED FINAL DEVELOPMENT CONDITIONS

FDP 1998-SU-043

January 13, 1999

If it is the intent of the Planning Commission to approve FDP 1998-SU-043 for townhouse residential development located at Tax Map 65-2 ((1)) 1, 2, 3 pt. and 4 pt., 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 three sheets of the FDP entitled "Ryland Upperridge Drive Property" (Sheets 1-3)" and dated June 25, 1998, revised through December 15, 1998.
2. The architectural features and building materials of the subject building facades and roofs (as depicted on Sheet 3 of the CDP/FDP) shall be considered illustrative; final architecture shall be consistent with these illustrations in terms of massing, special features, etc., as determined by DPWES.
3. The applicant shall work with DPWES at the time of site plan submission to determine if less land consumptive stormwater management alternatives than the proposed SWM facility are desirable or feasible for the subject property. If determined feasible, such facilities shall be implemented on the subject property in lieu of the pond shown on the CDP/FDP.
4. The applicant shall work with DPWES at the time of site plan submission to determine and provide the most diverse combination of native vegetation on the subject site.

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

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

BOARD OF SUPERVISORS ACTION  
ZONING MAP AMENDMENT  
DATE OF ACTION 03/08/99

APPLICATION NUMBER: RZ 98-Y-043 SULLY DISTRICT

APPLICANT: PS/SE CENTREVILLE ASSEMBLAGE, L.L.C.

STAFF: RUSS

APPLICATION DATA

-----  
EXISTING ZONING AND ACREAGE

ZONING: R- 1

ACRES: 5.77

PROPOSED:

PDH-16  
5.77

ACTION:

PDH-16  
5.77

TOTAL ACRES

5.77

TOTAL ACRES

5.77

MAP NUMBERS

065-2- /01/ /0001- ,0002- ,0003- P,0004- P

REMARKS:

REZONED FROM R-1, HC AND WS TO PDH-16, HC AND WS TO DEVELOP 72 TOWNHO  
USE UNITS AT A DENSITY OF 12.5 DU/AC ON 5.77 ACRES

ZONING MAP AMENDMENT

RZ 98-Y-043

ZONING DISTRICT DATA

ZONING DISTRICT: PDH-16

PROFFERED/CONDITIONED DWELLING UNIT DATA

TYPES	UNITS	ACRES	DENSITY	RANGE	LOMOD INCL	LOMOD ADD
SFA	72	5.77				
-----	-----	-----	-----	-----	-----	-----
TOT	72	5.77	12.48			

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-Y-043

CONDITION/CONTRIBUTION DATA

COND CODE DESCRIPTION	COND CODE DESCRIPTION
3Z OTHER - TRANSPORTATION	1B CONCEPTUAL DEVEL PLAN
3Z OTHER - TRANSPORTATION	3Z OTHER - TRANSPORTATION
3B RIGHT-OF-WAY: DEDICATION/RESERV	3Z OTHER - TRANSPORTATION
3Z OTHER - TRANSPORTATION	3F PEDESTRIAN FACILITY/TRAIL
4Z OTHER - ENVIRONMENT	2Z OTHER - LAND USE
2H RECREATION FACIL/SITES	2Z OTHER - LAND USE
2Z OTHER - LAND USE	4Z OTHER - ENVIRONMENT
4E NOISE ATTENUATION	4H LANDSCAPING
1Z OTHER - GENERAL	1Z OTHER - GENERAL
1Z OTHER - GENERAL	1Z OTHER - GENERAL

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:

3/8/99

4:30 p.m. Item - RZ-1998-SU-043 - PS/SE CENTREVILLE ASSEMBLAGE, L.L.C.  
Sully District

On Wednesday, January 27, 1999, the Planning Commission voted 7-2-2 (Commissioners Coan and Wilson opposed; Commissioners Alcorn and Downer abstaining; Commissioner Byers not present for the vote) to recommend to the Board of Supervisors approval of RZ-1998-SU-043 and the conceptual development plan, subject to the execution of proffers consistent with those contained in Appendix 1 of the staff report dated January 4, 1999.

The Commission voted 8-2-1 (Commissioners Coan and Wilson opposed; Commissioner Alcorn abstaining; Commissioner Byers not present for the vote) to approve FDP-1998-SU-043, subject to the proposed development conditions contained in Appendix 2 of the staff report, and subject to the Board's approval of RZ-1998-SU-043.

The Commission also voted 9-0-2 (Commissioners Alcorn and Coan abstaining; Commissioner Byers not present for the votes) to recommend to the Board of Supervisors:

- 1) waiver of the 200 foot minimum privacy yard requirement; and
- 2) waiver of the service drive requirement along Centreville Road.

The Commission further voted 7-2-2 (Commissioners Coan and Wilson opposed; Commissioners Alcorn and Hall abstaining; Commissioner Byers not present for the vote) to recommend to the Board of Supervisors a waiver of the 600 foot maximum length of private streets.

**RECEIVED**  
DEPARTMENT OF PLANNING AND ZONING

FEB 25 1999

ZONING EVALUATION DIVISION

Planning Commission Meeting  
January 27, 1999  
Verbatim Excerpts

RZ-1998-SU-043 - PS/SE CENTREVILLE ASSEMBLAGE, L.L.C.  
FDP-1998-SU-043 - PS/SE CENTREVILLE ASSEMBLAGE, L.L.C.

After Close of the Public Hearing

Chairman Murphy: The public hearing is closed; recognize Mr. Koch.

Commissioner Koch: Thank you, Mr. Chairman. This request to rezone 5.77 acres from R-1 to PDH-16 for 72 townhomes at a density of 12.5 dwelling units per acre is below the planned residential use of 16-20 units per acre and has staff's and West Fairfax County Land Use Committee's favorable recommendation. This assemblage is important because the four lots that make up this assemblage are the last four residential lots in the Centre Ridge area and additionally, with this development, the Upperridge Drive road will be -- that's the last link in it. The construction of townhomes instead of apartments is more in keeping with the surrounding uses which are also townhomes. The applicant has worked closely with the interested citizens and I thank him for that. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT APPLICATION RZ-1998-SU-043 AND THE CONCEPTUAL DEVELOPMENT PLAN BE APPROVED, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX 1 OF THE STAFF REPORT DATED JANUARY 4TH, 1999.

Chairman Murphy: Second to the motion?

Commissioners Kelso and Thomas: Second.

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

Commissioner Downer: Mr. Chairman?

Chairman Murphy: Ms. Downer.

Commissioner Downer: I have a question of staff, Mr. Chairman. If there are no driveways, the garages are right along the alley way with no driveways, then we're at two cars a unit and the applicant indicated that they way exceeded the parking requirements. Could you tell me how they are doing that?

Mr. Gregory Russ: There are also areas or pockets throughout this site where additional parking is placed along the streetways. Some parallel parking --

Commissioner Downer: There will be parking in front of the units? So if they had a guest come they could park in front?

Commissioner Coan: That's what they show.

Mr. Russ: No, they are actually shown on --

Commissioner Downer: I'm confused.

Chairman Murphy: Is this the discussion of the motion now? Go ahead.

Mr. Russ: There are some areas where there is parallel and there are some areas that are actual pull-in parking. But there are pockets of them. I think there is one area where there maybe twelve and one maybe where there are eight.

Commissioner Downer: So what do we require, 2.6?

Mr. Russ: 2.3.

Commissioner Downer: 2.3. And what are they at?

Mr. Russ: They're at -- I think their requirement is 166 and they are at 169.

Commissioner Downer: So they are three over.

Mr. Russ. Yes, at 2.3.

Commissioner Downer: I think we need to take another look at parking requirements in townhouse projects. Okay, thank you.

Chairman Murphy: All right. We're on verbatim. Mrs. Wilson.

Commissioner Wilson: This is a question. It's somewhat of a follow up, and I meant to ask it during the public hearing. But is there any restriction on what the owners of these townhouses, once they purchase them, what they do with that garage?

Mr. Russ: Yes. They are required -- and I think it's stated in the proffers, that they cannot convert those garages into living space. They must maintain them as parking for the units. And that issue is required as part of their covenants. They have to be notified of that before they purchase the unit -- that they cannot convert those spaces to living areas.

Commissioner Wilson: They can't convert it, meaning they can't close the garages permanently to live in them, but they could still fill it up with other junk?

Ms. Kristen Abrahamson: Technically, they can.

Chairman Murphy: I would hope so. That's what garages are for.

Commissioner Wilson: I meant to maintain the parking capability in there. I've seen a lot of garages where you can't get a car inside of it.

Mr. Russ: That's true, but technically they have to maintain that as a parking facility.

Chairman Murphy: What proffer is that on the restriction of the garages? Do you know, Mr. Martin?

Ms. Abrahamson: It appears that the applicant neglected to add it, but it will be added.

Mr. Russ: It will be added.

Ms. Abrahamson: It's a standard proffer that we require.

Chairman Murphy: All right. Further discussion of the motion?

Commissioner Alcorn: Mr. Chairman?

Chairman Murphy: Mr. Alcorn.

Commissioner Alcorn: I'd just like to announce that I missed the staff report and also the applicant's presentation, so I will be abstaining on this.

Chairman Murphy: All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ-1998-SU-043, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Coan and Wilson: No.

Commissioner Alcorn: Abstain.

Chairman Murphy: Motion carries. Ms. Wilson, Mr. Coan vote no. Mr. Alcorn abstains.

Commissioner Downer: I abstain.

Chairman Murphy: Ms. Downer abstains. Mr. Koch.

Commissioner Koch: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP-1998-SU-043, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS

CONTAINED IN APPENDIX 2 OF THE STAFF REPORT, AND TO THE BOARD'S APPROVAL OF RZ-1998-SU-043.

Chairman Murphy: Is there a second to the motion?

Commissioner Thomas: Second.

Chairman Murphy: Seconded by Mr. Thomas. Discussion of the motion? All those in favor of the motion to approve FDP-1998-SU-043, subject to the Board's approval of the rezoning, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Coan and Wilson: No.

Commissioner Alcorn: Abstain.

Chairman Murphy: Motion carries. Ms. Wilson, Mr. Coan vote no. Mr. Alcorn abstains. Mr. Koch.

Commissioner Koch: I MOVE THAT THE COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF THE 200 FOOT MINIMUM PRIVACY YARD REQUIREMENT.

Commissioner Thomas: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Coan and Alcorn: Abstain.

Chairman Murphy: Motion carries. Mr. Coan abstains and Mr. Alcorn abstains. Mr. Koch.

Commissioner Koch: I MOVE THAT THE COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF THE 600 FOOT MINIMUM -- OR MAXIMUM LENGTH OF PRIVATE STREETS.

Commissioner Thomas: Second.

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

Commissioners: Aye.

Commissioners Coan and Wilson: No.

Commissioners Alcorn and Hall: Abstain.

Chairman Murphy: Motion carries. Ms. Wilson, Mr. Coan vote no. Mr. Alcorn and Ms. Hall abstain.

Commissioner Koch: And finally, Mr. Chairman, I MOVE THE COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG CENTREVILLE ROAD.

Commissioner Thomas: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Alcorn and Coan: Abstain.

Chairman Murphy: Motion carries. Mr. Coan abstains. Mr. Alcorn abstains.

Chairman Murphy: We have to get something resolved on the street things again because I just don't think we should be really taking a lot of time on every application on these street things until we get some definitive guidance on where we are going to go with these things. And in my opinion, it is not a deniable motion. I mean it's not -- I don't think you can deny an application on that basis. So I think we have to be very careful what we're doing here. I mean we all have our statements that we want to put in, but I want to caution everybody that we ought to take a real close look at these things, until we get some guidance from the Board. We should be formulating in our minds what I asked us to do at one of the last meetings, to start making motions to the Board of Supervisors, where the buck stops, and have them come up with statements regarding 600 foot streets and a few of the other things -- sidewalks and what we're talking about and taking a lot of time discussing.

Commissioner Coan: Mr. Chairman, I know I bring the issue up, but I'm sort of simple minded. If an Ordinance says something should be such and such, and I believe that that's the way it should be unless there are extraordinary reasons for not doing it. And I don't consider a routine waiver of the 600 foot private street provision to be a way to deal with something in an Ordinance. And that's why I will continue to raise this question, especially where, as in this case, some of the problems that Mr. Martin cited, mistakenly in this case, but are true in other cases, where there are driveways and other things, don't exist. And I think that -- I'm sorry, but I happen to believe it is a mistake to have private streets so widespread throughout the County and I think that the Ordinance is wise in the way it is worded and I think we should follow it until it's changed.

Commissioner Palatiello: Mr. Chairman?

Chairman Murphy: Mr. Palatiello.

Commissioner Palatiello: Let me make a request of Ms. Abrahamson -- if staff could provide a memo back to the Commission. My recollection is that the Policy and Procedures Committee did have an opportunity to review and, in fact, made recommendations to the full Planning Commission that in turn went to the Board with regard to the Ordinance work plan. And I specifically recall that this issue of the length of private streets as currently articulated in the Ordinance, if it was not on the staff draft work plan, was certainly added by the Committee or the Commission. And I don't recall what the final disposition of that was; whether in fact the full Commission had suggested that to the Board or whether it was suggested to the Board and then ended up someplace in ether. But if you could report back to us on the status of the Ordinance work plan generally, and on the issue of any staff action on developing an amendment to the Ordinance with the regard to the length of private streets, to refresh our memory, I for one, would be grateful to have my memory refreshed as to where we are on that.

Commissioner Coan: And I second that.

Chairman Murphy: That's what we have to look at. That's my point. That's what we have to look at.

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(The first motion carried by a vote of 7-2-2 with Commissioners Coan and Wilson opposed; Commissioners Alcorn and Downer abstaining; Commissioner Byers not present for the vote.)

(The second motion carried by a vote of 8-2-1 with Commissioners Coan and Wilson opposed; Commissioner Alcorn abstaining; Commissioner Byers not present for the vote.)

(The third motion carried by a vote of 9-0-2 with Commissioners Alcorn and Coan abstaining; Commissioner Byers not present for the vote.)

(The fourth motion carried by a vote of 7-2-2 with Commissioners Coan and Wilson opposed; Commissioners Alcorn and Hall abstaining; Commissioner Byers not present for the vote.)

(The fifth motion carried by a vote of 9-0-2 with Commissioners Alcorn and Coan abstaining; Commissioner Byers not present for the vote.)