



APPLICATION ACCEPTED: September 8, 2006
PLANNING COMMISSION: March 22, 2007
BOARD OF SUPERVISORS: not scheduled

County of Fairfax, Virginia

March 6, 2007

STAFF REPORT

APPLICATIONS RZ/FDP 2006-PR-027 & SEA 00-P-050

PROVIDENCE DISTRICT

RZ/FDP APPLICANT: TCR Midatlantic Properties, Inc. and Fairfax Ridge Condominium Unit Owners Association

SEA APPLICANT: TCR Midatlantic Properties, Inc.

PRESENT ZONING: PDH-20, HC

REQUESTED ZONING: PDH-30, HC

RZ/FDP PARCELS: 46-4 ((19)) all parcels; 56-2 ((27)) all parcels; 56-2 ((1)) 18A

SEA PARCEL: 56-2 ((1)) 18A

RZ/FDP ACREAGE: 23.01 acres

SEA ACREAGE: 3.19 acres

DENSITY: 28.19 du/ac (overall)
including bonus density for the provision of affordable dwelling units

OPEN SPACE: 49.8% (overall)

PLAN MAP: Fairfax Center Area; Overlay Level: Office use @ 0.5 FAR with option for multi-family residential @ 20 to 25 du/ac

O:\tswag\Fairfax Ridge Land Bay B 2006-PR-027 SEA 00

SE CATEGORY: Category 6, Use 5: Commercial parking in a residential district

RZ/FDP PROPOSAL: To rezone from the PDH-20 District to the PDH-30 District to permit development of an additional multi-family residential building on Land Bay B of the development, no changes are proposed to the multi-family residential buildings on Land Bay A.

SEA PROPOSAL: To amend a previously approved special exception for commercial parking in a residential district, to continue the use with an identical number of parking spaces (275) in a parking garage as opposed to the existing surface lot

**WAIVERS & MODIFICATIONS
(PREVIOUSLY APPROVED
WITH RZ/FDP 2000-PR-056)**

Waiver of loading space requirement for Land Bay A only

Modification of transitional screening requirements and waiver of the barrier requirements along the I-66 right-of-way

Waiver of the barrier requirement along Route 50 and I-66

Waiver of on-site stormwater management requirement in favor of the regional pond constructed on Land Bay A

STAFF RECOMMENDATIONS:

Staff recommends denial of RZ 2006-PR-027 as submitted. If it is the intent of the Board to approve the application, staff recommends that such approval be subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Staff recommends denial of FDP 2006-PR-027 as submitted. If it is the intent of the Commission to approve the application, staff recommends that such approval be subject to subject to the Board's approval of the rezoning.

Staff recommends denial of SEA 00-P-050 as submitted. If it is the intent of the Board to approve the application, staff recommends that such approval be subject to subject to the development conditions found in Appendix 2 of this report.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any 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 recommendations of staff; it does not reflect the position of the Board of Supervisors.

It should be noted that, should this application be approved, such approval does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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 TTY 711 (Virginia Relay Center)



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

Rezoning Application

RZ 2006-PR-027

Final Development Plan

FDP 2006-PR-027

Applicant: TCR MIDATLANTIC PROPERTIES, INC. & FAIRFAX RIDGE DEVELOPMENT, LLC & FAIRFAX RIDGE CONDOMINIUM UNIT OWNERS ASSOCIATION

Accepted: 09/08/2006

Proposed: RESIDENTIAL

Area: 23.01 AC OF LAND; DISTRICT - PROVIDENCE

Zoning Dist Sect:

Located: SOUTH SIDE OF INTERSTATE 66, WEST SIDE OF WAPLES MILL ROAD, NORTH SIDE OF LEE JACKSON MEMORIAL HIGHWAY

Zoning: FROM PDH-20 TO PDH-30

Overlay Dist: HC

Map Ref Num: 46- 4 ((19)) ALL PARCELS ; 56- 2 ((27)) ALL PARCELS ; 56- 2 ((1)) 18A

Applicant: TCR MIDATLANTIC PROPERTIES, INC. & FAIRFAX RIDGE DEVELOPMENT, LLC & FAIRFAX RIDGE CONDOMINIUM UNIT OWNERS ASSOCIATION

Accepted: 09/08/2006

Proposed: RESIDENTIAL

Area: 23.01 AC OF LAND; DISTRICT - PROVIDENCE

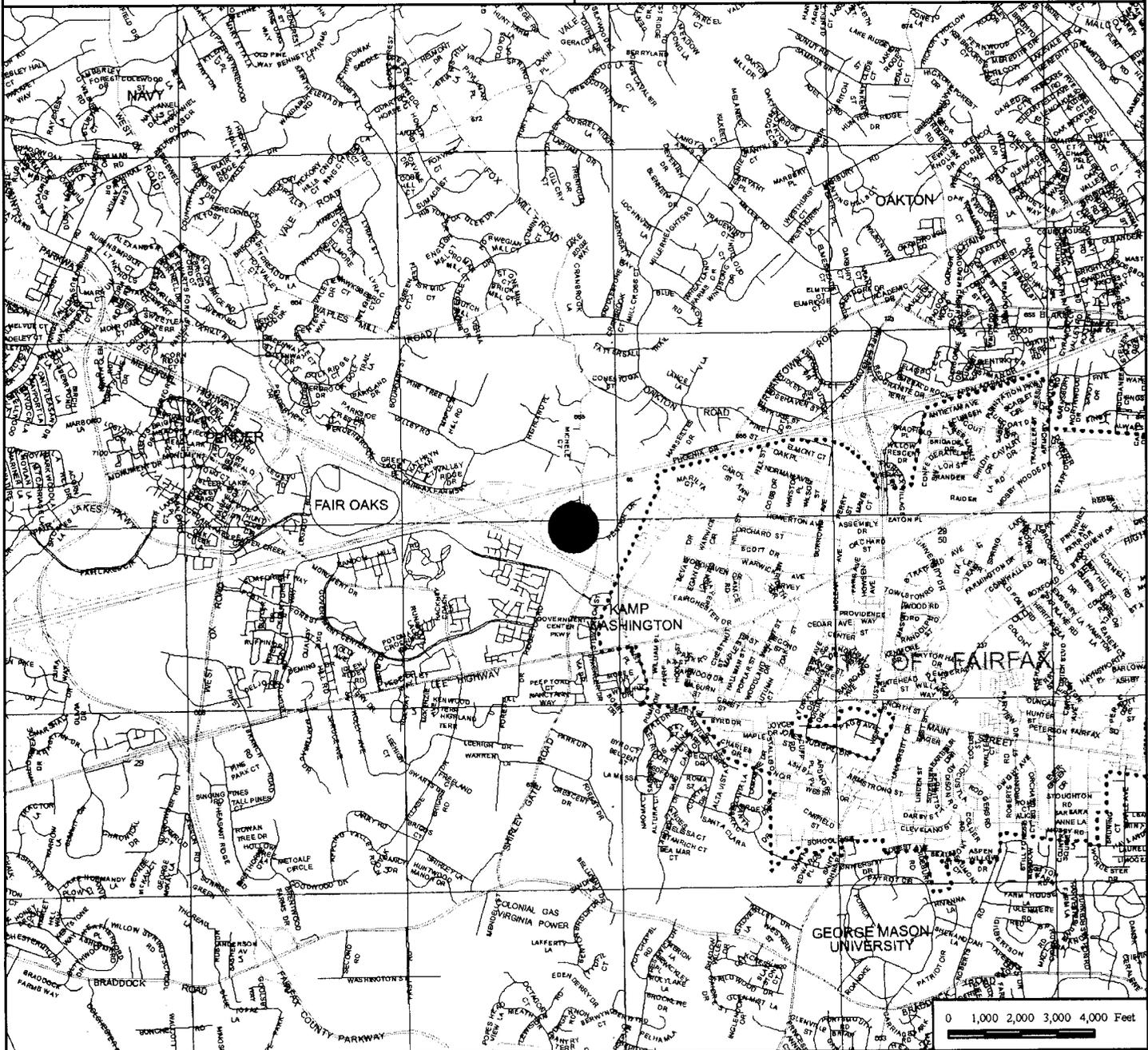
Zoning Dist Sect:

Located: SOUTH SIDE OF INTERSTATE 66, WEST SIDE OF WAPLES MILL ROAD, NORTH SIDE OF LEE JACKSON MEMORIAL HIGHWAY

Zoning: PDH-30

Overlay Dist: HC

Map Ref Num: 46- 4 ((19)) ALL PARCELS ; 56- 2 ((27)) ALL PARCELS ; 56- 2 ((1)) 18A



Rezoning Application

RZ 2006-PR-027

Final Development Plan

FDP 2006-PR-027

Applicant: TCR MIDATLANTIC PROPERTIES, INC. & FAIRFAX RIDGE DEVELOPMENT, LLC & FAIRFAX RIDGE CONDOMINIUM UNIT OWNERS ASSOCIATION

Accepted: 09/08/2006

Proposed: RESIDENTIAL

Area: 23.01 AC OF LAND; DISTRICT - PROVIDENCE

Zoning Dist Sect:

Located: SOUTH SIDE OF INTERSTATE 66, WEST SIDE OF WAPLES MILL ROAD, NORTH SIDE OF LEE JACKSON MEMORIAL HIGHWAY

Zoning: FROM PDH-20 TO PDH-30

Overlay Dist: HC

Map Ref Num: 46- 4 ((19)) ALL PARCELS ; 56- 2 ((27)) ALL PARCELS ; 56- 2 ((1)) 18A

Applicant: TCR MIDATLANTIC PROPERTIES, INC. & FAIRFAX RIDGE DEVELOPMENT, LLC & FAIRFAX RIDGE CONDOMINIUM UNIT OWNERS ASSOCIATION

Accepted: 09/08/2006

Proposed: RESIDENTIAL

Area: 23.01 AC OF LAND; DISTRICT - PROVIDENCE

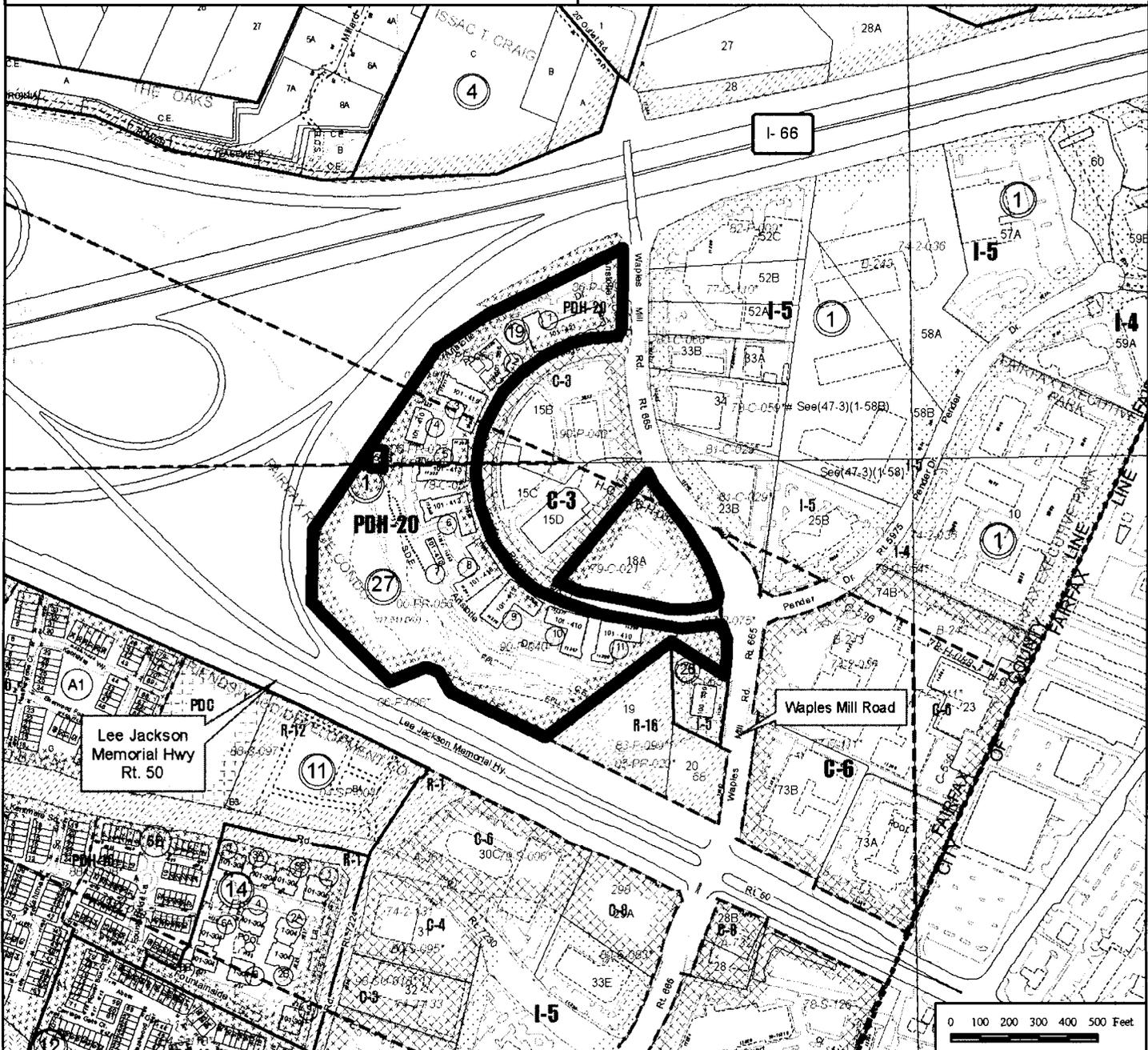
Zoning Dist Sect:

Located: SOUTH SIDE OF INTERSTATE 66, WEST SIDE OF WAPLES MILL ROAD, NORTH SIDE OF LEE JACKSON MEMORIAL HIGHWAY

Zoning: PDH-30

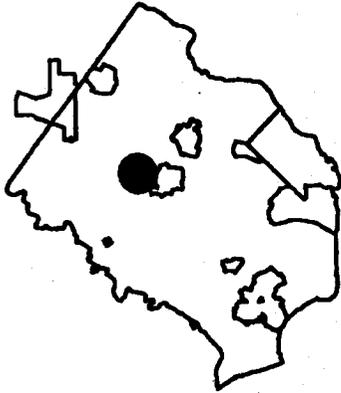
Overlay Dist: HC

Map Ref Num: 46- 4 ((19)) ALL PARCELS ; 56- 2 ((27)) ALL PARCELS ; 56- 2 ((1)) 18A



Special Exception Amendment

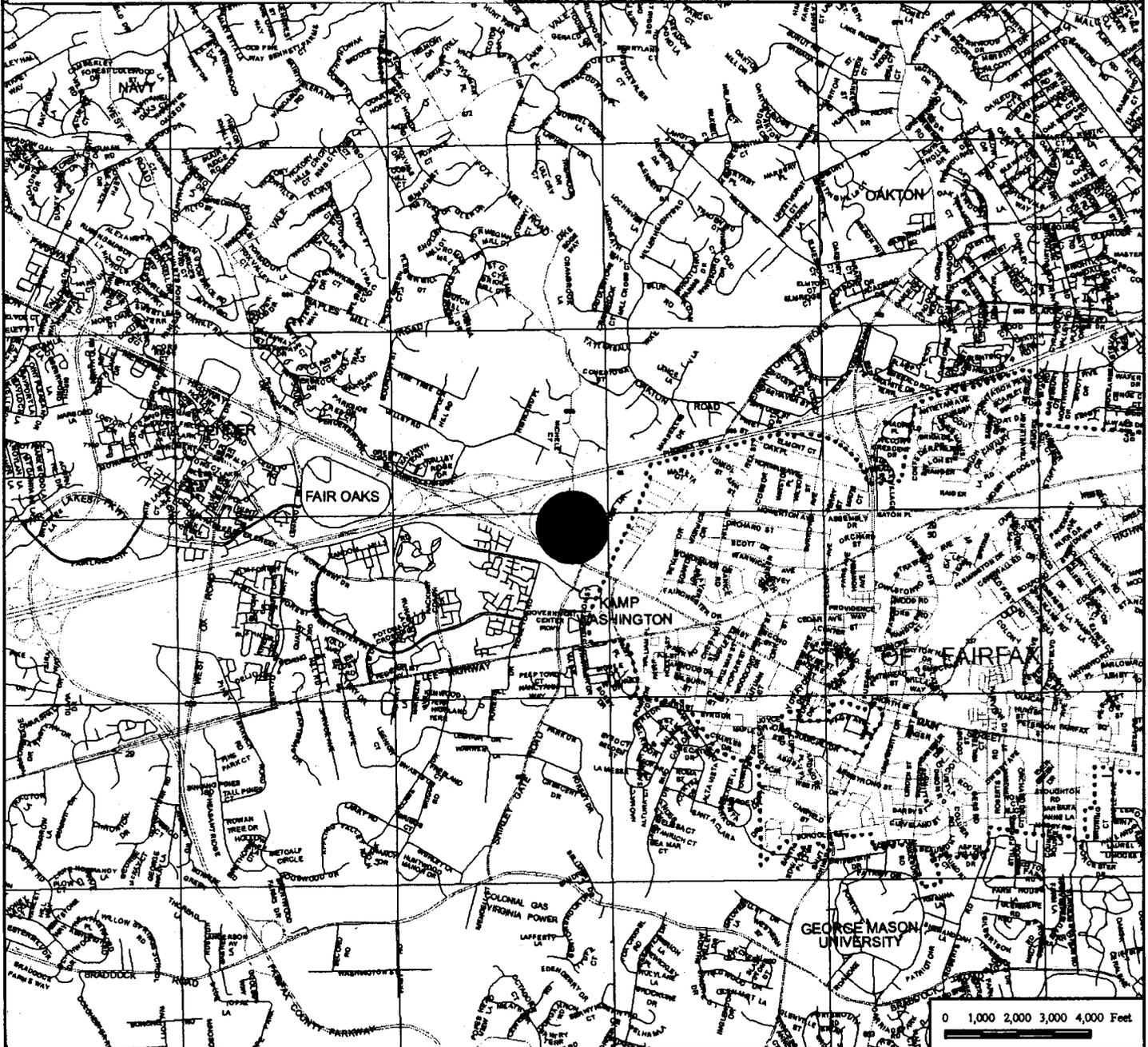
SEA 00-P-050



Applicant: TCR MIDATLANTIC PROPERTIES, INC.
Accepted: 09/08/2006
Proposed: TO AMEND SE 00-P-050 PREVIOUSLY APPROVED FOR PARKING IN AN R-DISTRICT TO PERMIT SITE MODIFICATIONS

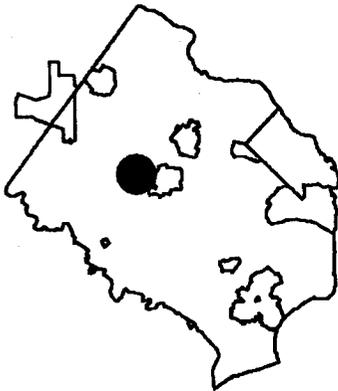
Area: 3.19 AC OF LAND; DISTRICT - PROVIDENCE
Zoning Dist Sect: 09-0609
Art 9 Group and Use: 6-05
Located: NORTHWEST QUADRANT OF THE SOUTHERN INTERSECTION OF WAPLES MILL ROAD AND FAIRFAX RIDGE ROAD

Zoning: PDH-30
Plan Area: 2,
Overlay Dist: HC
Map Ref Num: 056-2- /01/ /0018A



Special Exception Amendment

SEA 00-P-050



Applicant:
Accepted:
Proposed:

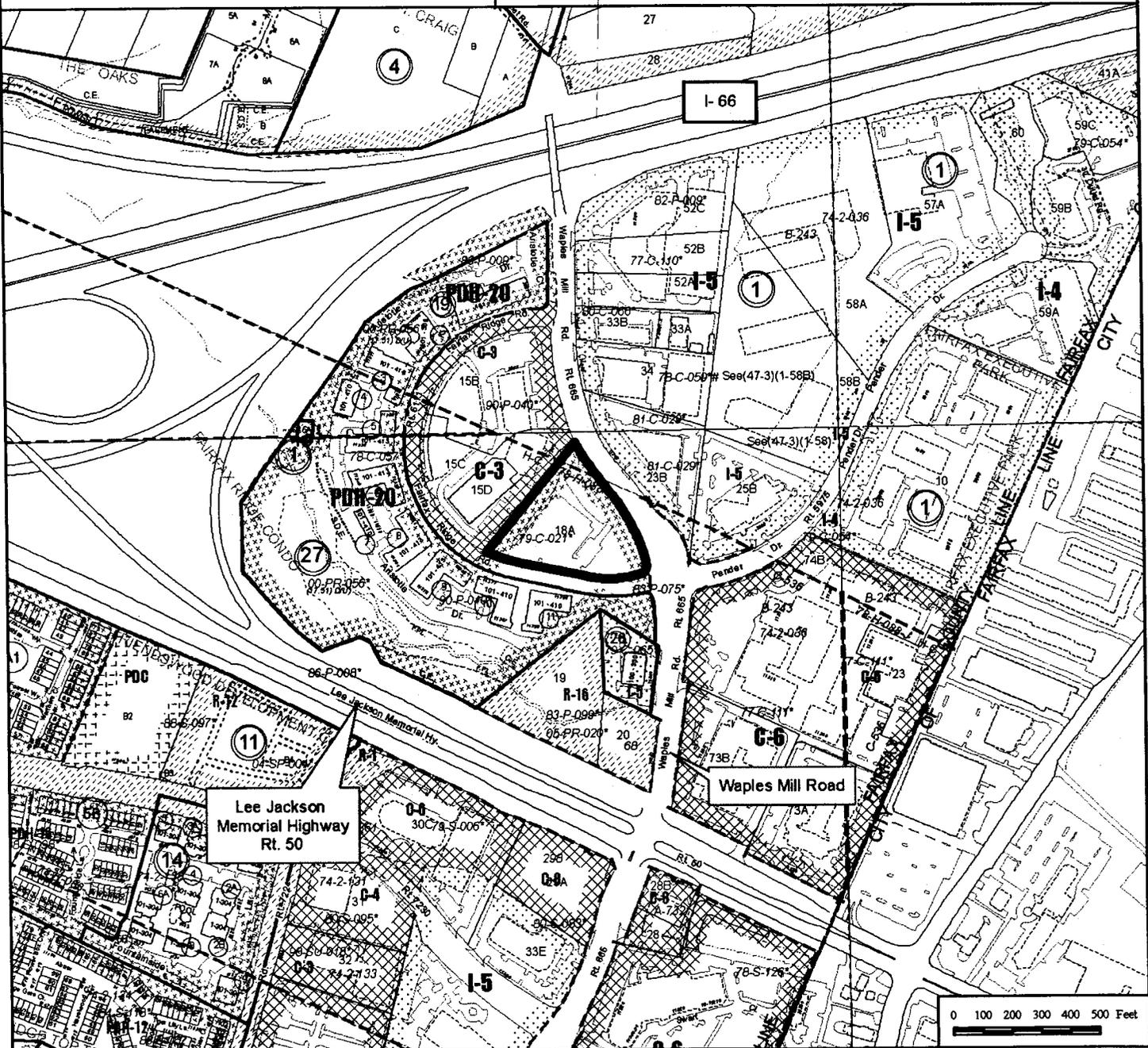
TCR MIDATLANTIC PROPERTIES, INC.
09/08/2006
TO AMEND SE 00-P-050 PREVIOUSLY
APPROVED FOR PARKING IN AN R-DISTRICT
TO PERMIT SITE MODIFICATIONS

Area:
Zoning Dist Sect:
Art 9 Group and Use:

3.19 AC OF LAND; DISTRICT - PROVIDENCE
09-0609
6-05

Located:
Zoning:
Plan Area:
Overlay Dist:
Map Ref Num:

NORTHWEST QUADRANT OF THE
INTERSECTION OF WAPLES MILL ROAD AND
FAIRFAX RIDGE ROAD
PDH-30
2,
HC
056-2- /01/ /0018A



FAIRFAX RIDGE LAND BAYS A & B

Providence Magisterial District
Fairfax County, Virginia

PREPARED FOR

TCR MDD ATLANTIC PROPERTIES, INC.

APRIL 4, 2005

SPECIAL EXCEPTION AMENDMENT PLAT/SEA

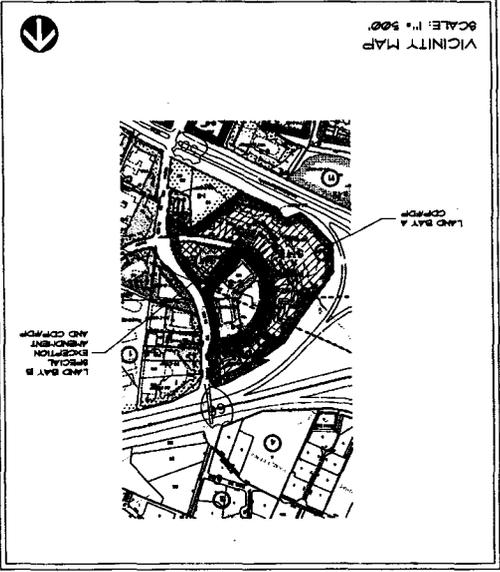
FOR TAX MAP 56-2 ((01)) 18A

CONCEPTUAL DEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN

TAX MAP 46-4 ((19)) (01) -0101 THRU -0421
 TAX MAP 46-4 ((19)) (02) -0101 THRU -0306
 TAX MAP 46-4 ((19)) (03) -0101 THRU -0413
 TAX MAP 46-4 ((19)) (04) -0101 THRU -0410
 TAX MAP 56-2 ((27)) (05) -0101 THRU -0413
 TAX MAP 56-2 ((27)) (06) -0101 THRU -0415
 TAX MAP 56-2 ((27)) (07) -0101 THRU -0410
 TAX MAP 56-2 ((27)) (08) -0101 THRU -0413
 TAX MAP 56-2 ((27)) (09) -0101 THRU -0415
 TAX MAP 56-2 ((27)) (10) -0101 THRU -0410
 TAX MAP 56-2 ((27)) (11) -0101 THRU -0410
 TAX MAP 56-2 ((01)) 18A

INDEX:

1	COVER SHEET
2	CDF / BDP / SE PLAT
2A	CDF / BDP PLAN ENLARGEMENT
2B	CDF / BDP PLAN ENLARGEMENT
2C	CDF / BDP PLAN ENLARGEMENT
3	GENERAL NOTES / SOILS MAP / BULK PLANE DIAGRAM
4	LANDSCAPE PLAN
4A	LANDSCAPE PLAN ENLARGEMENT
4B	LANDSCAPE PLAN ENLARGEMENT
4C	LANDSCAPE PLAN ENLARGEMENT
5	EXISTING VEGETATION MAP
5A	EXISTING VEGETATION MAP
6	RAIL MAP
6A	POND ROUTINGS
6B	POND ROUTINGS
6C	HYDROGRAPHS
6D	DAM RESEARCH ANALYSIS
7	SECTIONS
7A	SITE RENDERING & LANDRAY B ENLARGEMENT
7B	LANDRAY B ENLARGEMENTS
7C	ARCHITECTURAL ELEVATIONS
8	SITE DETAILS
9	COURTYARD AND POOL CONCEPTS
10	CONCEPTUAL ARCHITECTURAL ELEVATION/SITE SECTION
11	REGIONAL DETENTION POND #D-47 PLAN
12	STREETSCAPE PLAN
13	PREVIOUSLY CONSTRUCTED. NO CHANGES ARE PROPOSED. * THESE SHEETS ARE FOR LAND BAY A ONLY, WHICH WAS



REVISION

REVISED JUNE 27, 2005, COUNTY COMMENTS

REVISED JUNE 5, 2006, COUNTY COMMENTS

REVISED JULY 12, 2006, COUNTY COMMENTS

REVISED JULY 20, 2006, COUNTY COMMENTS

REVISED AUGUST 31, 2006, COUNTY COMMENTS

REVISED NOVEMBER 27, 2006, COUNTY COMMENTS

REVISED DECEMBER 21, 2006, COUNTY COMMENTS

REVISED JANUARY 22, 2007, COUNTY COMMENTS

REVISED FEBRUARY 9, 2007, COUNTY COMMENTS

REVISED FEBRUARY 26, 2007, COUNTY COMMENTS

WALSH COLUCCI
LUISLEY SMITH
& WALSH PC



PROFESSIONAL LANDSCAPE ARCHITECTS
 1111 THREE BRIDGE ROAD, SUITE 200, FARMERSVILLE, VA 22111
 (703) 426-1100 FAX (703) 426-1101
 WWW.WALSHCOLUCCI.COM

LDI# 2005007

PREPARED BY:
LandDesign

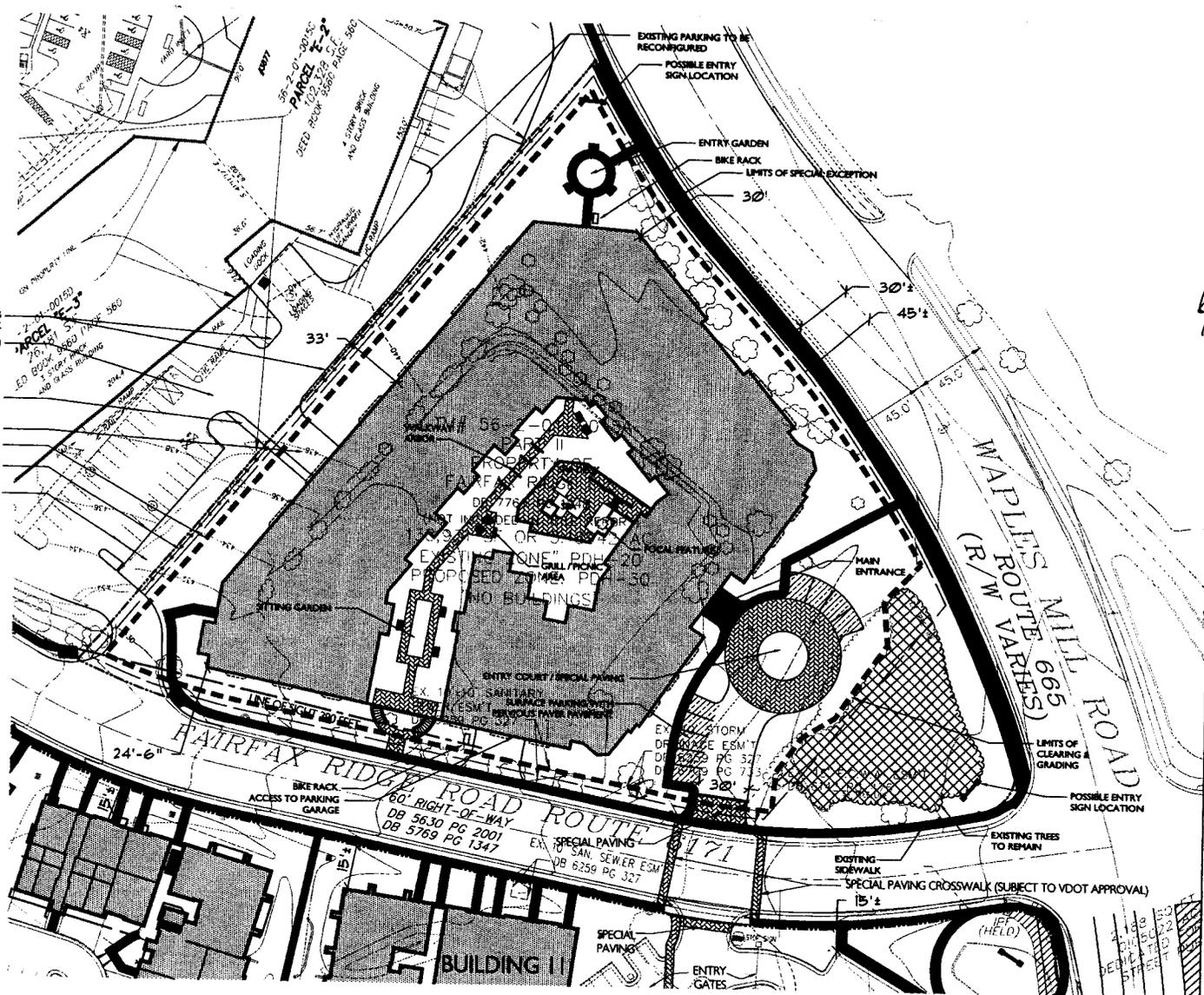




- RECONFIGURED ACCESS TO OFFICE BUILDING LOADING DOCK
- EXISTING PAVING TO REMAIN
- ADD 5' SIDEWALK TO CONNECT WITH EXISTING SIDEWALK
- ACCESS TO PARKING GARAGE
- LIMITS OF CLEARING & GRADING
- 7' MASONRY / BRICK WALL OR SOLID WOOD FENCE
- EXISTING PARKING TO BE REMOVED

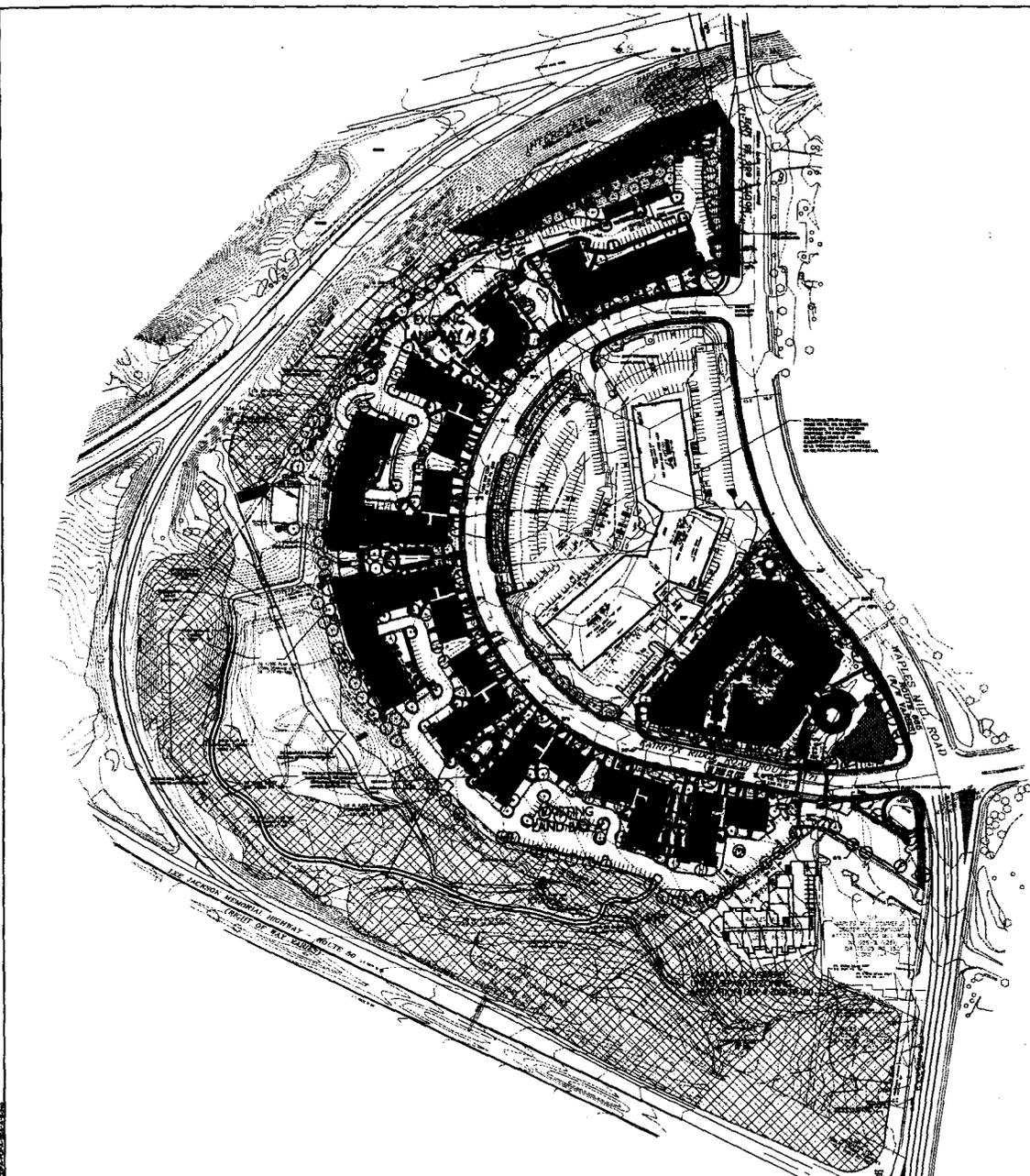
LEGEND

- PROPERTY LINE
- STREAM BED
- 100 YEAR FLOODPLAIN
- LIMITS OF CLEARING AND GRADING
- SIDEWALK
- SOUND ATTENUATION WALL
- LIMIT OF SPECIAL EXCEPTION
- EXISTING TREES TO REMAIN
- ROW DEDICATION
- RETAINING WALL



NOTES:
 1. FOR TABULATIONS SEE SHEET 2
 2. FOR PLAN NOTES SEE SHEET 3

DATE: 02/14/07
 CHECKED BY: [Signature]
 PROJECT # 2006007



THE PLANTS SELECTED BELOW ARE REPRESENTATIVE OF THE TYPES OF PLANTS TO BE INSTALLED. ACTUAL FINAL SELECTION WILL DEPEND UPON SITE SPECIFIC OPPORTUNITIES AND CONSTRAINTS INCLUDING ASPECT, ORIENTATION, USE, SOIL CONDITIONS AND PLANTING AREAS.

- ① SHADY/CANOPY TREES (LARGE DECIDUOUS TREES):
 PIN 1.5-1.75" CALIPER
 ACER RUBRUM CULTIVARS - RED MAPLE
 PLATANUS ACERIFOLIA 'BLOODGOOD' - LONDON PLANE TREE
 PRUNUS PENNSYLVANICA CULTIVARS - GREEN ASH
 QUERCUS RUBRA - RED OAK
 GLEDITSIA TRIACANTHOS-HONEY LOCUST
 TILIA CORDATA - LITTLELEAF LINDEN
- ② SHADY/CANOPY TREES (LARGE DECIDUOUS TREES):
 PIN 1.75" CALIPER
 ACER RUBRUM CULTIVARS - RED MAPLE
 PLATANUS ACERIFOLIA 'BLOODGOOD' - LONDON PLANE TREE
 PRUNUS PENNSYLVANICA CULTIVARS - GREEN ASH
 QUERCUS RUBRA - RED OAK
 GLEDITSIA TRIACANTHOS-HONEY LOCUST
 TILIA CORDATA - LITTLELEAF LINDEN
- ③ ORNAMENTAL TREES (CONTACT, SMALL, & MEDIUM DECIDUOUS TREES):
 PIN 1" CALIPER
 BETULA NERPA - RIVER BIRCH
 CERCIDOPHYLLUM JAPONICUM - KATSURA TREE
 CORNUS KOLBA - KOHBA DOGWOOD
 FRAXILIS - FRAXINUS TREE
 MAGNOLIA STELLATA - STAR MAGNOLIA
 PRUNUS YEDOENSIS - YOSHINO CHERRY
- ④ EVERGREEN TREES (CONTACT AND SMALL EVERGREEN TREES):
 PIN 8"-8' HT.
 ILEX AETNAEA 'PORTER' - PORTER HOLLY
 ILEX VILLIE R. STEVENS - NELLIE STEVENS HOLLY
 JAPANESE CHAMBRUS CULTIVARS - CHINESE JUNKER
 PINUS ADRES - HORNWAY SPRUCE
 TAXUS OCCIDENTALIS 'SERRALD' - SERRALD ARBORVITAE
 TAXUS CANADENSIS - CANADIAN HEMLOCK
- ⑤ EVERGREEN TREES (LARGE):
 PIN 8"-10' HT.
 MAGNOLIA GRANDIFLORA - SOUTHERN MAGNOLIA
 PARS STROBUS - WHITE PINE
- ⑥ LARGE SHRUBS:
 PIN 30"-36" HT.
 HEDERA SYRACUS CULTIVARS - ROSE OF SHARON
 BURNING BUSH CULTIVARS - MANHATTAN BURNING BUSH
 ILEX COMNITA 'BURFORD' - BURFORD HOLLY
 RHODODENDRON CATAMBORUM CULTIVARS - RHODODENDRON
 FORSYTHIA X INTERMEDIA - BORDER FORSYTHIA
 TAMARICUS SPERMATOPHYTES - CAROLINA YEW
 VIBURNUM PFLICATUM 'HARRIS' - HARRIS VIBURNUM
- ⑦ MEDIUM SHRUBS:
 PIN 18"-24" HT.
 BURNING BUSH CULTIVARS - JAPANESE BURNING BUSH
 TAMARICUS SPERMATOPHYTES - CHINESE YEW
 ILEX GLABRA CULTIVARS - ROSEBERRY
 ILEX CRISTATA CULTIVARS - JAPANESE HOLLY
 RHODODENDRON OBTUSUM CULTIVARS - AZALEAS
- ⑧ SMALL SHRUBS AND GROUNDCOVERS:
 SIZES VARY: 4" TO 1 GALLON POTS
 HEDERA HELIX - ENGLISH IVY
 JAPANESE CONIFER - JAPANESE JUNIPER
 JAPANESE PROCEPERIS - JAPANESE GARDEN JUNIPER
 JAPANESE HORIZONTALIS CULTIVARS - SPREADING JUNIPER
 PACHYRA TERMINALIS - JAPANESE SPURGE
 SARCOCOA HOOKERIANA - SWEET BOX
 SPIREA X SPHALDIA CULTIVARS - SURALD SPIREA
 VERBENA - PERIWINKLE
- ⑨ EXISTING TREES TO REMAIN

FAIRFAX COUNTY TREE COVER CALCULATIONS

TREE COVER REQUIRED				
GROSS SITE AREA	22,8840 A.C.			
WAVEN	0 S.F.			
ROADWAY DEDICATION	49			
RECEPTION (SWIMMING POOL)	0 S.F.			
MODIFICATION	0 S.F.			
BUILDING FOOTPRINTS	217,975 S.F.			
ADJUSTED GROSS SITE AREA	794,480 S.F.			
REQUIRED COVERAGE PER BOARD DISTRICT	10 %			
REQUIRED COVERAGE FOR SITE	79,448 S.F.			
TREE COVER PROVIDED				
FROM APPENDIX 12.4 OF PPM	263,971 S.F.			
EXISTING VEGETATION PRESERVED	218,887 S.F. (1.25)			
REMAINING COVERAGE TO BE PROVIDED BY PLANTING TREES	88,675 S.F.			
TOTAL COVERAGE PROVIDED	233,348 S.F.			
PROPOSED TREES				
TREE TYPE	QUANTITY	CALIPER	CREDIT (S.F.)	COVERAGE (S.F.)
LARGE DECIDUOUS	75	1"	250	18,750
MEDIUM DECIDUOUS	185	1"	75	13,875
SMALL DECIDUOUS	182	1"	75	13,650
COMPACT DECIDUOUS	0	1"	40	0
LARGE EVERGREEN	0	1"	100	0
MEDIUM EVERGREEN	104	1"	125	13,000
SMALL EVERGREEN	38	1"	75	2,850
COMPACT EVERGREEN	0	1"	40	0
				88,675

(S.F. PROVIDED)

LandDesign
 1114 Pines Drive, Suite 100, Alexandria, VA 22304
 703.836.9999
 www.landdesignva.com

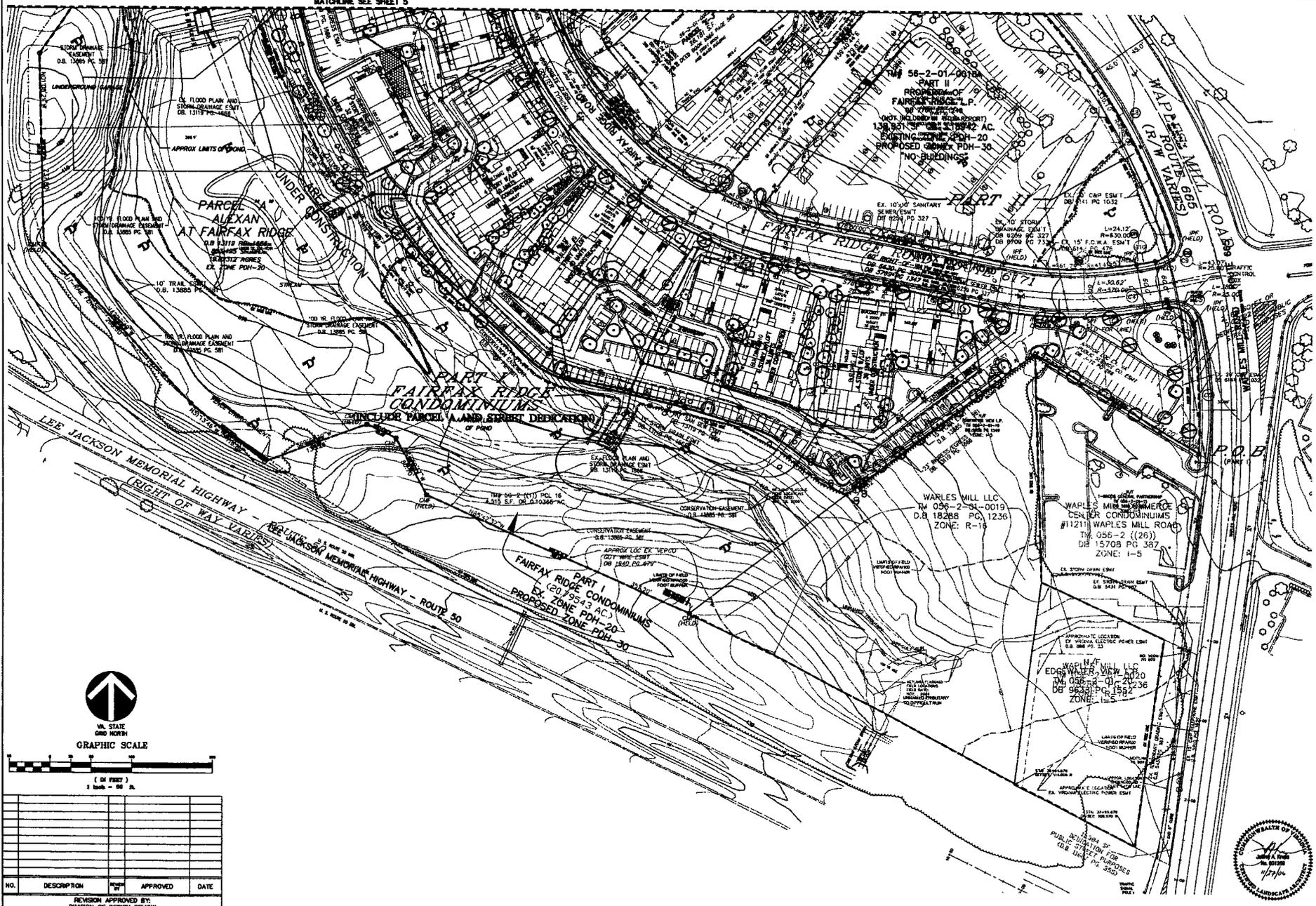
Fairfax Ridge Land Bays A & B
 CDP/FDP
 TCK Mid Atlantic Properties, Inc. Providence Magisterial District, Fairfax County, Virginia
 Landscape Plan

REVISIONS:
 4.24.06
 4.24.06
 4.24.06
 4.24.06
 4.24.06
 4.24.06
 4.24.06
 4.24.06
 4.24.06

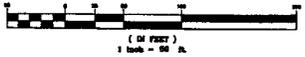
DATE: 04/24/06
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: AS SHOWN
 PROJECT NO.: [Number]
 SHEET NUMBER: [Number]

DATE: 04/24/06
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: AS SHOWN
 PROJECT NO.: [Number]
 SHEET NUMBER: [Number]

MATCHLINE SEE SHEET 5



GRAPHIC SCALE



NO.	DESCRIPTION	DATE	APPROVED	DATE

REVISION APPROVED BY:
DIVISION OF DESIGN REVIEW

WKA
 CONSULTING ENGINEERS, ARCHITECTS & SURVEYORS
 1000 W. MAIN ST. SUITE 2000
 FALLS CHURCH, VIRGINIA 22046
 PHONE: (703) 271-1100 FAX: (703) 271-1101

ALEXAN AT FAIRFAX RIDGE PHASE II
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

EXISTING VEGETATION MAP

WKA REVISIONS

REVISE PROPERTY LABELS 7-7-2008
 REV EX TREE LINE 11/01/08
 REVISIONS 1/20/09
 DATE: FEB 2005
 DES. DWN.
 NPK/ RWS
 SCALE: 1"=50'
 PROJECT/FILE NO. 6301
 SHEET NO. 5A





REGIONAL FORWARDER MANAGEMENT POND
FAIRFAX RIDGE
PROVIDENCE MARSHAL DISTRICT
VIRGINIA

(TR-20 COMPUTATIONS)

VIKA REVISIONS

DATE: 08/21/2007
DWN:
SCALE: AS SHOWN
PROJECT/FILE NO.:
SHEET NO.: 609

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

THIS SHEET FOR INFORMATION ONLY

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

REVISION APPROVED BY: [Signature]
DATE OF DESIGN REVIEW: 08/06/06

TABLE 1: POND DATA

NO.	AREA (SQ FT)	PERCENTAGE (%)	DEPTH (FT)	VOLUME (CU FT)	WEIGHT (LBS)
1	1000	10	1.0	1000	13600
2	2000	20	2.0	4000	54400
3	3000	30	3.0	9000	122400
4	4000	40	4.0	16000	217600
5	5000	50	5.0	25000	338000
6	6000	60	6.0	36000	486400
7	7000	70	7.0	49000	665200
8	8000	80	8.0	64000	867200
9	9000	90	9.0	81000	1092800
10	10000	100	10.0	100000	1360000

TABLE 2: POND DATA

NO.	AREA (SQ FT)	PERCENTAGE (%)	DEPTH (FT)	VOLUME (CU FT)	WEIGHT (LBS)
11	11000	110	11.0	132000	1795200
12	12000	120	12.0	144000	1958400
13	13000	130	13.0	169000	2288000
14	14000	140	14.0	196000	2665600
15	15000	150	15.0	225000	3036000
16	16000	160	16.0	256000	3452800
17	17000	170	17.0	290000	3916800
18	18000	180	18.0	324000	4337600
19	19000	190	19.0	361000	4816000
20	20000	200	20.0	400000	5360000

TABLE 3: POND DATA

NO.	AREA (SQ FT)	PERCENTAGE (%)	DEPTH (FT)	VOLUME (CU FT)	WEIGHT (LBS)
21	21000	210	21.0	441000	5937600
22	22000	220	22.0	484000	6521600
23	23000	230	23.0	529000	7120000
24	24000	240	24.0	576000	7734400
25	25000	250	25.0	625000	8364800
26	26000	260	26.0	676000	9011200
27	27000	270	27.0	729000	9673600
28	28000	280	28.0	784000	10352000
29	29000	290	29.0	841000	11056000
30	30000	300	30.0	900000	11784000

TABLE 4: POND DATA

NO.	AREA (SQ FT)	PERCENTAGE (%)	DEPTH (FT)	VOLUME (CU FT)	WEIGHT (LBS)
31	31000	310	31.0	961000	12854400
32	32000	320	32.0	1024000	13721600
33	33000	330	33.0	1089000	14616000
34	34000	340	34.0	1166000	15539200
35	35000	350	35.0	1245000	16491200
36	36000	360	36.0	1326000	17472000
37	37000	370	37.0	1409000	18483200
38	38000	380	38.0	1494000	19524800
39	39000	390	39.0	1581000	20596800
40	40000	400	40.0	1670000	21699200

TABLE 5: POND DATA

NO.	AREA (SQ FT)	PERCENTAGE (%)	DEPTH (FT)	VOLUME (CU FT)	WEIGHT (LBS)
41	41000	410	41.0	1761000	22832000
42	42000	420	42.0	1854000	24000000
43	43000	430	43.0	1949000	25192000
44	44000	440	44.0	2046000	26409600
45	45000	450	45.0	2145000	27652800
46	46000	460	46.0	2246000	28921600
47	47000	470	47.0	2349000	30216000
48	48000	480	48.0	2454000	31536000
49	49000	490	49.0	2561000	32881600
50	50000	500	50.0	2670000	34252800

TABLE 6: POND DATA

NO.	AREA (SQ FT)	PERCENTAGE (%)	DEPTH (FT)	VOLUME (CU FT)	WEIGHT (LBS)
51	51000	510	51.0	2781000	35649600
52	52000	520	52.0	2894000	37092800
53	53000	530	53.0	3009000	38563200
54	54000	540	54.0	3126000	39960000
55	55000	550	55.0	3245000	41382400
56	56000	560	56.0	3366000	42830400
57	57000	570	57.0	3489000	44304000
58	58000	580	58.0	3614000	45803200
59	59000	590	59.0	3741000	47328000
60	60000	600	60.0	3870000	48878400

TABLE 7: POND DATA

NO.	AREA (SQ FT)	PERCENTAGE (%)	DEPTH (FT)	VOLUME (CU FT)	WEIGHT (LBS)
61	61000	610	61.0	4001000	50454400
62	62000	620	62.0	4134000	51945600
63	63000	630	63.0	4269000	53462400
64	64000	640	64.0	4406000	54994800
65	65000	650	65.0	4545000	56542800
66	66000	660	66.0	4686000	58106400
67	67000	670	67.0	4829000	59685600
68	68000	680	68.0	4974000	61280640
69	69000	690	69.0	5121000	62891520
70	70000	700	70.0	5270000	64518240

TABLE 8: POND DATA

NO.	AREA (SQ FT)	PERCENTAGE (%)	DEPTH (FT)	VOLUME (CU FT)	WEIGHT (LBS)
71	71000	710	71.0	5421000	66160800
72	72000	720	72.0	5574000	67828800
73	73000	730	73.0	5729000	69518400
74	74000	740	74.0	5886000	71229600
75	75000	750	75.0	6045000	72962400
76	76000	760	76.0	6206000	74716800
77	77000	770	77.0	6369000	76492800
78	78000	780	78.0	6534000	78290400
79	79000	790	79.0	6701000	80109600
80	80000	800	80.0	6870000	81950400

TABLE 9: POND DATA

NO.	AREA (SQ FT)	PERCENTAGE (%)	DEPTH (FT)	VOLUME (CU FT)	WEIGHT (LBS)
81	81000	810	81.0	7041000	83822880
82	82000	820	82.0	7214000	85707200
83	83000	830	83.0	7389000	87613440
84	84000	840	84.0	7566000	89541280
85	85000	850	85.0	7745000	91490720
86	86000	860	86.0	7926000	93461760
87	87000	870	87.0	8109000	95454240
88	88000	880	88.0	8294000	97468160
89	89000	890	89.0	8481000	99503520
90	90000	900	90.0	8670000	101560320

TABLE 10: POND DATA

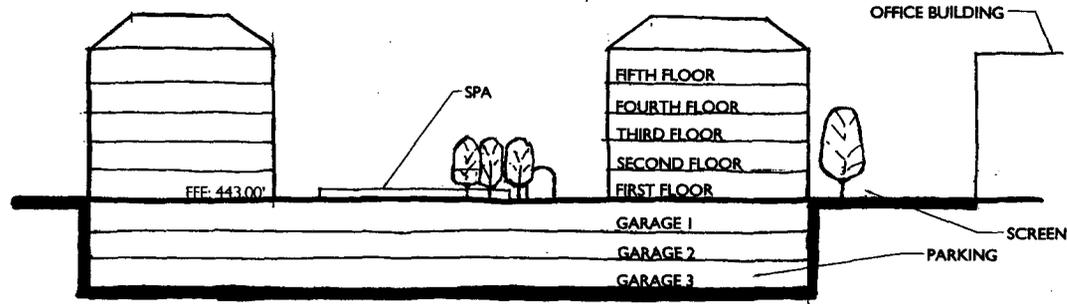
NO.	AREA (SQ FT)	PERCENTAGE (%)	DEPTH (FT)	VOLUME (CU FT)	WEIGHT (LBS)
91	91000	910	91.0	8861000	103638560
92	92000	920	92.0	9054000	105737280
93	93000	930	93.0	9249000	107847520
94	94000	940	94.0	9446000	109969280
95	95000	950	95.0	9645000	112102560
96	96000	960	96.0	9846000	114247360
97	97000	970	97.0	10049000	116403680
98	98000	980	98.0	10254000	118571520
99	99000	990	99.0	10461000	120350880
100	100000	1000	100.0	10670000	122141760

TABLE 11: POND DATA

NO.	AREA (SQ FT)	PERCENTAGE (%)	DEPTH (FT)	VOLUME (CU FT)	WEIGHT (LBS)
101	101000	1010	101.0	10881000	123944160
102	102000	1020	102.0	11094000	125754240
103	103000	1030	103.0	11309000	127569920
104	104000	1040	104.0	11526000	129391200
105	105000	1050	105.0	11745000	131218080
106	106000	1060	106.0	11966000	133050560
107	107000	1070	107.0	12189000	134888640
108	108000	1080	108.0	12414000	136732320
109	109000	1090	109.0	12641000	138581600
110	110000	1100	110.0	12870000	140436480

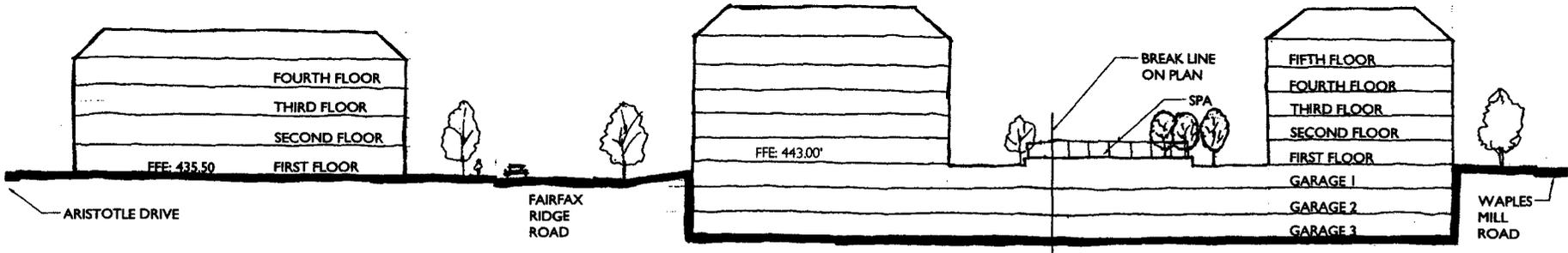
TABLE 12: POND DATA

NO.	AREA (SQ FT)	PERCENTAGE (%)	DEPTH (FT)	VOLUME (CU FT)	WEIGHT (LBS)
111	111000	1110	111.0	13101000	142296800
112	112000	1120	112.0		



1 LAND BAY B TO OFFICE BUILDING
L-7 SECTION

1" = 20'



2 LAND BAY B TO LAND BAY A
L-7 SECTION

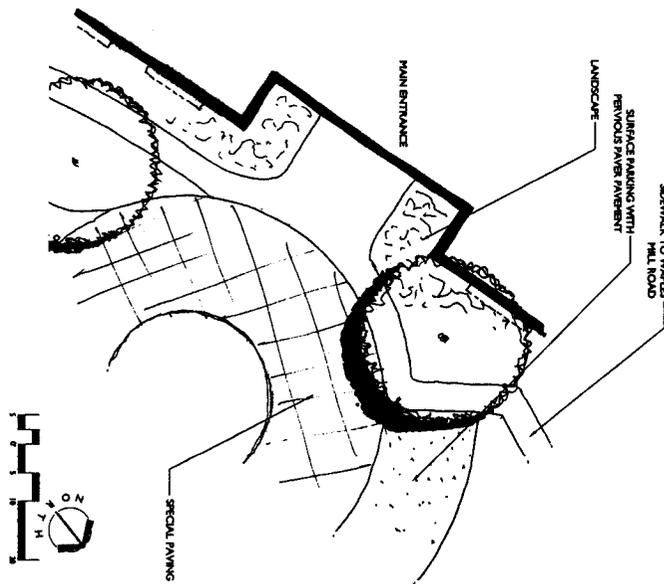
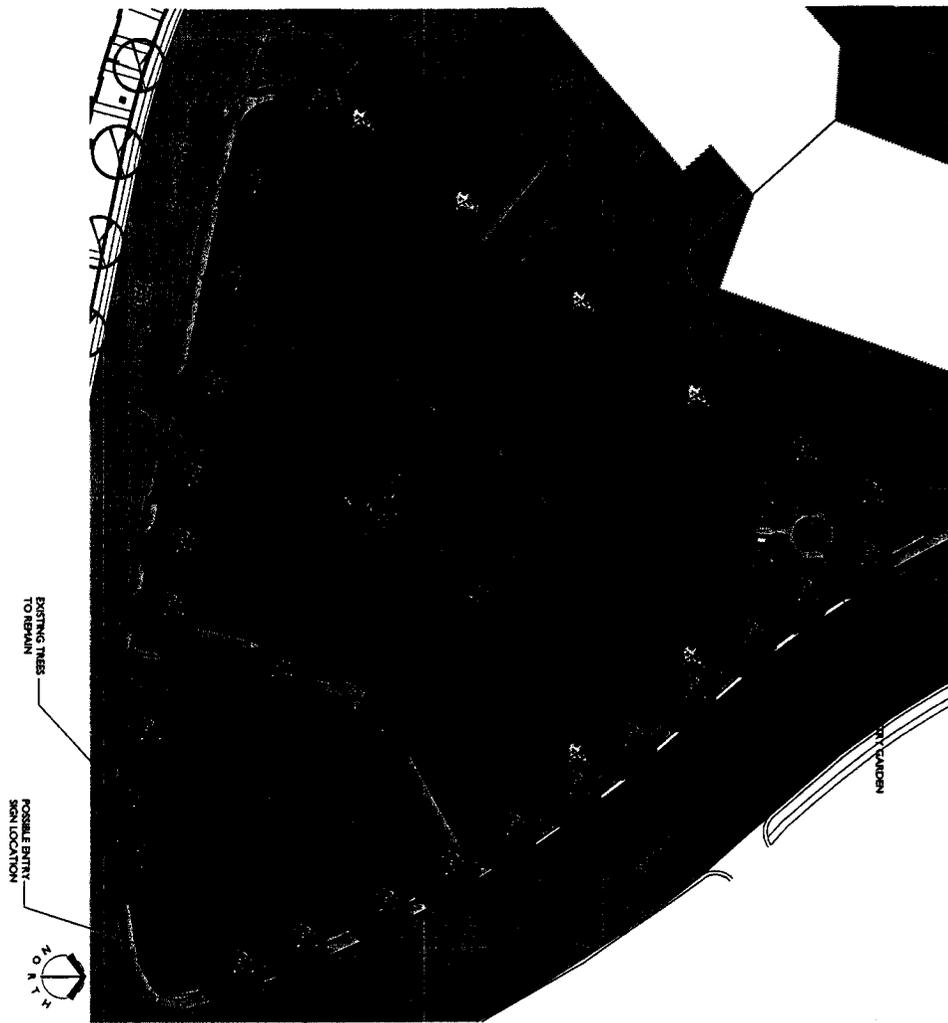
1" = 20'



REVISIONS:
NOVEMBER 17, 2008
DRAWN BY: J. C. [unclear]
CHECKED BY: J. C. [unclear]
APPROVED BY: J. C. [unclear]
DATE: FEBRUARY 1, 2009

DATE: 02/01/09
DRAWN BY: J. C. [unclear]
CHECKED BY: J. C. [unclear]
SCALE: AS SHOWN
PROJECT: R. 000000
SHEET NUMBER: 7

02/01/09 11:58 AM C:\Users\jcd\Documents\Projects\FAIRFAX RIDGE\CDP\FDP\SECTION 1.dwg
 02/01/09 11:58 AM C:\Users\jcd\Documents\Projects\FAIRFAX RIDGE\CDP\FDP\SECTION 2.dwg



DATE: 04/06
 DESIGNED BY: KT
 DRAWN BY: CA
 CHECKED BY:
 Q.C. BY:
 SCALE: AS SHOWN
 PROJECT #: 2005007

REVISIONS:
 NOVEMBER 27, 2006
 DECEMBER 21, 2006
 JANUARY 22, 2007
 FEBRUARY 9, 2007
 FEBRUARY 26, 2007

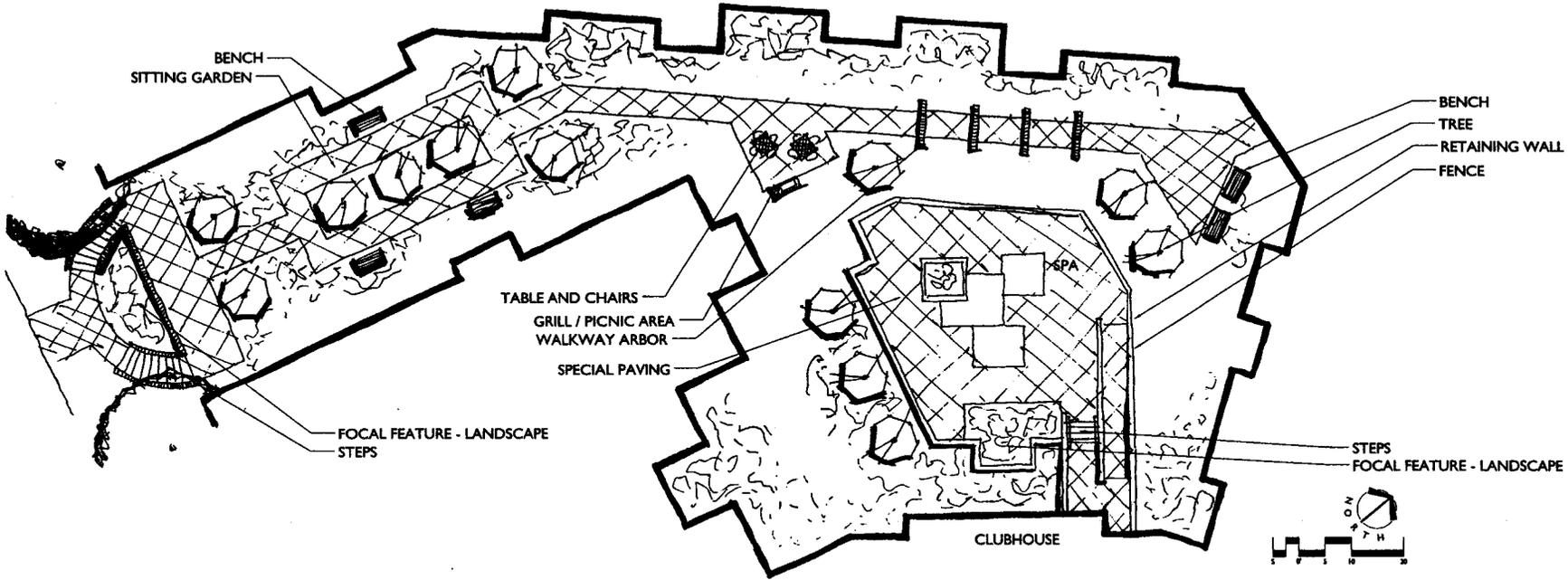
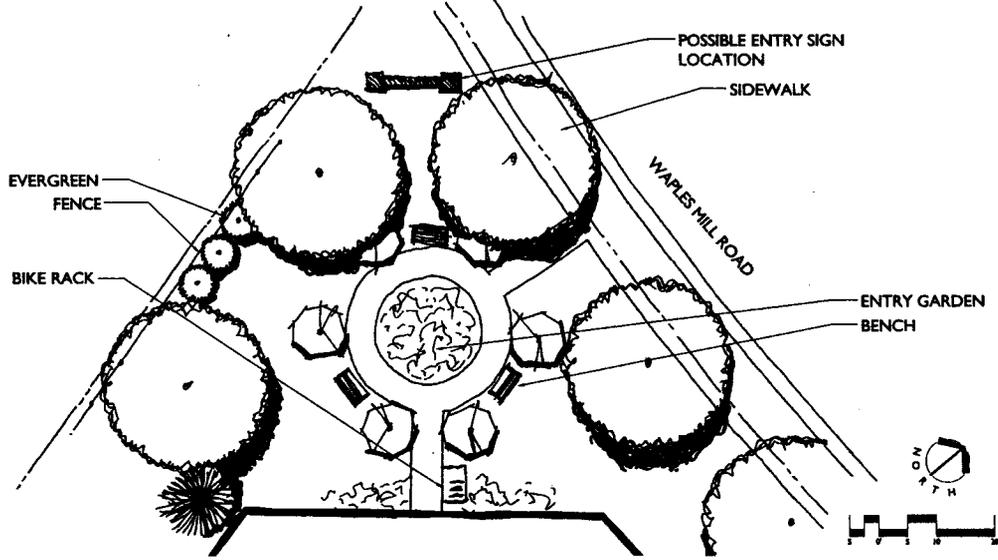
SHEET NUMBER:
7A

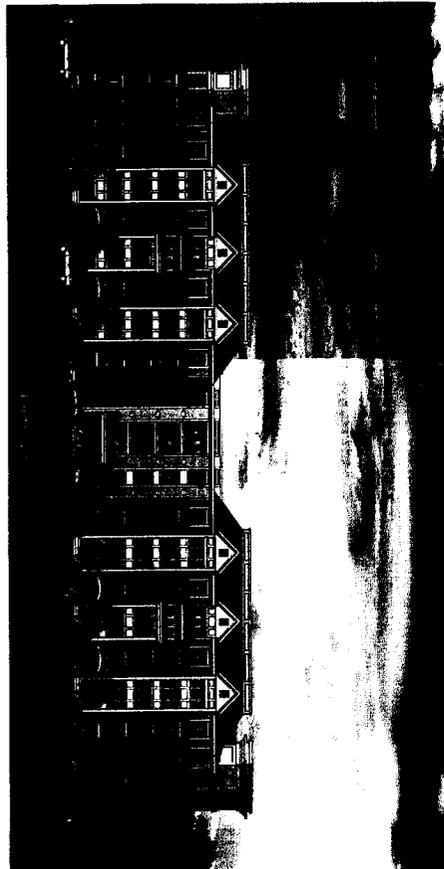
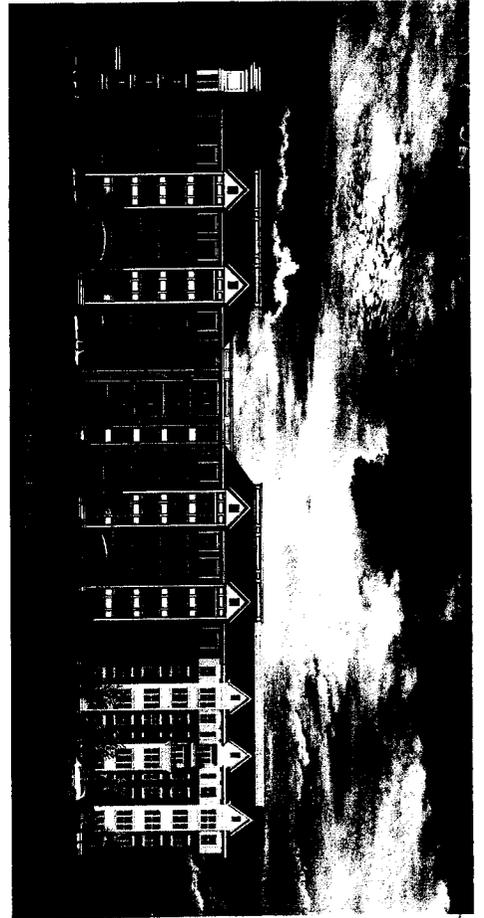
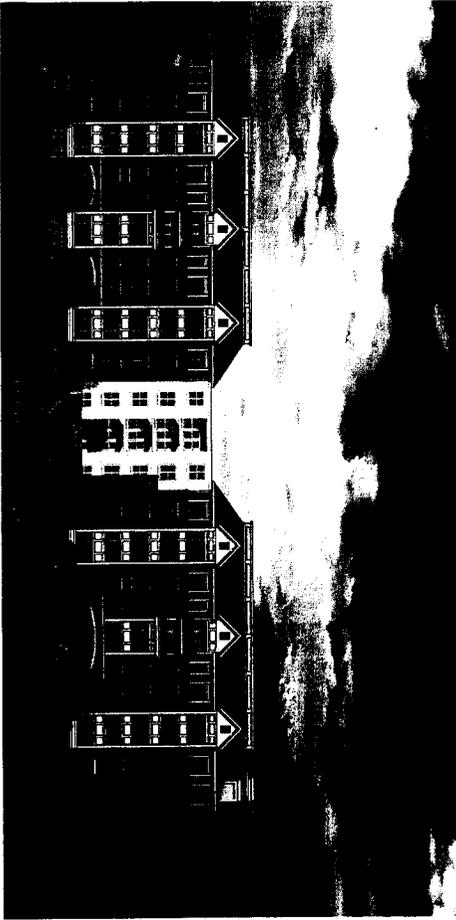
Fairfax Ridge Land Bay B
CDP/FDP
 TCR Mid Atlantic Properties, Inc.; Providence Magisterial District, Fairfax County, Virginia
 Site Rendering & Land Bay B enlargement



LandDesign .
 1444 Prince Street, Suite 400, Alexandria, VA 22314
 V: 703.549.7704 F: 703.549.4984
 www.LandDesign.com

DATE: 02/24/09
DRAWN BY: J. COLE
CHECKED BY: J. COLE
PROJECT: 090007





DATE: 4/15/07
DESIGNED BY: KT
DRAWN BY: CA
CHECKED BY:
Q.C. BY:
SCALE: AS SHOWN
PROJECT #: 2005007

REVISIONS:
DECEMBER 22, 2006
JANUARY 22, 2007
FEBRUARY 7, 2007

SHEET NUMBER:
7C

Fairfax Ridge Land Bay B CDP/FDP

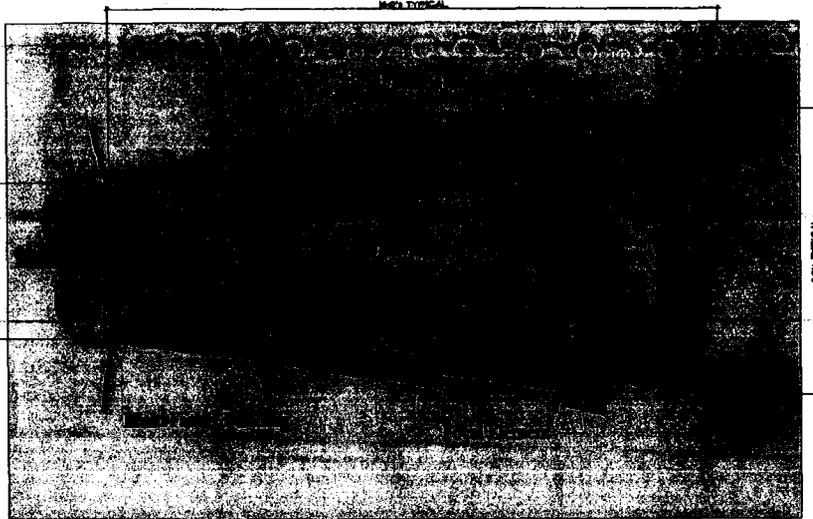
TCR Mid Atlantic Properties, Inc.; Providence Magisterial District, Fairfax County, Virginia

Architectural Elevations

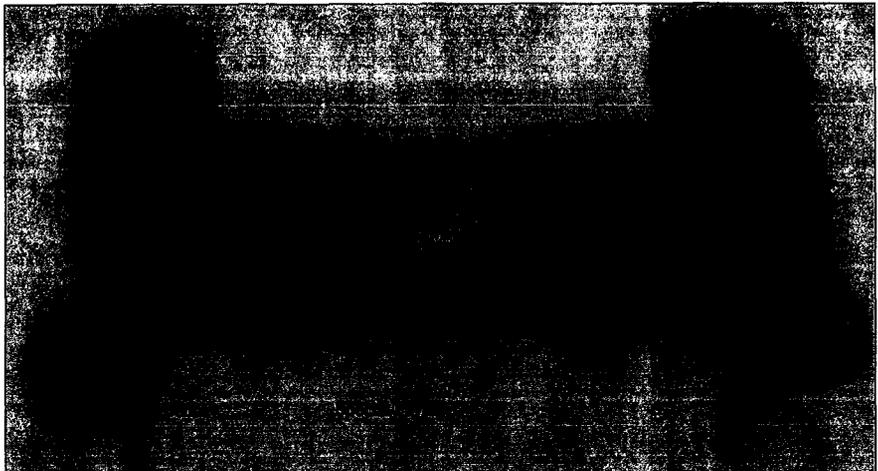


LandDesign .

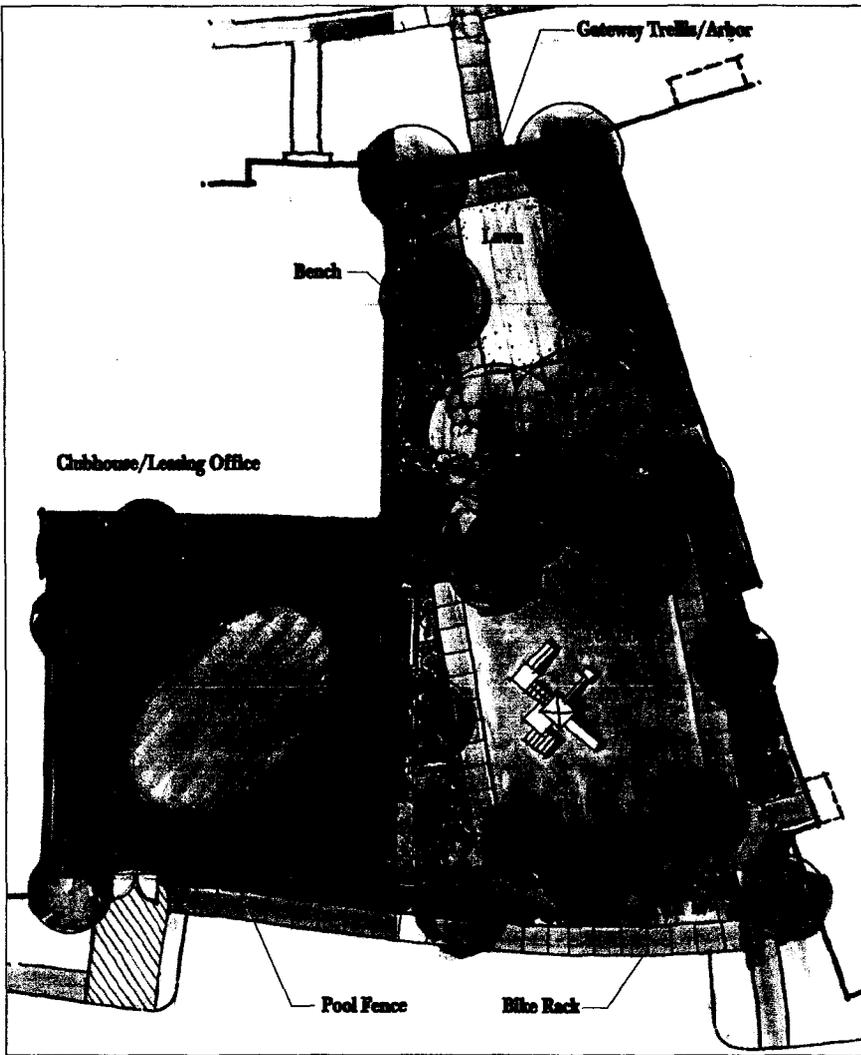
1414 Pines Street, Suite 400, Alexandria, VA 22314
P: 703.593.7794 F: 703.593.6994
www.LandDesign.com



1 TYPICAL COURTYARD CONCEPT
 5 PLAN NOT TO SCALE



2 SMALL BUILDING COURTYARD
 5 PLAN NOT TO SCALE



3 POOL AND TOTLOT COURTYARD
 5 PLAN NOT TO SCALE

NOTE: THIS SHEET IS FOR LAND BAY A ONLY AND IS ALREADY CONSTRUCTED. NO CHANGES ARE PROPOSED.

NOTE: LANDSCAPING SHOWN ON THIS SHEET IS PRELIMINARY. IT REPRESENTS THE QUANTITY AND THE LEVEL OF QUALITY OF LANDSCAPE MATERIAL THAT IS PROPOSED. THE ACTUAL LOCATIONS, TYPES AND AMOUNTS OF VEGETATION AND FURNITURE WILL BE DETERMINED PURSUANT TO MORE DETAILED LANDSCAPE PLANS TO BE PREPARED AND SUBMITTED IN CONNECTION WITH THE SITE PLAN.



SHEET 9

LAND DESIGN, INC.
 Landscape Architecture
 1111 Lakeside Blvd., Suite 200
 Fairfax, VA 22031-1211
 Tel: 703-261-4444

Fairfax Ridge
 Landscaping Partnership

Fairfax Ridge
 CIVIL/ENR 2000-22-006/ENR 00-2-006
 Providence Magisterial District
 Fairfax County, Virginia

Courtyard and Pool Concepts

REVISIONS	
DATE: 2/28/01	
DES. BY: [Signature]	DRAWN BY: [Signature]
SCALE: AS SHOWN	
PROJECT/FILE NO. 2000-22-006	
SHEET NO. 9	

NOTE: THIS SHEET IS FOR LAND BAY A ONLY AND IS ALREADY CONSTRUCTED. NO CHANGES ARE PROPOSED.

LAND DESIGN, INC.
 Landscape Architects
 10000 Old Dominion Road
 Suite 200
 Fairfax, VA 22031-1811
 Tel: 703/244-4864

**Fairfax Ridge
 Limited Partnership**

**Fairfax Ridge
 CDP / FMP 2000-FR-056 / SE 00-P-050
 Providence Magisterial District
 Fairfax County, Virginia**

**Conceptual Architectural
 Elevation / Site Section**

REVISIONS	
3/28/01	FAIRFAX COUNTY COMMENTS
	3/28/01 ADDITIONAL INFORMATION
	4/18/01 FAIRFAX COUNTY COMMENTS

DATE:	2/28/01
DES:	OWN
BY:	YMF
SCALE:	1:2000
PROJECT / FILE NO.	20000000
SHEET NO.	10



1 Fairfax Ridge Road - Partial Street Elevation
 1 ELEVATION NTS



2 Overlook Street - Partial Street Elevation
 1 ELEVATION NTS

NOTE: LANDSCAPING SHOWN ON THIS SHEET IS PRELIMINARY. IT REPRESENTS THE QUANTITY AND THE LEVEL OF LANDSCAPE MATERIAL THAT IS PROPOSED. THE ACTUAL LOCATIONS, TYPES AND AMOUNTS OF VEGETATION AND FURNITURE WILL BE DETERMINED PURSUANT TO MORE DETAILED LANDSCAPE PLANS TO BE PREPARED AND SUBMITTED IN CONNECTION WITH THE SITE PLAN.

NOTE: THE BUILDING ELEVATIONS ON THIS SHEET ARE PRELIMINARY. THEY ARE PRESENTED TO ILLUSTRATE THE GENERAL CHARACTER AND ARCHITECTURAL THEME OF THE PROPOSED BUILDINGS. THE ELEVATIONS WILL BE REFINED AND SUBJECT TO MINOR MODIFICATIONS WITH FINAL ARCHITECTURE, ENGINEERING AND DESIGN.

UNIVERSITY OF VIRGINIA
 ERNEST L. TAMMERS
 LICENSE NO. 0000100001
 4/13/01

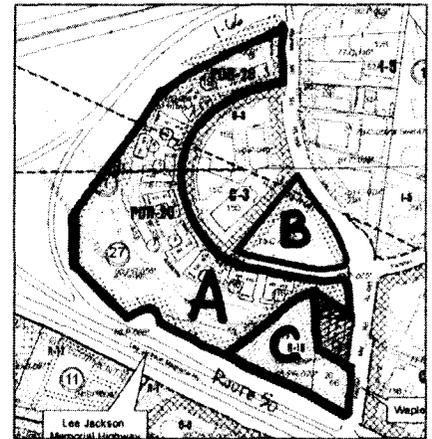
**A GLOSSARY OF TERMS USED
FREQUENTLY IN STAFF REPORTS CAN BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

Proposal:

The applicants request approval to rezone 23.01 acres from the PDH-20 District (Planned Development Housing – 20 du/ac) to the PDH-30 District (Planned Development Housing – 30 du/ac), and approval of special exception amendment to allow commercial parking in a residential district on a portion of the land area, to serve the adjacent office use.

The application includes two land bays, A and B, as shown to the right. Land Bay A, located between Fairfax Ridge Road and I-66, is developed with 420 multi-family units in 11 separate buildings permitted under RZ/FDP 2000-PR-056. Land Bay B is developed with a surface parking lot serving the adjacent office building [Tax Map 56-2 ((1)) 15C and 15D] under RZ/FDP 2000-PR-056 and SE 00-P-050. Land Bay C, shown on the graphic, was recently approved for residential development by the applicant under a separate application.



The requested applications would permit the development of a 256 unit multi-family residential building with underground parking on Land Bay B, for a total of 682 units on the entire land area. No changes are proposed to the existing development on Land Bay A. The previously approved 275 commercial parking spaces on Land Bay B would be reconstructed as a separate garage level within the new building. The following chart shows the proposed tabulations for the development, separately and as a whole.

	Land Bay A	Land Bay B	Overall Site
<i>Land Area</i>	19.82 ac	3.19 ac	23.01 ac
<i>Dwelling Units</i>	420	256	676
<i>ADUs</i>	None	34	34
<i>Density</i>	20.2 du/ac (effective) *	80.25 du/ac (effective)	28.19 du/ac *
<i>Building Height</i>	60 feet (4 stories) 65 feet (5 stories)	60 feet (5 stories)	--
<i>Open Space</i>	50%	48%	49.8%
<i>Parking type</i>	Surface & garage	Underground garage	--
<i>Parking Spaces</i>	696	419 (residential) 275 (office)	1,115 (residential) 275 (office)

* includes density credit for previous street dedications

The applicant's draft proffers, Affidavits and Statement of Justification can be found in Appendices 1, 3, 4 and 5; staff's proposed development conditions for the Special Exception can be found in Appendix 2.

This application must also comply with certain Zoning Ordinance Provisions found in Article 6, Planned Development Districts, and Article 16, Development Plans, as well as special exception standards, excerpts of which are found in Appendix 19.

(Approved by the Board pursuant to RZ 2006-PR-056):

- Waiver of the loading space requirement for Land Bay A only
- Modification of transitional screening requirements and waiver of the barrier requirements along the I-66 right-of-way
- Waiver of the barrier requirement along Route 50 and I-66
- Waiver of on-site stormwater management requirement in favor of the regional pond constructed on Land Bay A

LOCATION AND CHARACTER**Site Description:**

The 23.01 acre application property is located in the Fairfax Center Area, in the eastern quadrant of the intersection side of Route 50 (Lee Jackson Memorial Highway) and Interstate 66, on the west side of Waples Mill Road. As shown above, Land Bay A of the property is located on the west side of Fairfax Ridge Road and is developed with mid-rise multifamily units, and Land Bay B is located on the east side of Fairfax Ridge Road and is developed with a surface parking lot. A small portion of Land Bay B, located at the intersection of Waples Mill Road and Fairfax Ridge Road has mature trees. The western portion of Land Bay A is heavily forested and impacted by a large area of Environmental Quality Corridor (EQC), and is the site of a regional stormwater management pond, constructed with the development on Land Bay A.

Surrounding Area Description:

Direction	Use	Zoning	Plan (@ Overlay Level)
North	I-66	--	--
South	Route 50 Office Residential, Fairfax Ridge Land Bay C	-- I-5 R-16	Fairfax Center Area; Office; 0.5 FAR opt. for Residential, 16-20 du/ac
East	Office	C-3 I-5 C-6	Fairfax Center Area Office; 0.5 FAR
West	Route 50 & I-66 Interchange	--	--

BACKGROUND

- RZ 2000-PR-056 was approved by the Board of Supervisors on the application property on July 9, 2001, the FDP having been previously approved by the Planning Commission on May 23, 2001, subject to FDP conditions dated May 23, 2001. The

application rezoned the site from the C-3 District to the PDH-20 District to allow a multifamily residential development with 420 dwelling units at an overall density of 17.51 du/ac. (See Appendix 6 for proffers and plans) The land area for the rezoning included the entire area which is the subject of the current application, and utilized density for the entire area. The residential portion of the development was in Land Bay A; Land Bay B contained a surface parking lot. Concurrent application SE 00-P-050 was approved to permit commercial parking in a residential district. (See Appendix 7 for SE conditions). The residential units were subsequently constructed and converted to condominium ownership, and are currently occupied.

- RZ 2005-PR-020 was approved by the Board of Supervisors on the adjacent property to the southeast on January 23, 2006. The application rezoned the site from the I-5 District to the R-16 District to allow a multifamily residential development with 63 dwelling units at an overall density of 16.3 du/ac. *Although developed by the same entity, this land area is not part of the current application.*

COMPREHENSIVE PLAN PROVISIONS (See Appendix 8)

Plan Area:	III
Planning Sector:	Fairfax Center Area; Land Unit K
Plan Map:	Fairfax Center Area; Overlay Level: Office use @ 0.50 FAR with option for residential @ 20 to 25 du/ac
Plan Text:	

In the Area III volume of the Comprehensive Plan, 2003 edition, Fairfax Center Area, as amended through September 25, 2006, Land Unit Recommendations, pages 78-79, the Plan states:

This area contains office uses and a hotel. These uses are expected to remain. Undeveloped parcels are planned for medium intensity office use at .50 FAR at the overlay level to be compatible with the overall intensity of this area. Particular attention should be given to the presentation of a high-quality image from I-66 and Route 50. The planned roadway improvements for this area are shown on Figure 6.

Development in this area is constrained by an Environmental Quality Corridor (EQC) associated with the stream valley that traverses the western portion of the land unit. The EQC encompasses the floodplain, associated alluvial soils, and steep slopes. This EQC area should be retained in open space.

As an option to office use at the overlay level, Parcels 46-4((1))15A, 36, 37, and 56-2((1))15F, 16, 18A and 22 (an area with approximately 24 acres) [*the current application property*], and Parcels 47-3((1))58A and 58B (an area with approximately 14 acres), may be considered for multifamily residential uses at 20 to 25 dwelling units per acre if all of either group of the above parcels are fully consolidated and considered

under one rezoning. Low-rise multifamily use and/or mid-rise multifamily use may be appropriate if the proposal results in a quality living environment. Less intensive uses or other unit types are generally not appropriate because they would not be compatible with existing office use. A quality living environment would include usable open space for recreation, buffers, screening and noise mitigation measures. Residential development should be designed in a manner compatible with the adjacent office buildings in terms of scale and height. Any development application for this option should also be evaluated in terms of adequately addressing the following conditions:

- Preservation of the Environmental Quality Corridor and the Resource Protection Area.
- Provide usable open space and on-site active recreation facilities sufficient to serve the residents of this complex.
- Provide pedestrian walkways connecting all portions of the development and linkages to adjacent properties.
- Provide noise attenuation measures, which may include noise barriers and/or a substantial vegetative buffer adjacent to I-66 and/or the I-66/ Route 50 interchange; in addition, the site design should orient buildings in a manner that will further shield active recreational areas and open space areas from highway noise.
- At the time of zoning, provide an evaluation of the existing sewer system capacity and commit to providing any improvements necessary to offset the increased sewer flow demand of the residential development to the satisfaction of Fairfax City and Fairfax County.

ANALYSIS

Conceptual/Final Development Plan & SE Plat (Copy at front of staff report)

Title of CDP/FDP/SE Plat: Fairfax Ridge Land Bays A & B
Prepared By: Land Design
Original and Revision Dates: April 4, 2005, as revised through February 26, 2007

The combined CDP/FDP/SE Plat consists of 27 sheets.

Sheet 1 is a cover sheet including a sheet index and a vicinity map.

Sheet 2 shows the plan for the overall site at a scale of 1" = 100', including the adjacent Land Bay C (not part of this application). This sheet also contains the tabulations for the site, which are given for each land bay and for the overall site.

Sheet 2A shows the layout of the northern portion of the site (a portion of Land Bay A), at a scale of 1" = 60'.

Sheet 2B shows the layout of the southern portion of the site at a scale of 1" = 60' (a portion of Land Bay A and Land Bay B) as well adjacent Land Bay C, which was approved under a separate rezoning, and is not a part of this application.

Sheet 2C shows the layout of Land Bay B only, at a scale of 1" = 30'.

Sheet 3 shows the soils map and includes the general notes.

Sheet 4 shows the landscape plan for the overall site at a scale of 1" = 100', including the adjacent Land Bay C.

Sheet 4A shows the landscape plan for the northern portion of the site (a portion of Land Bay A), at a scale of 1" = 60'.

Sheet 4B shows the landscape plan for the southern portion of the site (a portion of Land Bay A and Land Bay B, as well adjacent Land Bay C), at a scale of 1" = 60'.

Sheet 4C shows the landscape plan for Land Bay B only, at a scale of 1" = 30'.

Sheets 5 and 5A show the existing vegetation for the northern and southern portions of the site, respectively

Sheets 6 and 6A through 6D show the stormwater management details for the site

Sheet 7 shows cross sections through Land Bay B to Land Bay A and to the adjacent office building.

Sheet 7A shows a site rendering of Land Bay B and a detail of the entrance to the building

Sheet 7B shows enlargements of the courtyard area of Land Bay B and an open space area on the north side of that building, adjacent to Waples Mill Road.

Sheet 7C shows elevations of the proposed building on Land Bay B, including the "front" elevation (facing the corner), the Fairfax Ridge Road elevation (facing Land Bay A), and the Waples Mill Road elevation.

Sheet 8 shows details of courtyard areas within Land Bay A (already constructed; no changes proposed).

Sheet 9 shows site amenities that were proposed with Land Bay A.

Sheet 10 shows the elevations for Land Bay A (already constructed; no changes proposed).

Sheets 11 and 12 show details on the regional stormwater management pond constructed on Land Bay A such as landscaping and cross sections.

Sheet 13 shows typical streetscape and signage for Land Bay A, and a cross section of that site as compared to the adjacent office (already constructed; no changes proposed).

Land Bay A (no changes proposed)

Buildings & Parking

Land Bay A is developed with 11 residential buildings, ranging from 60 to 65 feet, arranged in an arc around Fair Ridge Drive. The lower buildings, Buildings 1 through 4, are four stories and located at the northern end of the street. The taller buildings, 5 through 11, are five stories and located at the southern end.

A mix of parking is provided, including individual garages located on the ground floor of the residential buildings and in free standing structures, surface parking spaces, and parking decks located under and to the rear of the center buildings.

Streets & Access

Fair Ridge Drive is a public road extending in a half circle from Waples Mill Road. Access to Land Bay A is via two gated entrances, one at the north end of the site and the other at the southern end. The southern entrance also gives access to the proposed building on "Land Bay C" (not part of this application). The travel ways within Land Bay A are parking areas and associated travel aisles, rather than "streets".

Open Space

A large EQC and floodplain area on Land Bay A includes trails for recreational purposes as well as a regional stormwater management pond. This area was proffered to be dedicated to the County with the previous rezoning; a commitment which is carried through in this application. Additional open space area is located in courtyards between the buildings, including a pool in the northern portion of the development.

Land Bay B: Building

The proposed building for Land Bay B is shaped like a trapezoidal-ring, with a break in the southern façade (on Fairfax Ridge Road). An amenity courtyard including landscaping, a grilling/picnic area, and a spa is located in the center of the building. Parking is provided in decks under the building, accessed from an entrance on Fairfax Ridge Road. The proposed building is five stories with a possible loft, a maximum of 60 feet in height.

The elevations shown on Sheet 7C of the CDP/FDP show that in addition to the break in the Fairfax Ridge Road façade, the faces of the building facing the corner of the site and Waples Mill Road have notches set into the center of the façade, which recede approximately 10 feet and 6 feet, respectively. The facades on either side of the notch are shown as masonry with vertical elements of accent materials. Each side has a hipped roof. The central portion of each of these facades (the notch) has a flat roof, and is shown to be constructed of lighter color materials.

The cross sections of Land Bay B (see Sheet 7) show that the new building on Land Bay B will be comparable to the existing buildings in Land Bay A (across Fairfax Ridge Road) and the office buildings directly adjacent to the west. Although the building in Land Bay B will be the same height as the Land Bay A buildings, the grade is slightly higher so the actual elevation of the roof will be slightly higher as well.

Land Bay B: Units

The tabulations for Land Bay B indicate that there will be 256 units in the building. Of those, 34 will be Affordable Dwelling Units. No ADUs were required or provided with Land Bay A, but because the applicant has brought Land Bay A into this application to recapture additional density, ADUs are now required on the total number of units in both Land Bays. All ADUs generated by the development, both land bays, will be located in Land Bay B. In addition to the ADUs, the applicant has proffered to provide 3% of the units in Land Bay B only as workforce housing units, staff estimates this would result in eight workforce housing units. The applicant has indicated that the average unit size in Land Bay A is slightly over 1,000 square feet, while the unit size for market rate units in Land Bay B will be slightly less than 1,000 square feet.

Land Bay B: Streets, Parking & Access

As noted, the parking for Land Bay B will be provided almost entirely in an underground deck, accessed via an entrance on the southern side of the building (from Fairfax Ridge Road).

In addition to the parking entrance, the building has a main entrance on the face of the building facing the corner at the intersection of Fairfax Ridge and Waples Mill Road, with nine visitor parking spaces / drop-off spaces and a circular entrance feature. There are secondary pedestrian entrances at the northern and southwestern corners of the building, as well.

The driveway to the front entrance is aligned with the southern entrance to Land Bay A and Land Bay C, across Fairfax Ridge Road. Sidewalks are provided along both sides of Fairfax Ridge Road, and a 10 foot wide trail is shown along the Waples Mill Road frontage of Land Bay B (an 8 foot wide trail has already been constructed on the Waples Mill frontage of Land Bay A). Sidewalks also connect to both street frontages from the front door, and to the street from each secondary pedestrian entrance.

Land Bay B: Open Space & Recreation

The primary open space on Land Bay B is the courtyard interior to the building. Features shown include a spa, seating and grilling areas, and landscape amenities. Additional seating areas are found in a small open space area at the northern end of the site, at one of the secondary pedestrian entrances.

Additional indoor amenities such as gym are proposed by the proffers. The residents of Land Bay B will also have access to the trails and paths through the ECQ on both Land Bays A and C, but not necessarily to the indoor amenities in those land bays.

Stormwater management

Stormwater management (both quantity and quality) will be provided with the regional pond located on Land Bay A, and constructed with that application. Additional water quality features proffered by the applicant include pervious pavers on the parking spaces at the entrance to the building.

Commercial Parking & Access

As noted earlier, Land Bay B is currently developed with a surface parking lot of 275 spaces for the adjacent office building. These spaces are not required spaces for that use under the Zoning Ordinance. Under the new proposal, these spaces would be reconstructed within the deck under the new residential building. Access would be provided via a separate entrance from the office lot (on the west side of the building), and the new office parking within the deck would not be connected with the residential parking. The CDP/FDP/SE Plat shows a sidewalk along the entrance to the office parking level. Access to the office building continues to be shown via a driveway across Land Bay B in the southwestern corner of the site.

Landscaping & Streetscape

Streetscape is provided in the form of a row of trees along both street frontages of Land Bay B, and a buffer strip (33 feet wide) is shown with trees between the proposed residential building and the adjacent office buildings to the west. Finally, a tree save area located at the southeastern corner of Land Bay B is shown to be preserved; these trees have been identified by Urban Forest Management as worthy of preservation.

Other Site Amenities

The CDP/FDP/SE Plat shows typical site amenities such as benches, bike racks, and lighting, which are identical to those shown in the CDP/FDP for Land Bay A.

Signage

A freestanding identification sign is shown at the corner of Land Bay B, opposite the existing sign shown for Land Bay A. Although the CDP/FDP/SE Plat shows signage for Land Bay A (which is already constructed), Land Bay B is not specifically referenced. A proffer does commit to coordinated signage for the entire site, however staff believes that it would be preferable to specifically commit to use the sign shown for Land Bay A in Land Bay B as well.

Comprehensive Plan Analysis (Appendix 8)

The Comprehensive Plan includes several conditions, paraphrased here, required to achieve development at the proposed level (20-25 du-ac). The proposal, with 23.01 acres, does consolidate the required land area for the optional residential use.

- *Maintain Environmental Quality Corridor (EQC) associated with the stream valley that traverses the western portion of the land unit in open space.*

The EQC was preserved with the development of Land Bay A under RZ/FDP 2000-PR-056; no changes are proposed to that area with this application.

- *Fully consolidate property under one rezoning. Low-rise multifamily use and/or mid-rise multifamily use may be appropriate if the proposal results in a quality living environment.*

The applicant has fully consolidated the area necessary to receive consideration at the 20-25 du/ac level.

Mid-rise multifamily uses are developed on Land Bay A and proposed on Land Bay B.

- *Include on-site active recreation facilities sufficient to serve the residents of this complex and additional open space for buffers, screening and noise mitigation measures*

With Land Bay B, the applicant proposes a courtyard open space with a picnic area, passive recreation, and a spa. Additional passive open space areas with benches are located around the front door and on the north side of the building, adjacent to Waples Mill Road. The building is set back 24-33 feet (with additional area at the corner of the site adjacent to the southern intersection of Waples Mill Road and Fairfax Ridge Road. In general, these areas serve more as streetscape than as buffers, though the applicant has increased the size of the buffer to the directly adjacent office uses to the west over what was originally proposed with this application.

- *Design residential development in a manner compatible with the adjacent office buildings in terms of scale and height*

As shown on the cross sections and plan view in the CDP/FDP, the proposed building on Land Bay B is comparable in height and setbacks (from the street) to the adjacent office buildings to the west, and to the northeast across Waples Mill Road. To serve as a bridge between the existing residential development on the west side of Fairfax Ridge Road and the office development to the north and east, the applicant has provided elevations that echo the residential character of the units to the west, including peaked window treatments along the roof line and hipped roofs but utilizes more commercial materials such as concrete and brick (and no use of siding on the exterior walls).

- *Provide pedestrian walkways connecting all portions of the development and linkages to adjacent properties.*

Sidewalks or trails have been provided along all street frontages, with sidewalk connections from each side of the building. The applicant has aligned the front door with the driveway to Land Bay C across the street, which is significant as the residents of Land Bay C will also have access to the recreational uses, specifically the pool, in Land Bay B. A pedestrian connection is also shown from the commercial parking level to the office it serves, along the garage entrance drive.

- *Provide noise attenuation measures adjacent to I-66 and the I-66/Route 50 interchange*
- *Site design should orient buildings in a manner that will shield active recreational areas and open space areas from highway noise*

There are no changes proposed from what was approved, and constructed, on Land Bay A, which is the portion of the site adjacent to Route 50 and I-66, and the proffers commit to appropriate noise mitigation. The main open space amenity area for Land Bay B is interior to the building, where the buildings will shield any noise generated from the surrounding roads. No noise impacts from I-66 or Route 50 are expected on Land Bay B, and the proffers commit to noise mitigation for expected impacts from Waples Mill Road.

- *Provide an evaluation of the existing sewer system capacity and commit to providing any improvements necessary to offset the increased sewer flow demand*

The applicant has indicated that they have begun discussions with Fairfax County concerning sewer capacity, and has included a proffer stating that "Sewer capacity shall be verified by DPWES prior to approval of a site plan for the building on Land Bay B." The applicant has further noted in the proffer that any deficiencies in sewer capacity necessary to serve this site will be remedied.

Fairfax Center Checklist Analysis (Appendix 18)

The Fairfax Center Checklist is a tool utilized by staff in evaluating a zoning application for conformance with the Comprehensive Plan for the Fairfax Center Area. The Checklist contains transportation, environmental, site design, land use, and public facilities elements. Because Land Bay A was previously approved by the Board, and has been developed in accordance with that approval, this analysis will focus on Land Bay B.

In order to justify development at the Overlay Level, this application must satisfy all applicable basic elements; all major transportation elements; all essential elements; three-fourths of the applicable minor elements; and one-half of the applicable major elements. Based on staff's analysis as found in Appendix 18, the application satisfies all of the applicable basic elements; all major transportation elements; all of the essential elements; 79% of the applicable minor elements; and 50% of the applicable major elements.

Residential Development Criteria

Fairfax County expects new residential development to enhance the community by fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing, and being responsive to the unique site specific considerations of the property. For the complete Residential Development Criteria text, see Appendix 20. As with the Fairfax Center Checklist, because Land Bay A was previously approved by the Board, and has been developed in accordance with that approval, this analysis will focus on Land Bay B.

Site Design (Development Criterion #1)

This Criterion requires that the development proposal address consolidation goals in the plan, further the integration of adjacent parcels, and not preclude adjacent parcels from developing in accordance with the Plan. The applicant has achieved the property consolidation required by the Plan, for development at the proposed intensity (20-25 du/ac).

The development should provide for a logical design with appropriate relationships within the development. Access should be provided to transit facilities where available, and utilities should be identified to the extent possible.

The proposal for Land Bay B adds a new residential building on an existing parking lot. The proposed building has similar setbacks and height as the buildings in Land Bay A across the street, although a different building type. In response to concerns of an inappropriately massive presence on the street, the applicant has divided the Fairfax Ridge façade of the new building with a break from the street into the interior courtyard, allowing visual and pedestrian access to the courtyard. Additionally, the elevations show small "notches" in two of the other faces, with varied building materials and roof line on either side of these notches to further break the visual weight of the building. Finally, the applicant has slightly increased the setbacks (to 24.6 feet on Fairfax Ridge and 30 feet on Waples Mill) and has committed to meet the R-30 ADU requirements for angle of bulk plane (a measure of height and setback). Finally, at staff's request, the applicant has modified the architectural elevations to include elements (such as peaked window treatments along the roofline) that echo the architectural style of the development in Land Bay A, but materials (specifically no siding) that are more commercial in nature. This will create a transition between the residential uses to the west and the commercial uses to the north and east.

While there is no directly available transit, bus service to the Metro is available on Route 50. Sidewalks and trails are provided in an appropriate manner to allow access to the bus service. The applicant has also included a proffer to provide a transportation demand management (TDM) program that commits to a trip reduction of 15%.

Open space should be useable, accessible, and integrated with the development. Appropriate landscaping should be provided. There is a requirement for 40% landscaped open space in the PDH-30 District (ADU); the applicant has provided 48% open space on Land Bay B (49.8% on the overall site). This landscaped open space is provided in the interior courtyard and peripheral open space around the building. It should be noted, however, that the residents of Land Bay B will also have access to open space trails on both Land Bays A and C.

On the whole, staff believes that the application has fulfilled DC#1. However, it would be preferable if additional setbacks or commitments to a higher quality streetscape, particularly along Waples Mill Road, could be made to reduce the impact of the mass of the building on the street network and the pedestrian.

Neighborhood Context (Development Criterion #2)

While developments are not expected to be identical to their neighbors, this Criterion states that they should fit into the fabric of the area, especially at the interface between the two. This application is located in an area that is primarily office. The proposed building on Land Bay B is not dissimilar in bulk, height, and setbacks to the nearest office buildings, although the mass of the building will be much more obvious as the building is open in the center and pushed out towards the property lines. As a positive, the site has very little surface parking.

Staff has worked with the applicant to ensure a satisfactory visual relationship between the proposed building on Land Bay B and the existing mid-rise apartments on Land Bay A. As noted above, the applicant has provided similar setbacks and architectural details, although staff remains concerned about the massing of the building. To address this issue, the applicant has provided differentiation by setting back a notch in the façade on two sides, with contrasting building materials and rooflines to visually break up the building. Additionally, the applicant has worked with staff to develop an architectural scheme that provides transition between the adjacent residential uses to the west and office uses to the north and east.

Environment (Development Criterion #3)

This Criterion requires that developments conserve natural environmental features to the extent possible, account for soil conditions, and protect current and future residents from noise and lighting impacts. Developments should minimize off-site impacts from stormwater runoff and adverse water quality impacts. See Appendix 8 for a full environmental analysis. No significant environmental features aside from a stand of trees at the corner exist on the property, which is a surface parking lot bounded by Bradford Pear trees. The applicants will utilize the existing regional SWM pond on Land Bay A, and have carried forward a proffer for interior noise mitigation for units which are impacted by highway noise (although no impacts are expected in Land Bay B). Additionally, the applicant has proffered to address environmental issues including asbestos soils (see the Health Department Memo in Appendix 11) and potential blasting with the standard commitments. Although not necessary to meet

PFM standards, the applicant has provided additional Low Impact Development techniques, including pervious pavers in the short term parking spaces at the front door.

Tree Preservation & Tree Cover Requirements (Development Criterion #4)

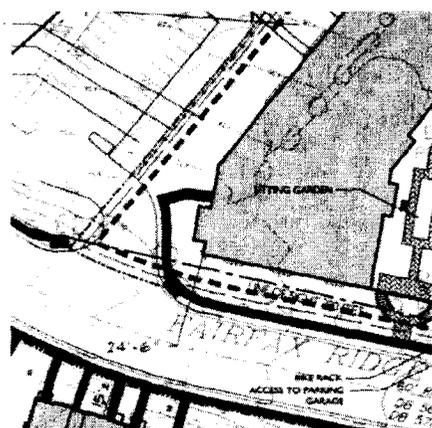
This Criterion states that all developments should take advantage of existing quality tree cover—as preserving existing trees is highly desirable to meet the Public Facilities Manual (PFM) requirements—and that, where feasible, utility crossings should be located so as not to interfere with proposed tree save areas. As noted, the applicant is saving the majority of the existing natural stand of trees located at the corner. These trees have been identified as worthy of preservation by Urban Forest Management. While utility crossings are not shown, there should be no need to disrupt the trees preservation area for utilities due to the design of the building. The applicant should therefore modify the proffer to state that the limits of clearing and grading will not be violated, even for utilities.

Transportation (Development Criterion #5)

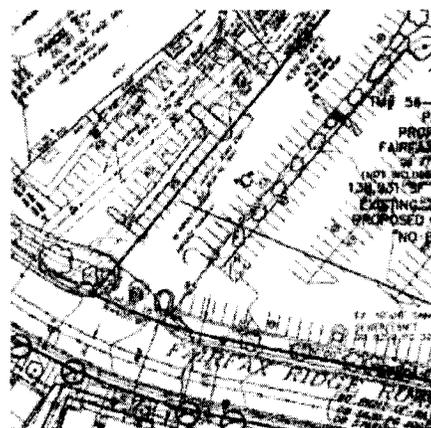
This Criterion requires that developments provide safe and adequate access to the surrounding road network, that transit and pedestrian travel be encouraged, and that interconnection of streets be encouraged. The applicant has provided a development plan which accesses public streets and provides pedestrian connections along and across the streets. Proffers additionally commit to provide a warrant study and, if warranted, a traffic signal at the northern intersection of Fairfax Ridge Road and Waples Mill Road. The applicant has provided a proffer to develop a Transportation Demand Management Program (TDM), that includes a trip reduction goal of 15%, annual traffic counts and surveys until it is clear that the goals have been met, and a “penalty” for not meeting the trip reduction goals of self-funding additional programs. The TDM programs measures trip generation from both Land Bays A and B, as both are part of the application, and includes the potential to tie the three land bays together for implementation and coordination. Land Bay A was approved with no TDM program, but is part of this application; Land Bay C is not part of this application, but proffers accepted with that application committed to participate in a TDM program with all three land bays, if possible. Therefore, there are no legal barriers to fully committing to a combined TDM program over all three land bays. Staff continues to work with the applicant to fully address the TDM language.

Sight Distance:

Staff has expressed concerns about the approvability of the proposed entrances on Land Bay B relating to sight distance and VDOT standards, shown on the following exhibit.



Proposed Entrance



Existing Entrance

While the applicant has relocated the proposed new entrance to the residential garage to meet the sight distance standards, at this time VDOT has not indicated approval of the commercial entrance in the southwest corner of the site. That entrance, a surface entrance that crosses the application property giving access to the adjacent office buildings, is an existing entrance that does not meet current standards because of the landscaped berm to the west on the office property. County staff believes that the existing entrance, which functions acceptably today and will have no additional traffic because of this application, is acceptable. The new entrance, will need to be approved on the new site plan by VDOT, and therefore without at least preliminary approval from VDOT, staff cannot recommend approval of the application at this time.

Public Facilities (Development Criterion #6)

Criterion 6 states that the impacts on public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management) should be offset by residential development. Impacts may be offset through the dedication of land, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. (Specific Public Facilities issues are discussed in detail in Appendices 12-17)

Sanitary Sewer Analysis (Appendix 12)

As suggested by the Comprehensive Plan language, sewer capacity in this area is of concern. At this time, it does appear that upgrades will be necessary to provide sufficient capacity to accommodate this proposal. The applicant is working with DPWES on a capacity study, and has proffered to address any deficiencies necessary to provide capacity for their site.

Fairfax Water (Appendix 13)

The subject property is located within the Fairfax Water Service Area. Adequate domestic water service is available from existing 6, 8, and 12 inch mains located at the property.

Fire and Rescue (Appendix 14)

The subject property is serviced by the Fairfax County Fire and Rescue Department Station #421, Fair Oaks. The requested rezoning currently meets fire protection guidelines, as determined by the Fire and Rescue Department.

Fairfax County Public Schools (Appendix 15)

The proposed development would be served by the Waples Mill Elementary, Lanier Middle and Fairfax High Schools. The all three schools are currently over capacity, although with planned capacity increases, the elementary and high schools are expected to be almost at capacity by the 2011-12 school year. The middle school is expected to have sufficient capacity at that time. The total number of students generated by this development (both Land Bays) is projected to be 16 elementary students, 7 middle school students and 29 high school students (52 students total), which is an increase of 20 students over that projected for Land Bay A alone. Additionally, FCPS staff analyzed the actual number of students coming from Land Bay A, and found that two more students were attending public schools than had been estimated. Based on the student expected student generation from Land Bay B, a proffer contribution of \$232,600 would be appropriate.

The applicant has proffered a contribution of approximately \$11,630 per student, based on the number of students expected to be generated by Land Bay B utilizing the County's current formula. (A contribution of \$10,000 to Waples Mill Elementary School to address school impacts from Land Bay A was made with the previous rezoning.) Additionally, the applicant has proffered \$23,260 for the two additional students generated by Land Bay A.

Environmental and Site Review Division, Stormwater Management, DPWES (Appendix 16)

The applicant has requested a modification to allow the use of the regional pond on Land Bay A for stormwater detention and BMPs. This modification is acceptable.

Fairfax County Park Authority (Appendix 17)

The development would be projected to add approximately 524 persons to the current population of the Providence District. The CDP/FDP shows active recreational amenities including an outdoor pool and internal amenities such as game rooms and exercise facilities. The Zoning Ordinance recreational funds are generally anticipated to be expended on the site, and the Park Authority is not compensated for the increased demands for other off-site recreational facilities. Therefore, the applicant should, in addition to the \$955 spent on-site, proffer to contribute additional funds to the Park Authority.

The applicant has proffered to both the \$955 as required by the Zoning Ordinance, and to an additional contribution of \$114,798 to the Board of Supervisors for "use in improving public facilities in the vicinity of the Property."

Affordable Housing (Development Criterion #7)

Criterion 7 states that ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County. Satisfaction of this criterion may be achieved by the construction of units, contribution of land, or by a contribution to the Housing Trust Fund.

The Zoning Ordinance defines Affordable Dwelling Units as units which are affordable to families making less than 70% of the area median household income (MHI). While the Fairfax County Board of Supervisors has had a long-standing policy of support for the construction of ADUs, recently, attention has also been drawn to the lack of moderate income housing in the County, often known as "workforce housing." Workforce housing units are defined as those that serve a population in the income range of 70% to 120% of the MHI. (A popular explanation of workforce housing is units which are affordable for police, fire fighters and teachers.) The Comprehensive Plan language for this site at this density specifically calls out the need for the provision of both ADUs and workforce housing.

The provision of affordable housing can be satisfied via the provision of units under the ADU program, or the contribution of funds to the Housing Trust Fund for those buildings that are exempt from the ADU program. When Land Bay A was developed, no ADUs were required, as the inclusion of the parking lot which is now Land Bay B brought the density of the site below the Comprehensive Plan recommendation. Because both Land Bays have now been brought in to recapture additional density, the entire site is now subject to the provision of ADUs. Therefore, the applicant proposes to provide 34 ADUs, or 5% of the total number of dwelling units in both Land Bays. All of these units will be provided in the new building on Land Bay B.

Recently, the Board also issued a statement directing staff to develop a Policy that would support affordable/workforce housing for moderate income families. To address this issue in a comprehensive manner, the Board has established the High-rise Affordability Panel of Experts to provide policy recommendations and implementation strategies. A preliminary report has not been produced at this time; implementation mechanisms would be expected to be adopted at a later date.

In accordance with all of these policy directives, both those of long standing and those under development, staff has asked the applicant to address both the ADU requirement and the need for the provision of workforce housing. ADUs should be (and area) provided as required by the ordinance. Provision of workforce housing units could be provided through a proffered commitment to provide units to be administered by the Department of Housing and Community Development under the ADU program, only with different, higher, income limitations. The Comprehensive Plan includes a recommendation that at least 12% of the County's future housing stock should be affordable to County residents of low to moderate income. Additionally, it may be appropriate to allow workforce housing units to be developed which are somewhat smaller than the market rate units, such as a studio apartment

type unit. Such units are typically not being provided in today's developments; provision of studio-type units would therefore also address an observed housing need.

At this time, the recommendations of the High-rise Affordability Panel of Experts are not available. Nevertheless, staff believes that some progress towards the Board's stated goal to provide workforce housing is appropriate for this and other similar, pending residential developments. It is possible that the workforce housing program as recommended by the task force may have different components than that provided by this or other developments in the interim. The recommendation for the number (or percent) of units to be included in the program may be higher or lower, and the income limits may be higher or lower than these provided.

The applicant has proffered to meet the ADU Ordinance for the site, which would be expected to generate 34 units. Additionally, the applicant has proffered to provide a workforce housing program with the following components:

- ADUs will be provided per the ordinance, (5%, or 34 units)
- An additional 3% of the units in Land Bay B only will be provided as workforce units (approximately 8 units)
- *This would result in 42 of the 676 units in this development being either workforce housing units or ADUs (6%)*
- Workforce housing units would be available to residents at or below 80% of the median household income (either rental and for sale)
- Workforce housing units would remain in the program under the same time limitations as ADUs (30 years renewable upon each sale for For Sale units; 30 years for Rental units)
- Workforce housing units would be between 500 and 850 square feet in size

In sum, while the ADU portion of the proffer is acceptable, staff would prefer a commitment to workforce housing beyond eight units. In staff's opinion, a commitment to 12% ADU and workforce combined on the entire land area of the application would be appropriate.

Heritage Resources (Development Criterion #8)

Criterion 8 requires a development to address potential impacts on historical and/or archaeological resources through research, protection, preservation, or recordation. There are no heritage resources expected to be found on Land Bay B (which is developed with a parking lot).

ZONING ORDINANCE PROVISIONS (Appendix 19)

The PDH Districts are established to encourage innovative and creative design and to facilitate use of advantageous construction techniques in the development of land for residential and other selected secondary uses. The PDH District regulations are designed to insure ample provision and efficient use of open space; to promote high standards in the layout, design and construction of residential development; to promote balanced developments of mixed housing types; to encourage the provision of dwellings within the means of families of low and moderate income; and otherwise to implement the stated purpose and intent of this Ordinance.

Article 6

Section 6-106- Use Limitations

The use limitations require that all developments in a PDH District:

- Meet the standards of 16-101 (General Standards) and 16-102 (Design Standards) *Discussed Below*;
- Provide a CDP and FDP in accordance with the regulations of 16-403;
- Have residential uses as the principal use;
- Be designed to be harmonious with neighboring properties;
- Use the standards of Article 9 to evaluate uses categorized as Special Exception uses;
- Provide parking in accordance with Article 11,
- Provide signage in accordance with Article 12; and
- Comply with the performance standards of Article 14.

The proposed development is entirely multi-family residential uses, except for one level of the parking garage, which will be utilized under a special exception for commercial parking to serve the adjacent office. Parking is provided in conformance with Article 11. Therefore, the proposed development meets the use restrictions.

Section 6-107- Lot Size Requirements

Section 6-107 requires that all developments in a PDH District:

- Have a minimum district size of 2 acres; and
- Have a privacy yard a minimum of 200 square feet for each single family attached unit;

The application property consists of 23.01 acres; there are no single family attached units proposed.

Section 6-108 – Bulk Regulations

The bulk regulations require that in a PDH District:

- The building heights and yard requirements be controlled by the provisions of Article 16; and

The building heights and yard requirements, as controlled by Article 16, would require the development to be generally in conformance with the R-30 ADU Regulations (discussed below).

Section 6-109 – Maximum Density

The density regulations require that in the PDH-30 District:

- The maximum density be 30 du/ac;
- This may be increased in accordance with the requirement for affordable dwelling units.

The proposed density on the site is 28.19 du/ac, which includes density credit for previous dedications; ADUs are provided, though no bonus density is utilized with this application.

Section 6-110 – Open Space

The open space regulations require that in the PDH-30 District with ADUs:

- Forty percent of the gross area be landscaped open space; and
- Recreational amenities be provided in accordance with the Planned District regulations (minimum expenditure of \$955 per unit).

The CDP/FDP provides 49.8% landscaped open space. Proffers and the plan commit to various recreational amenities including a courtyard with a spa and internal facilities such as a gyms. Proffers commit that, should the total amount of \$955 per resident not be spent on the property, any excess shall be contributed to the Park Authority.

Article 16. Sections 16-101 and 16-102

Sect. 16-101 General Standards (Land Bay B)

Par. 1 requires conformance with the Comprehensive Plan recommendations. The Comprehensive Plan states that this area is planned for office use, with an option for residential development at a density of 20-25 du/ac, subject to certain conditions. The applicant proposes to develop the property with a maximum of 676 multi-family units at a density of 28.19 du/ac, including reserved density credit for previous land dedications. This is consistent with the Plan's intensity recommendation, and the bulleted conditions appear to be met.

Par. 2 requires that the proposed design achieve the stated purposes of the PDH district more than would development under a conventional zoning district. A large portion of the site was developed under a P-District (PDH-20). While the development on Land Bay B, if taken alone could meet most of the standards of a conventional district, it would be difficult to retrofit an existing P-District (Land Bay A) into a conventional district. Additionally, the proposed design allows for open space areas including passive recreational courtyards and plazas that would not be required with

development under a conventional zoning district (although they might be provided), and permits a large EQC/floodplain area to be dedicated on Land Bay A. Parking is provided primarily in structured decks, allowing for a more usable surface than would otherwise be created.

Par. 3 requires protection and preservation of scenic assets. While there is little to no scenic value on Land Bay B, the applicant is proposing to preserve the stand of trees at the corner, which was noted as worthy of preservation.

Par. 4 requires a design which prevents injury to the use of existing development and does not deter development of undeveloped properties. The development on Land Bay B is intended to provide a transition between the garden style buildings on Land Bay A and the adjacent office uses along Waples Mill.

Par. 5 requires that adequate transportation and other public facilities are, or will be, available to serve the proposed use. As noted in the transportation analysis, all of the issues relating to transportation have not been resolved, with the approvability of the office entrance remaining outstanding.

Par. 6 requires that coordinated linkages among internal facilities and services, as well as connections to major external facilities and services, be provided. The development plan depicts pedestrian sidewalks along the streets. The main entrance to the building has been designed to align with the entrance of Land Bay C, to the south, to facilitate the proffered coordination of recreational and other facilities between these two land bays.

Sect. 16-102 Design Standards (Land Bay B)

Par. 1 states that at the peripheral lot lines, the bulk regulations and landscaping and screening for the proposed development should generally conform with the provisions of the most comparable conventional district. In this instance, the most comparable conventional district is the R-30 ADU District, shown below.

	R-30 ADU	Proposal: Land Bay B
Front Yard	20° ABP, min 15'	Waples Mill Rd: 30 feet Fairfax Ridge Rd: 26.4 feet
Side Yard	15° ABP, min 10'	33 feet
Rear Yard	15° ABP, min 15'	none

The applicant has demonstrated with illustrations of the angle of bulk plane that the proposed building meets the R-30 ADU setbacks (angle of bulk plane) with minimums as shown in the chart above.

Par. 2 states that the open space, parking, loading, sign and all other similar regulations shall have application in all planned developments. This application

satisfies all of these applicable Zoning Ordinance provisions. The parking requirement is slightly exceeded; and the landscaped open space requirement of 40% is exceeded, with 48% on Land Bay B, (49.8% on the site overall).

Par. 3 states that streets and driveways shall be designed to generally conform to the provisions of the Ordinance. The internal streets associated with Land Bay A are have already been developed; no streets are proposed with Land Bay B. Staff is concerned, however, that the existing vehicular entrance to the adjacent office to the west does not meet VDOT standards and may not be approved. This issue is outstanding.

Par. 4 states that emphasis should be placed on the provision of recreational amenities and pedestrian access. The development plan includes proposed sidewalks along the external streets, with connections into the buildings on all sides. The plan includes in excess of the minimum required open space, which is provided in a combination of an internal plaza and peripheral landscaping and tree save areas. Active recreation is provided for the residents with a spa and picnic area and commitments to internal facilities such as exercise and game rooms. Additionally, the residents will have access to the trail system on Land Bays A and C. The proffers indicate that recreational funds required by the P-standards which are not used on-site will be contributed to the Park Authority.

Waivers/Modifications

- *Reaffirmation of a waiver of the loading space requirement for Land Bay A only*
- *Reaffirmation of a modification of transitional screening requirements and waiver of the barrier requirements along the I-66 right-of-way*
- *Reaffirmation of a waiver of the barrier requirement along Route 50 and I-66*

All of the requested waivers and modifications, listed above, are associated with the development on Land Bay A. These were previously approved with RZ/FDP 2000-PR-056, and the site was developed in accordance with that approval. Staff would not object to a reaffirmation of these waiver and modification requests.

- *Waiver of on-site stormwater management requirement in favor of the regional pond constructed on Land Bay A*

This waiver was also approved with the development of Land Bay A, however the new development on Land Bay B necessitates a re-visitation of the request. As Land Bay B is currently a surface parking lot, the proposed development will increase the landscaping and pervious surface on the site. The regional pond constructed on Land Bay A was designed to accommodate the stormwater generated from Land Bay B (and other sites, as well). Staff would not object to the approval of this waiver request.

Special Exception Standards (Commercial Parking Use)

General Special Exception Standards (Sect. 9-006)

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.*

As to the proposed use of commercial parking in a residential district, staff believes that the provision of a deck level of office parking within the residential structure is not contrary to the Comprehensive Plan. The use is currently approved as a surface lot, and no changes (other than inclusion in a parking structure) are proposed.

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

The details of the parking use, as shown on the CDP/FDP/SE Plat and as conditioned, were previously approved and are not substantively changing with this application. The spaces will now be in a deck rather than a surface lot.

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.*

Staff has proposed to carry forward development conditions to ensure that the parking lot is not utilized as a "pay for parking" type use, but remains as parking to serve the adjacent office uses. The parking use will actually be integrated with the residential development. Staff believes that these development conditions will ensure that the use will be generally harmonious with and will minimize impacts on the use or development of neighboring properties.

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.*

The CDP/FDP/SE Plat shows pedestrian access directly from the garage spaces to the offices. As noted, there is an outstanding concern about site distance and the existing entrance to these office uses from Fairfax Ridge Road (across the application property).

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.*

The proposed use (parking) will be entirely enclosed within the parking structure. Landscaping, screening and open space on the lot are addressed as part of the residential development, which exceeds the open space requirement and is not requesting any modifications of transitional screening (on Land Bay B).

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.*

Utility and drainage requirements shall be reviewed at site plan; no issues have been noted.

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.*

Although no signs are expected to be part of the parking use, staff has further proposed a development condition specifically prohibiting any signage (other than directional signage) associated with the parking use to be placed on the site.

Provisions for Parking in R Districts (Sect. 9-609)

The provisions for commercial parking in a residential district require that no fee be charged for parking, that no storage of or repair work on in-operable vehicles occur (other than emergency service), that safe and convenient access to a street be provided, that the parking meets the provisions of Par. 11 and comply with the geometric design standards presented in the PFM, that additional setbacks provided when adjacent to an R-District, that lights be in conformance with Article 14; and that landscaping and screening meet the standards of Article 13.

In staff's opinion, the commercial parking use meets these standards. The use will be enclosed in a parking deck, and therefore most of the standards (lighting, screening, setbacks) do not apply. The adjacent residential developments are all part of the rezoning case that is concurrent with the special exception, and therefore being designed as a single development with this parking.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

While the applicant's proposal achieves the consolidation required for development at the proposed density, and the recommendations of the Comprehensive Plan, staff

cannot support the application at this time because of the outstanding issue relating to site distance for the commercial entrance, which will need to be approved by VDOT. Were this issue to be resolved, either by concurrence from VDOT that the entrance is acceptable or through some other design feature, staff would not object to approval of the application.

Staff Recommendations

Staff recommends denial of RZ 2006-PR-027 as submitted. If it is the intent of the Board to approve the application, staff recommends that such approval be subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Staff recommends denial of FDP 2006-PR-027 as submitted. If it is the intent of the Planning Commission to approve the application, staff recommends that such approval be subject to the Board's approval of the rezoning.

Staff recommends denial of SEA 00-P-050 as submitted. If it is the intent of the Board to approve the application, staff recommends that such approval be subject to the development conditions found in Appendix 2 of this report

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

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

APPENDICES

1. Draft Proffers (RZ 2006-PR-027)
2. Proposed SE Conditions (SEA 00-P-050)
3. Affidavit: RZ/FDP
4. Affidavit: SEA
5. Statement of Justification
6. Previously approved Proffers, FDP Conditions & Plans: RZ/FDP 2000-PR-056
7. Previously approved SE Conditions: SE 00-P-050
8. Plan Citations, Land Use Analysis & Environmental Analysis
9. Transportation Analysis
10. Urban Forestry Management Analysis
11. Health Department Memo
12. Sanitary Sewer Analysis
13. Water Service Analysis
14. Fire and Rescue Analysis
15. Schools Analysis

APPENDICES (Cont.)

16. Environmental and Site Review Division, Stormwater Management (DPWES)
17. Park Authority Analysis
18. Fairfax Center Checklist
19. Applicable Zoning Ordinance Provisions Checklist
20. Residential Development Criteria
21. Glossary of Terms

PROFFERS
TCR MID ATLANTIC PROPERTIES, INC.

RZ 2006-PR-027

March 6, 2007

Pursuant to Section 15.2-2303(a), *Code of Virginia*, 1950 as amended and subject to the Board of Supervisors approving a rezoning to the PDH-30 District, for property identified as Tax Map 46-4 ((19)) All Parcels and 56-2 ((27)) All Parcels (hereinafter referred to as "Land Bay A") and Tax Map 56-2 ((1)) 18A (hereinafter referred to as "Land Bay B"), with both Land Bay A and Land Bay B being referred to as the "Property", the Applicant and owner proffer for themselves, their successors and assigns the following conditions, which if approved, supersede all previously approved proffers for the Property:

1. Development Plan.
 - A. Development of the Property shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan (CDP/FDP) prepared by Land Design, Inc., consisting of twenty-seven (27) sheets, dated April 4, 2005, as revised through February 26, 2007.
 - B. Notwithstanding that the CDP/FDP is presented on twenty-seven (27) sheets, it shall be understood that the proffered portion of the CDP shall be the entire plan shown on Sheets 2, 2A, 2B, and 2C relative to the points of access, the maximum number and type of dwelling units, the amount and location of open space, the general location of the Environmental Quality Corridor (EQC), the location of the limits of clearing and grading, and the general location and arrangement of the buildings and parking garages. The Applicant has the option to request a FDPA for elements other than the CDP elements from the Planning Commission for all or a portion of the CDP/FDP in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance with respect to the remaining elements.
 - C. Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the Final Development Plan (FDP) may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layouts shown on the FDP without requiring approval of an amended FDP provided such changes are in substantial conformance with the FDP as determined by the Zoning Administrator and do not increase the total number of dwelling units, increase building height, increase surface parking, decrease the amount of open space; decrease the setback from the peripheries; or reduce open space or landscaping.
 - D. The CDP/FDP provides for excess commercial parking on Tax Map 56-2 ((1)) 18A serving office buildings on adjacent parcels identified as Tax Map 46-4 ((1)) 15B and 56-2 ((1)) 15C, 15D, which is subject to Special Exception approval as a secondary use in a PDH-District, in accordance with Par. 6C of Sect. 6-106 of the

Ordinance. These parking spaces are not required parking spaces for the uses located on the adjacent parcels. A parking plan shall be submitted at the time of site plan, which shall provide for separate commercial and residential structured parking entrances, physically separated parking areas, and which shall commit to the provision of these commercial parking spaces within the uppermost structured parking level to the extent possible.

2. Transportation

A. Waples Mill Road

- (1) At the time of site plan approval or upon written demand by Fairfax County, whichever shall occur first, (unless already fulfilled) the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way along the Property's Waples Mill Road frontage, north of Waples Mill Road's intersection with Fairfax Ridge Road North, measuring to a maximum of 70 feet from the existing centerline as shown on the CDP/FDP.
- (2) Unless already fulfilled, the Applicant shall construct a right turn deceleration lane on southbound Waples Mill Road at Fairfax Ridge Road North, as shown on the CDP/FDP and approved by the Virginia Department of Transportation (VDOT), prior to issuance of the 420th or last residential use permit (RUP) for the Property, whichever occurs first.
- (3) The Applicant shall complete a signal warrant study at the time of site plan for Land Bay B and, if warranted, as determined by VDOT, shall install a traffic signal, with pedestrian heads, at the intersection of Fairfax Ridge Road North and Waples Mill Road, prior to bond release for Land Bay B.
- (4) Unless already fulfilled, at the time of site plan approval or upon written demand by Fairfax County, whichever shall occur first, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way along the Property's Waples Mill Road frontage, south of Waples Mill Road's intersection with Fairfax Ridge Road South, measuring to a maximum of 57 feet from the existing centerline. The Applicant shall construct an extension of the existing westernmost lane on southbound Waples Mill Road at Route 50 from its existing terminus to its intersection with Fairfax Ridge Road South, subject to securing appropriate grading and sidewalk easements for work on Tax Map 56-2 ((1)) 21. Said improvement shall be complete and open for use by the public prior to the issuance of the 50th RUP for the Property.

B. Route 50

Unless already fulfilled, the Applicant shall contribute the sum of \$600,000 to Fairfax County for construction of a second left turn lane on eastbound Route 50 at Waples Mill Road and associated signal modifications or for other improvements at that intersection as determined by VDOT and Fairfax County. The contribution shall be made in three installments, with \$200,000 being contributed prior to the issuance of the first building permit, a second payment of \$200,000 contributed prior to the issuance of the 200th building permit, and the third payment of \$200,000 to be contributed prior to the issuance of the 400th building permit for the Property, or no later than 36 months following the issuance of the first building permit, whichever shall occur first.

In lieu of the contribution above, the Applicant may elect to obtain bids from two VDOT qualified contractors for an alternative design, to be approved by VDOT and Fairfax County, for construction of the second left turn lane within the existing median and associated signal modifications. Should the bid estimates be less than \$600,000, the Applicant may elect to build the improvements, with said improvements being complete and open for public use prior to the issuance of the 100th RUP for the Property.

- C. Interstate 66. Unless already dedicated, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way along the Property's Interstate 66 frontage, which measures approximately 132 feet to 206 feet from centerline and contains approximately 0.75 acres, as indicated on the CDP/FDP. Dedication shall occur at the time of site plan approval or upon request, whichever occurs first.
- D. Fairfax Center Area Road Fund. The Applicant shall provide a contribution for Land Bay A, unless the contribution for Land Bay A has already been fulfilled, and for Land Bay B to the Fairfax Center Area Road Fund consistent with the Procedural Guidelines adopted by the Board of Supervisors on November 22, 1982, as may be revised. In accordance with the Fairfax Center Road Fund Policy, the Applicant shall receive credit against the Fairfax Center Road Fund contribution for those improvements that are creditable expenses.
- E. Density Credit. Advanced density credit shall be reserved as may be permitted by the provisions of Paragraph 5 of Section 2-308 of the Fairfax County Zoning Ordinance for all eligible dedications described herein, or as may be required by Fairfax County or VDOT at time of site plan approval.
- F. Interparcel Access Easement. Unless already recorded, prior to site plan approval, an interparcel access easement shall be recorded that permits ingress/egress across the Property for future use by Tax Map 56-2 ((1)) 19 and 20 and 56-2 ((1)) 100 – 330 (previously 56-2 ((1)) 19, 20 and 21).

3. Landscape Plan. A landscape plan that shows, at a minimum, landscaping in conformance with the landscape design shown on Sheets 4, 4A, 4B, 4C and 13 of the CDP/FDP shall be submitted prior to the first submission of the site plan for Land Bay B. The landscape plan shall include detailed streetscape, courtyard and open space landscaping. Said plan shall be coordinated with and approved by the Urban Forester. Unless already planted, street trees along Waples Mill Road and Fairfax Ridge Road shall be a minimum of 3½ inch caliper at the time of planting. Street trees along the eastern side of Fairfax Ridge Road (that portion abutting Land Bay B) shall be a minimum of 4.0 inch caliper at the time of planting. The Applicant shall provide maintenance and replacement of landscaping as necessary.

4. Tree Preservation.

A. For the purposes of maximizing the preservation of trees in tree save areas, as indicated on the CDP/FDP, the Applicant shall prepare a tree preservation plan for Land Bay B. The Applicant shall contract with a certified arborist (the "Project Arborist") to prepare a tree preservation plan to be submitted as part of the first site plan submittal for Land Bay B. The tree preservation plan shall be reviewed and approved by Urban Forest Management. The tree preservation plan shall consist of a tree inventory which includes the location, species, size, crown spread and condition rating percent of all trees 10 inches or greater in diameter, measured 4½ feet from the ground, and located within twenty (20) feet of the limits of clearing and grading for Land Bay B. The condition analysis shall be prepared using methods outlined in the latest edition of *The Guide for Plant Appraisal*. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be incorporated into the tree preservation plan. Activities should include, but are not limited to, crown pruning, root pruning, mulching and fertilization.

B. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing, consisting of four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no farther than 10 feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, shall be placed at the limits of clearing and grading as shown on the Phase I and Phase II erosion and sedimentary control sheets in all areas, as may be modified by the "Root Pruning" proffer, below. The tree protection fencing shall be made clearly visible to all construction personnel. The tree protection fencing shall be installed prior to the performance of any clearing, grading, or demolition activities on the site. All tree preservation activities, including installation of tree protection fencing, shall be performed under the supervision of the Project Arborist.

C. Clearing, grading and construction shall conform to the limits of clearing and grading as shown on the CDP/FDP. The limits of clearing and grading on Land Bay A shall be subject to the installation of necessary utility lines, trails and other

required site improvements, all of which shall be installed in the least disruptive manner possible, considering cost and engineering, as determined in accordance with the approved plans; but, the limits of clearing and grading on Land Bay B shall not be subject to the installation of utility lines, trails or any other site improvements. Areas within the EQC on Land Bay A, as depicted on the CDP/FDP, shall remain undisturbed with the exception of clearing and grading activities necessary for the construction of the regional stormwater pond and essential utility lines. Tree preservation areas disturbed outside of the final pond and essential utility line easements on Land Bay A shall be restored, including replacement of trees damaged or destroyed by construction activities, as determined by the Urban Forester. The Applicant shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting, the Applicant and Project Arborist shall walk the limits of clearing and grading with an Urban Forest Management representative to determine where adjustments to the clearing limits can be made to increase the survivability of trees at the edge of the limits of clearing and grading.

- D. The County Urban Forester may require modifications of such plans to the extent these modifications do not alter the number of dwelling units shown on the CDP/FDP, reduce the size of the proposed structure, significantly move the structure's location on the Land Bay B, or require the installation of retaining walls greater than 2 feet in height. Trees that are not likely to survive construction due to their proximity to disturbance shall also be identified at this time and the Applicant shall remove such trees as part of the clearing operation. Any tree designated for removal at the edge of the limits of clearing and grading and within the tree preservation area shall be removed using chain saws. The stump shall be cut as close to ground level as practical. 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 tree preservation area.
- E. All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of the existing parking lot. The installation of all tree protection fencing shall be performed under the supervision of the Project Arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Prior to the commencement of any clearing or grading on the site, the Project Arborist shall verify in writing that the tree protection fencing has been properly installed. At least three (3) days prior to the commencement of any clearing, grading, or demolition activities on Land Bay B, but subsequent to the installation of the tree protection devices, the County Urban Forester shall be notified and given the opportunity to inspect the site to ensure 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 the County Urban Forester.

- F. The Applicant shall root prune, as needed to comply with the tree preservation requirements of the proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. The details for these treatments shall be reviewed and approved by the County Urban Forester, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:
- (1) Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
 - (2) Root pruning shall take place prior to any clearing and grading, or demolition of structures.
 - (3) Root pruning shall be conducted with the supervision of the Project Arborist.
 - (4) The County Urban Forester shall be informed when all root pruning and tree protection fence installation is complete.

5. Stormwater Management/Best Management Practices

- A. Stormwater management shall be provided in a regional stormwater pond in the location shown on the CDP/FDP (the "Pond"), which shall be constructed in accordance with the plans and specifications approved by DPWES, and, to the extent approved by DPWES, generally consistent with Sheets 6 – 6D of the CDP/FDP, which was constructed with the following design characteristics.
- (1) A micropool designed to contain a minimum of 10 percent of the BMP value, subject to DPWES approval.
 - (2) Sediment forebays sized to contain either 0.1 inch of runoff for impervious acre or a minimum of 10 percent of the BMP value associated with the contributing drainage of each forebay, subject to DPWES approval.
 - (3) The two-year post development peak flow rate reduced to a level that is two-thirds less than the predevelopment rate, to the extent feasible.
 - (4) The detention of the one-year storm and release over a 24-hour period, to the extent feasible.
 - (5) Removal of trees (greater than three inches in diameter) below an elevation that is the lower of (i) three feet below the two-year elevation, or (ii) two feet below the BMP elevation, except as required by grading for the construction and development of the community as depicted on the CDP/FDP. If trees die from inundation during the first two years after

completion between the elevations described above, the Applicant shall remove the tree stem and leave the roots intact.

- B. Upon release of bonds, DPWES shall assume all maintenance responsibilities for this regional stormwater facility.
 - C. As the entity responsible for the construction of the regional pond, the Applicant shall be eligible for reimbursement of the actual cost of constructing the regional pond which exceeds the estimated cost of a conventional onsite stormwater management/best management practice pond(s) designed to accommodate development of the site upon entering into a reimbursement agreement with the County. The actual cost of the pond will equal the total estimated cost to be incurred by the Applicant in connection with the construction of the pond including without limitation, the cost of design, engineering, construction and 10% of the design, engineering and construction for ordinary overhead and administration costs. The actual cost does not include the value of the land acquired and/or conveyed for the pond or its ancillary easements. The Applicant shall pay all pro-rata share assessments for the entire development project.
 - D. Notwithstanding that the Applicant shall construct the regional pond as described above, the Applicant shall be able to construct alternative stormwater management/Best Management Practices facilities to serve development on a temporary basis, as determined by DPWES if in substantial conformance with the CDP/FDP.
 - E. Surface parking spaces at the Main Entrance shall be paved with pervious pavers, as shown on the CDP/FDP.
6. Recreational Facilities. Pursuant to Paragraph 2 of Section 6-409 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall provide recreational facilities to serve the Property. The facilities on Land Bay A shall include a swimming pool, passive seating areas, tot lot, on-site trail and an indoor recreational/leasing facility, a minimum of 4,500 square feet in size. The facilities on Land Bay B shall include, at a minimum, a swimming pool with seating areas or Jacuzzi/hot tubs and other amenities that have comparable recreational value as determined by the Director of DPWES, and an indoor recreational facility that will contain exercise equipment and will be a minimum of 3,000 square feet in size. The recreational facilities on Land Bay B shall be made available to the residents of Land Bay C. The recreational facilities in Land Bay B shall also be made available to the residents of Land Bay A, if an agreement is reached between the owners of Land Bay A and Land Bay B regarding cost sharing and reciprocal use of such facilities. Such efforts shall be documented by the Applicant, shall be diligently prosecuted, and shall be provided to DPWES prior to the issuance of the first RUP for Land Bay B. At the time of site plan for Land Bay B, the Applicant shall demonstrate that the minimum expenditure for the recreational facilities on Land Bay A was \$955.00 per residential unit within Land Bay A. The Applicant proffers that the minimum expenditure for the above-referenced

recreational facilities shall be \$955.00 per residential unit within Land Bay B. In the event the total cost of recreational improvements constructed on the Property by the Applicant is demonstrated to be less than \$955 per unit, the Applicant shall provide the remainder in a cash contribution to the Fairfax County Park Authority for the development of active recreational facilities in the vicinity of the Property.

In addition, the Applicant shall provide a contribution of \$114,798.00, to be made payable to the Board of Supervisors, for use in improving public facilities in the vicinity of the Property.

7. Noise Attenuation.

A. The Applicant shall provide the following noise attenuation measures as a result of the Traffic Noise Analysis prepared by Polysonics, Corp. dated April 2001:

- (1) Unless already constructed, in order to reduce exterior noise to a level of approximately 65 dBA Ldn at the proposed outdoor recreational areas, a noise attenuation barrier, composed of a combination sound wall and/or berm, shall be provided along the Subject Property's frontage of I-66 as shown on the CDP/FDP. The noise attenuation barrier shall be generally 20 to 28 feet in height, but shall not exceed a maximum of 32 feet in height. It shall be flush with the ground level, be architecturally solid from the ground up with no gaps or openings (except where necessary to provide for a gate, drainage or utilities, as determined by VDOT). At the time of site plan submission, the Applicant shall submit a supplemental noise analysis for approval to DPWES based on final engineering and grading ensuring that the design of the noise attenuation barrier is adequate to reduce noise levels at the upper floors of Buildings 1 through 4 to less than 75 dBA Ldn and identifying the projected 70 dBA Ldn and 65 dBA Ldn contours after the noise attenuation wall is in place. In the event that exterior noise levels cannot be reduced to less than 75 dBA Ldn with a maximum 32 foot noise attenuation barrier, the building heights for Buildings 1 through 4 shall be reduced as necessary to ensure reduction in noise levels at the upper levels of Buildings 1 through 4 to less than 75 dBA Ldn. Under no circumstances shall dwelling units be constructed in areas with greater than 75 dBA Ldn exterior noise levels after the noise attenuation barrier is in place.

The noise attenuation barrier shall be built to VDOT standards and shall be located within the I-66 right-of-way. Neither the Applicant, nor its successors or assigns, shall be responsible for restoration, removal, relocation or reconstruction of the noise wall if such wall is removed or otherwise altered in conjunction with future improvements to I-66.

- (2) In order to reduce interior noise to a level of approximately 45 dBA Ldn, units identified in the supplemental noise analysis described in Proffer

7A(1), as being impacted by highway noise from I-66 having levels projected to be greater than 70 dBA Ldn after the noise attenuation wall is in place shall employ the following acoustical measures:

Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 45. Doors and glazing shall have a laboratory STC rating of at least 37 unless glazing constitutes more than 20% of any façade exposed to noise levels of Ldn 65 dBA or above. If glazing constitutes more than 20% of an exposed façade, then the glazing shall have a STC rating of at least 45. 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.

- (3) In order to reduce interior noise to a level of approximately 45 dBA Ldn within Land Bay B for those units facing Waples Mill Road, and for those units within Land Bay A identified in the supplemental noise analysis described in Proffer 7A(1), as being impacted by highway noise from I-66 having levels projected to be between 65 and 70 dBA Ldn after the noise attenuation wall is in place shall employ with the following acoustical measures:

Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39. Doors and glazing shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20% of any façade exposed to noise levels of Ldn 65 dBA or above. If glazing constitutes more than 20% of an exposed façade, then the glazing shall have a STC rating of at least 39. 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.

- B. Alternative interior noise attenuation measures may be provided subject to the implementation of a refined noise study as reviewed and approved by DPWES after consultation with DPZ.

8. Architectural Design. The architectural design of the buildings within Land Bay A shall be consistent with the elevations shown on Sheet 10 of the CDP/FDP, and shall be generally consistent in style on all sides of the structure. The buildings on Land Bay A shall be constructed with a mixture of masonry, siding and glass materials. No balconies shall be provided for those dwelling units within Building 1 in Land Bay A that face the noise wall.

The building on Land Bay B, shall be in substantial conformance with the elevations shown on Sheet 7C of the CDP/FDP, shall be constructed with a mixture of masonry, siding and glass materials, shall be substantially consistent in style on all sides of the structure, and shall be similar in façade design, color, materials and quality to the structures within Land Bay A, as shown on the CDP/FDP. No siding (or material

fashioned to look like siding) shall be used on the exterior building facades, but may be used within the courtyard facades. All mechanical equipment for the building on Land Bay B shall be located on the roof, and shall be screened from the view of pedestrians who are at ground level. All dumpsters shall be fully screened from view through the use of solid, opaque enclosures. The building on Land Bay B shall meet the R-30 District Angle of Bulk Plane requirements for multi-family structures within affordable dwelling developments (Par. 2A of Sect. 3-3010 of the Ordinance). Further, the building on Land Bay B shall comply with the Council of American Building Officials (“CABO”) Model Energy Code for energy efficient homes, or its equivalent, for either electric or gas energy systems, as applicable.

The elevations may be refined as a result of final design and engineering so long as the character and quality of the buildings remain in substantial conformance with those shown.

9. Pedestrian Facilities.

A. The Applicant shall provide a comprehensive sidewalk system within the developed portions of the Property as generally shown on Sheets 2, 2A, 2B and 2C of the CDP/FDP, including completion of sidewalks along the Property frontages and internal connections between all the residential buildings. Construction of sidewalks shall be concurrent with development activity on the Property.

B. Unless already constructed, the Applicant shall construct a six-foot wide asphalt pedestrian trail both along the southern side of the proposed stormwater management pond, and shall provide connections from this trail to the internal sidewalk system, with alternate paving materials (such as concrete or brick bandings) provided at crossings of the travel way/parking areas as shown on the CDP/FDP.

C. Unless already constructed, the Applicant shall construct an eight (8) foot wide asphalt trail along Land Bay A’s Waples Mill Road frontage with the exact location and design determined at the time of site plan approval. The Applicant shall construct a ten (10) foot wide asphalt trail along Land Bay B’s Waples Mill Road frontage, with the exact location and design determined at the time of site plan approval.

10. Affordable Dwelling Units. The Applicant shall provide thirty-four (34) Affordable Dwelling Units within Land Bay B in accordance with Section 2-800 of the Zoning Ordinance, except as may be modified by the ADU Advisory Board in accordance with Section 2-815 of the Zoning Ordinance. No new dwelling units are proposed within Land Bay A other than those approved pursuant to RZ 2000-PR-056.

11. Workforce Housing Units. In addition to the number of ADUS required pursuant to Proffer 10 above, the Applicant also shall provide housing units on Land Bay B of the Property that will be affordable to future residents who have a median household income

of up to 80% of the Washington D.C. metropolitan statistical area median household income ("MHI") as determined by the U.S. Census Bureau, so that a total of three percent (3%) of the total residential units constructed on Land Bay B are sold/rented as Workforce Housing Units. Nothing contained herein shall be deemed to alter the administration of the ADUs or the number of ADUs required by the ADU Ordinance.

- A. Definitions. The following terms used in these Proffered Conditions shall be defined as follows, unless specifically modified:
- (1) Market-Rate Units. Dwelling units approved on the Property that are not subject to either the price/rental restrictions of Section 2-800 of the Zoning Ordinance or Proffers 10 or 11; and
 - (2) Workforce Units. Dwelling units on the Property subject to the price/rental restrictions of this Proffer 11, but not subject to those of Proffer 10 and Section 2-800 of the Zoning Ordinance.
- B. Workforce Units. Each Workforce Unit provided shall be made available on either a for-sale basis or rental basis to persons who have an average income of up to 80% of MHI. Workforce Units shall have a minimum size of 500 square feet and a maximum size of 850 square feet and may be provided as a mixture of efficiency and/or studio units and one (1) bedroom units, as determined by the Applicant in its sole discretion. The establishment of Workforce Units may occur in phases, concurrent with the phasing of development/construction of the Proposed Development.
- C. Designation on Approved Site Plan. The approved site plan(s) for the Residential Building on Land Bay B shall designate the number of Workforce Units/ADUs and the number of Market-Rate Units to be provided. The Applicant shall determine the interior amenities, including the number of bedrooms, for each Workforce Unit provided. If the development of the Residential Building is phased or developed in sections, then the approved site plan(s) for the respective Residential Building shall also contain tabulations of the total number of Workforce Units by bedroom count and the number of Market-Rate Units by bedroom count on the Property. Whenever the calculation of the required Workforce Units results in a fractional unit less than 0.5, then the number shall be rounded down to the next whole number, and any fractional unit greater than 0.5 shall be rounded up to the next whole number.
- D. Timing for Provision of the Work-Force Units. RUPs shall not be issued for more than seventy-five percent (75%) of the total dwellings units approved on Land Bay B of the Property until all of the RUPs have been issued for all of the Workforce Units required pursuant to this Proffer 11.
- E. Prior to the issuance of the first RUP for workforce housing, the Applicant shall provide an Offering Agreement in conformance with Section 2-810 (if the units are "for sale"), or with Section 2-811 (if the units are "for rent").

- F. Provisions of the ADU Ordinance. The Applicant intends that the Workforce Units shall be administered in a like-fashion as the ADUs pursuant to Section 2-800 of the Zoning Ordinance in effect at the time of the execution of these Proffers. The following specific provisions of the Zoning Ordinance shall apply to administration of the Workforce Units: Sections 2-805, 2-807, 2-810, 2-811, 2-812, 2-813, 2-817, and 2-818, including the recordation of the appropriate restrictive covenants in the land records of Fairfax County, except where such provisions directly conflict with these Proffers. Where these Proffers conflict with the ADU administrative sections of the Zoning Ordinance, these Proffers shall control.
- G. Alternative Administration. Notwithstanding the foregoing subparagraph E, the Applicant reserves the right enter into a separate binding written agreement with the appropriate Fairfax County agency, following approval of this Application, as to the terms and conditions of the administration of the Workforce Units. Such an agreement shall be on terms mutually acceptable to both the Applicant and Fairfax County and may occur after the approval of this Application. Neither the Board of Supervisors nor Fairfax County shall be obligated to execute such an agreement. If such an agreement is executed by all applicable parties, then the Workforce Units shall be administered solely in accordance with such an agreement, and subparagraph E above shall become null and void. Such an agreement and any modifications thereto, shall be recorded in the land records of Fairfax County.
- H. Compliance with Federal, State, and Other Local Laws/Severability. If it is found by a court of competent jurisdiction, that any portion of this Proffer 11 related to providing Workforce Units violates any Federal, State or other local law, then the offending portion of this Proffer shall be deemed null and void and no longer in effect.
- I. Condominium Conversion. If the residential building on Land Bay B is initially operated as a rental project, then subsequently is converted to a condominium project, any existing Workforce Units shall be maintained as Workforce Units and shall be administered as Workforce Sale Units as set forth herein. The restrictions on the Workforce Sale Units shall be disclosed in the condominium declaration creating the condominium.
12. Dedication of Environmental Quality Corridor ("EQC"). Unless already fulfilled, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors the EQC as generally depicted and described on the CDP/FDP for Land Bay A. Dedication shall occur at the time of pond completion and bond release.
13. Exterior Lighting. All on-site lighting shall be directed downward and inward in order to minimize light from spilling onto adjacent properties. In order to provide maximum security, energy efficiency and quality ambient lighting, full cut-off light fixtures shall be used for all parking lot and parking deck lighting, including any "wall-pack" security

lighting. Lighting for landscaping shall not utilize “up-lighting”, but shall rather utilize downward-focused lighting that does not present glare or provide an overly lit environment that hinders night-time vision.

14. Bicycle Racks. The Applicant shall provide bicycle racks in the vicinity of the front door of the building on Land Bay B sufficient to store a minimum of four (4) visitor bicycles. The Applicant shall provide additional bicycle racks or storage facilities within the parking structure on Land Bay B for use by the residents of Land Bay B.
15. Use of Garages. The Applicant agrees that individual garages on Land Bay A shall only be used for a purpose that will not interfere with the intended purpose of garages (e.g., parking of vehicles). Likewise, any required parking space within Land Bay B’s parking garage shall only be used for a purpose that will not interfere with the intended purpose of that parking space (e.g. parking of vehicles.) Tenants and/or owners shall be advised of the use restriction which shall be included in the initial lease/sales documents.
16. TDM Strategies.
 - A. Transportation demand management (“TDM”) strategies, as detailed below, shall be utilized by the Applicant and/or its successors or assigns to reduce vehicular trips generated by residents of the Property during peak hours.
 - B. Mass transit, ride-sharing, and other transportation strategies shall be utilized to reduce baseline trips generated from the Property (Land Bays A and B, combined) during peak hours by a minimum of 15%. For purposes of this proffer, the baseline number of trips from which such reductions are measured shall be determined using the trip generation rates/equations set forth in the *Institute of Transportation Engineers (ITE), 7th edition, Trip Generation* for land use code 230 (Residential Condominium/Townhouse), for a total of 676 dwelling units during the PM peak hour of the adjacent street, Waples Mill Road. In the event the Property is developed with fewer than 676 dwelling units, then the baseline number of trips shall be calculated as if 676 units were constructed. Residents of the Property shall be advised of this transportation strategy. Transportation coordination duties shall be carried out by the owner of Land Bay B, or assigns.
 - C. The following is a list of strategies that shall be instituted:
 - (1) Designate an individual (such as property management staff and/or condominium association representative) to act as the transportation coordinator (“TC”) for the Property (Land Bays A and B), who shall be responsible to implement the TDM strategies for the Property, with on-going coordination with the Fairfax County Department of Transportation (“FCDOT”). Such individual shall also be responsible for communication and coordination of TDM strategies with the development association on adjacent Land Bay C. This individual may, if appropriate, be the same person for all three land bays (A, B and C). The Applicant shall provide

written notice to FCDOT within 10 days of the designation of the TC and thereafter within 10 days of any change in said designation.

- (2) Market new units to bikers, and to one-car or no-car families.
- (3) Disseminate information regarding Metrobus, carpool and/or vanpool, ridesharing, and other relevant transit options in residential sale/leasing packages;
- (4) Provide Metro maps, schedules, and forms; information on the Fairfax County Ride Share Program; and information on other relevant transit options available to owners/tenants either in a newsletter to be published on a regular basis and not fewer than four (4) times per calendar year or on a web site. In the event, the Applicant elects to establish a website for the project, then the Applicant shall provide written notice to FCDOT of the website address and the date the site became operational.;
- (5) Provide SmartCards loaded with a minimum of \$25, or Metro checks in the amount of \$25, to all tenants of Land Bay B upon their initial lease or to initial purchasers at the time of settlement.
- (6) Provide a business center on Land Bay B for use by the residents of the Property. The small business center shall include telephones, fax machines, computers and high-speed internet access.
- (7) Equip all residential units on the Property with broadband wiring for internet access.
- (8) Provide secure bike parking for residents of the Property, at the rate of one (1) secured bicycle parking space for every forty (40) required vehicle parking spaces. Provide bicycle racks for visitors either in the visitor parking area or in the vicinity of the main entrance, as further qualified by Proffer 14.
- (9) Participate in a larger Traffic Management Area Program should one be established by the County for this area.
- (10) The TDM program shall be continued by the COA in the event of a condominium conversion.

D. Eighteen (18) months following build-out of the Property, and annually thereafter, the effectiveness of the TDM strategies shall be evaluated and reported to FCDOT. For purposes of this proffer, build-out of the Property shall be deemed to occur upon the issuance of the last initial RUP for Land Bay B. The Transportation Coordinator shall submit to FCDOT a report describing the previous year's TDM strategic efforts, including, as applicable, sample marketing materials, expenditures, the result of any surveys that may be conducted of

residents, and traffic counts as outlined in subparagraph E, below. The report should be submitted to FCDOT no later than April 30th of each year. The TC shall coordinate draft survey materials and the methodology for validating survey results with FCDOT prior to each year's survey.

- E. As part of the annual reporting process, the Applicant shall measure actual trip generation of the Property in order to evaluate the success of meeting the trip reduction objectives set forth in subparagraph A., above.
- (1) Only trips that are generated by the residential uses in Land Bays A and B shall be counted. Peak hour counts shall be conducted over two (2) days, within a maximum two (2) week period, at a time of year that reflects typical travel demand conditions (e.g., September to May - and not during holiday weeks, on Mondays or Fridays, or when public schools are not in session.) The average number of PM peak hour trips shall be computed by summing the number of applicable peak hour trips entering and exiting the Property (at all driveways) on each of the two (2) day's counts and dividing that sum by two (2).
 - (2) The results of the trip generation analyses referenced in subparagraph E., above, shall be compared to the baseline trip generation referenced in subparagraph A., above, to determine if the proffered 15% reduction of peak hour trips has been met.
 - (3) In the event the traffic counts reveal that the proffered 15% peak hour trip reduction has been met, then the Applicant shall continue to implement the TDM strategies in place and no adjustments to the program or penalties are required.
 - (4) In the event the traffic counts conducted in accord with proffer subparagraph E.1., above, reveals that the baseline trip reductions have not been met, then the Applicant shall pay a penalty at a rate of \$125 per trip for each trip not reduced from the baseline reduction, into a fund established with the transportation coordinator for the implementation of certain other on-site TDM incentives/enhancements. (For example, if the baseline reduction is established as 49 trips (or 327 PM peak hour trips X .15 reduction), then the "penalty paid" is $\$125 * (49 - X)$, where "X" is the number of trips actually reduced from the ITE base of 327 PM peak hour trips.)
- F. If two (2) consecutive annual trip counts conducted in accord with subparagraph E. 1, above, reveal that the trip reduction thresholds are met after build out of the Property as defined herein, then no further counts will be required. Further, upon such event, only annual reports detailing the programmatic elements in place and yearly TDM expenditure assessment and/or survey results will be required.

17. Asbestos. If DPWES and the Applicant determine that a potential health risk exists due to the presence of asbestos-containing rock on the Property, the Applicant shall:
 - A. Take appropriate measures as determined by the Health Department to alert all construction personnel as to the potential health risks.
 - B. Commit to appropriate construction techniques as determined by DPWES in coordination with the Health Department and the Applicant to minimize this risk. Such techniques may include, but are not limited to, dust suppression measures during all blasting and drilling activities and covered transportation of removed material presenting this risk, and appropriate disposal.

18. Schools Contribution. At the time of site plan approval for Land Bay B, the Applicant shall contribute the amount of \$11,630.00 per student generated by the development of Land Bay B (based on the adopted County policy that estimates .076 students generated per mid-high rise dwelling unit, for the total number of residential units shown on the site plan for Land Bay B), plus \$23,260.00 for the two (2) additional students generated by the development of Land Bay A (which were actually generated by the development of Land Bay A, but not anticipated in a previous rezoning application) to the Fairfax County Board of Supervisors for the construction of capital improvements to Fairfax County public schools to which the students generated by the Property are scheduled to attend.

19. Blasting. If blasting is required, and before any blasting occurs on the Application Property, the Applicant or its successors will ensure that blasting is done per Fairfax Fire Marshal requirements and all safety recommendations of the Fire Marshal, including, without limitation, the use of blasting mats, shall be implemented. In addition:
 - A. A professional consultant shall be retained to perform a pre-blast survey of each house or residential building located within one hundred fifty (150) feet (TM 56-2 ((1)) 15D, 19, 23B, 25B; 56-2 ((26)) All; and 56-2 ((27)) (9) – (11) All) and any well located within two hundred fifty (250) feet (TM 46-4 ((1)) 34; TM 56-2 ((1)) 15C, 15D, 19, 23B, 25B, 74B; 56-2 ((26)) All; and 56-2 ((27)) (8) – (11) All) of the Application Property boundary. The consultant shall request access by way of certified mail to the last known address of the owner(s) of any house, buildings, swimming pools or wells located within the aforesaid ranges, to determine the pre-blast conditions of these structures. The consultant shall give a minimum of fourteen (14) days notice of the scheduling of the pre-blast survey. All owners of structures entitled to pre-blast inspections shall be provided with the name, address, and phone number of the blasting contractor's insurance carrier. Written confirmation that the pre-blast survey has been completed shall be provided to DPWES and copies of the survey shall be provided to Fairfax County upon request prior to any blasting.
 - B. The consultant shall place seismographic instruments prior to blasting to monitor the shock waves. Seismographic monitoring records shall be provided to County agencies upon their request.

- C. The consultant shall provide an analysis of the potential for gas migration from the site to the Fire Marshal for review and approval prior to blasting, and appropriate mitigation or notification as determined by the Fire Marshal shall be implemented.
- D. All residences within 150 feet of the Application Property boundary shall be notified ten (10) days prior to blasting, no blasting shall occur until such notice has been given.
- E. Upon receipt of a claim of actual damage resulting from said blasting, the consultant shall respond within five (5) days by meeting at the site of the alleged damage to confer with the property owner. Any verified claims for damage due to blasting shall be expeditiously resolved.
- F. Blasting subcontractors shall be required to maintain necessary liability insurance to cover the costs of repairing any damages to structures that are directly attributable to the blasting activity.

20. Cooperation Between Owners:

- A. "Owner", as used in these Proffers, shall mean the legal owner of a Land Bay's Parcel(s), if under common ownership, or shall mean the unit owners, collectively, acting through the executive organ of a duly constituted Condominium Owners Association ("COA"), and not the owners of individual condominium units.
- B. The Owner of Land Bay A, shall own, manage and maintain all common areas of Land Bay A; and the Owner of Land Bay B shall own, manage and maintain all common areas of Land Bay B, and operate the TDM program for the Property, as defined in Proffer 15. In the event that Land Bay B is converted to condominiums, the maintenance and operational responsibilities of Land Bay B's Owner shall be included in Land Bay B's COA documentation, which includes maintenance of all open space and recreational facilities, landscaping, and commercial parking spaces. In accordance with the Virginia Condominium Act, purchasers of units within Land Bay B shall be advised of these requirements and restrictions prior to entering into a contract of sale through the Public Offering Statement of the condominium.
- C. The owner of Land Bay B shall use best efforts to establish a program with the Owner of Land Bay C for cost sharing and for the shared implementation of the TDM Plan. Further, the owner of Land Bay B shall use best efforts to establish a cooperative agreement between the owners of Land Bays A, B and C, regarding sharing the use of amenities on the combined properties, sharing of maintenance obligations, implementation of the TDM Plan, and the discussion of the potential removal or relocation of the gate currently separating Land Bays A and C. These efforts shall be diligently prosecuted. In the event that the owner of Land Bay B is successful in reaching such agreements, any obligations shall be disclosed to

contract purchasers prior to entering into a contract of sale, and shall be disclosed in the COA documents prepared for the Property. In the event the Applicant is unable to reach such an agreement, the Applicant shall provide written documentation of its best efforts to DPWES.

21. Signs. The Applicant shall abide by the regulations in Article 12 of the Zoning Ordinance with regard to permanent and temporary signs on the Property including: “real estate signs” advertising the sale, rental or lease of units on Land Bay B – which signs shall be limited to two (2), temporary signs that have a maximum area of twelve (12) square feet each and a maximum height of eight (8) feet each (Par. 3D of Sect. 12-103 of the Ordinance); temporary signs announcing such happenings as “grand opening”, which are limited to a maximum of twenty (20) square feet in area, eight (8) feet in height, for a period of fourteen (14) days (Par. 3G of Sect. 12-103 of the Ordinance); and bunting, banners, pennants and other decorative materials which must be securely attached to the building, shall not exceed twice the allowable building-mounted sign area, for a period not to exceed fourteen (14) days, only in a location that has been given written approval by the Zoning Administrator, which may be displayed only one (1) time in a twelve (12) month period, and only upon the posting of a bond, with surety satisfactory to the Zoning Administrator, to ensure the removal of the signs at the termination of the fourteen (14) day period (Par. 3G of Sect. 12-103 of the Ordinance). Regardless of the “Possible Sign Location” denoted in the CDP/FDP for Land Bay B, freestanding identification signs shall be limited to one (1) at each primary entrance to the development off of Fairfax Ridge Road, and shall be of a similar design, style, and color. Illumination of signs shall be in conformance with the performance standards for glare as set forth in Part 9 of Article 14 of the Zoning Ordinance. Additionally, signs that require lighting shall be internally illuminated or down-lit to avoid glare and light trespass. No uplighting shall be permitted on any sign.
22. Sewer Capacity. The Applicant shall demonstrate that there is adequate sewer capacity to service the proposed development on Land Bay B, to the satisfaction of DPWES, prior to approval of a site plan for the building on Land Bay B. Further, the Applicant shall ensure that any deficiencies in the sewer system that are identified by DPWES, which are necessary to be addressed in order to ensure adequate sewer capacity for Land Bay B, are addressed. No construction of a structure that will require additional sewer capacity shall occur on Land Bay B, if and until adequate sewer capacity is verified by DPWES. Such verification shall occur prior to site plan submission.
23. Swimming Pool Discharge. Swimming pool discharge water shall be routed into the stormwater management system.. The discharge process shall follow the guidelines below in order to ensure that pool water is property neutralized prior to being discharged:
 - A. In order to ensure that high levels of chlorine are not discharged into the surface water system, pool water shall not be chlorinated prior to backwashing and/or discharge.

- B. All waste water resulting from the cleaning and draining of the pool shall meet the appropriate level of water quality prior to discharge.
 - C. If the water being discharged from the pool is discolored or contains a high level of suspended solids that could affect the clarity of the receiving stream, it shall be allowed to stand so that most of the solids settle out prior to being discharged.
24. Severability. If determined appropriate in accordance with the parameters stated in Par. 10D of Sect. 16-402 of the Ordinance, any of these land bays/sections/buildings within the Property may be subject to Proffered Condition Amendments and Final Development Plan Amendments without joinder or consent of the property owners of the other land bays/sections/buildings. The Applicant reserves the right to file for separate zoning action on either Land Bay A or B, when determined appropriate by the Zoning Administrator, without joinder or consent of the property owners of the other land bay.
25. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and his/her successors and assigns.
26. 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 in the same instrument.

[SIGNATURES BEGIN ON NEXT PAGE]

CO-APPLICANT / CONTRACT PURCHASER OF
TAX MAP 56-2 ((1)) 18A

TCR MID ATLANTIC PROPERTIES, INC.

By: P. Sean Caldwell
Its: Vice President

[SIGNATURES CONTINUED ON NEXT PAGE]

CO-APPLICANT / DECLARANT

FAIRFAX RIDGE DEVELOPMENT, LLC

By: Fairfax Ridge Holdings, LLC,
Its Sole Member and Managing Member

By: Cindy Fancher
Its: Vice President

[SIGNATURES CONTINUED ON NEXT PAGE]

CO-APPLICANT / AGENT FOR TITLE OWNERS OF TAX
MAP 56-2 ((27)) (5) 101-413, (6) 101-413, (7) 101-410, (8) 101-
413, (9) 101-413, (10) 101-410, (11) 101-410 and 46-4 ((19)) (1)
101-421, (2) 101-306, (3) 101-413, (4) 101-410

FAIRFAX RIDGE CONDOMINIUM UNIT OWNERS
ASSOCIATION

By: Fairfax Ridge Development, LLC, its Declarant

By: Fairfax Ridge Holdings, LLC, its Sole Member and Managing
Member

By: Cindy Fancher
Its: Vice President

[SIGNATURES CONTINUED ON NEXT PAGE]

TITLE OWNER OF TAX MAP 56-2 ((1)) 18A

OAC FAIRFAX LLC

By: Olayan America Corporation
Its Sole Member

By: Anthony S. Fusco
Its: Vice President

By: Nazeeh S. Habachy
Its: Secretary

[SIGNATURES END]

DEVELOPMENT CONDITIONS**SEA 00-P-050****March 6, 2007**

If it is the intent of the Board of Supervisors to approve SEA 00-P-050, located at Tax Map 56-2 ((1)) 18A, for commercial parking in a residential district, pursuant to Sect. 9-609 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previous conditions (those conditions carried forward substantially unchanged from previous approval are marked with an asterisk):

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land. *
2. 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. *
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Fairfax Ridge Land Bays A & B" prepared by Land Design, and dated April 5, 2005, as revised through February 26, 2007, 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. *
4. Pursuant to Par. 6 of Sect. 6-106 of the Zoning Ordinance, the maximum area devote to this parking use shall not exceed that shown on the SEA Plat, and shall not exceed 275 parking spaces.
5. The parking area shall not be used as a commercial off-street parking lot as defined by the Zoning Ordinance, where a charge or fee is imposed for temporary, daily or overnight storage of motor vehicles. *
6. No signage (other than directional signage) associated with the parking use shall be placed on the application property.

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

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, 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, at a minimum, the use has been established or construction has commenced and been diligently prosecuted. 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.

REZONING AFFIDAVIT

DATE: February 16, 2007
(enter date affidavit is notarized)

I, Inda E. Stagg, 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

92704c

in Application No.(s): RZ/FDP 2006-PR-027
(enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
TCR Mid Atlantic Properties, Inc. Agents: P. Sean Caldwell Charles N. Bay	6110 Executive Boulevard, Suite 315 Rockville, Maryland 20852	Co-Applicant/Contract Purchaser of Tax Map 56-2 ((1)) 18A
Fairfax Ridge Development, LLC Agent: Cindy A. Fancher	c/o Crescent Heights of America, Inc. 2930 Biscayne Boulevard, Suite 1800 Miami, Florida 33137	Co-Applicant/Declarant (Control may be turned over to the Unit Owners Association on or before March 22, 2007)
Fairfax Ridge Condominium Unit Owners Association Agent: Cindy A. Fancher OAC Fairfax LLC, Agent and Attorney- in-Fact for Fairfax Ridge Condominium Unit Owners Association	c/o Crescent Heights of America, Inc. 2930 Biscayne Boulevard, Suite 1800 Miami, Florida 33137	Co-Applicant/Agent for Title Owners of Tax Map 56-2 ((27)) (5) 101-413, (6) 101-413, (7) 101-410, (8) 101-413, (9) 101-413, (10) 101-410, (11) 101-410 and 46-4 ((19)) (1) 101-421, (2) 101-306, (3) 101-413, (4) 101-410

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

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

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

Rezoning Attachment to Par. 1(a)

DATE: February 16, 2007
 (enter date affidavit is notarized)

a2704c

for Application No. (s): RZ/FDP 2006-PR-027
 (enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
OAC Fairfax LLC f/k/a Fairfax Ridge LP Agents: P. Sean Caldwell Charles N. Bay Anthony S. Fusco Nazeeh S. Habachy	c/o Olayan America Corporation 505 Park Avenue New York, NY 10022	Title Owner of Tax Map 56-2 ((1)) 18A
VIKA, Incorporated Agents: John F. Amatetti Robert J. Bosco Robert R. Cochran	8180 Greensboro Drive, Suite 200 McLean, Virginia 22102	Engineers/Agent
M.J. Wells & Associates, LLC Agents: Robin L. Antonucci Jami L. Milanovich Jorjean M. Rice	1420 Spring Hill Road, Suite 600 McLean, Virginia 22102	Transportation Consultant/ Agent
LandDesign, Inc. Agents: Kevin J. Tankersley Robert D. Anderson Stephen M. Jordan	200 S. Peyton Street Alexandria, Virginia 22314-2813	Architects/Agent
Cubellis DCA f/k/a Design Concepts Architects P.C. Agent: Rohit Anand (nmi)	8614 Westwood Center Drive, #340 Vienna, Virginia 22182	Architects/Agent

check if applicable)

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

Rezoning Attachment to Par. 1(a)

DATE: February 16, 2007
(enter date affidavit is notarized)

02704c

for Application No. (s): RZ/FDP 2006-PR-027
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent
Agents: Martin D. Walsh Lynne J. Strobel M. Catharine Puskar Jason B. Heinberg Tara E. Wiedeman Abby C. Denham Blair A. Lonergan Inda E. Stagg Elizabeth D. Baker Kara M. Whisler Susan K. Yantis Megan C. Shilling Elizabeth A. McKeeby		

(check if applicable)

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

REZONING AFFIDAVIT

DATE: February 16, 2007
(enter date affidavit is notarized)

92704c

for Application No. (s): RZ/FDP 2006-PR-027
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

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

TCR Mid-Atlantic Properties, Inc.
6110 Executive Boulevard, Suite 315
Rockville, Maryland 20852

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Harlan R. Crow
J. Ronald Terwilliger
William C. MacDonald

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

Directors: Harlan R. Crow, J. Ronald Terwilliger, William C. MacDonald
William C. MacDonald, President; Ashvani K. Chuchra, VP; Chad DuBeau (nmi), VP; Charles N. Bay, VP; Clifford A. Breining, VP; Harlan R. Crow, VP; J. Ronald Terwilliger, VP; P. Sean Caldwell, VP; Rachel Purcell (nmi), VP, Treasurer; Samuel P. Simone, VP; Sherry A. Brown, VP; Thomas J. Patterson, VP, Asst Treasurer, Secretary; Faye Thetford, Asst Secretary; Laura Hopkins, Asst Secretary; Lee Ann Shamblin, Asst Secretary; Marcia L. Moody, Asst Secretary; Shari Steinhardt, Asst Secretary

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

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

Rezoning Attachment to Par. 1(b)

DATE: February 16, 2007
(enter date affidavit is notarized)

92704c

for Application No. (s): RZ/FDP 2006-PR-027
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
VIKA, Incorporated
8180 Greensboro Drive, Suite 200
McLean, Virginia 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 THE SHAREHOLDER: (enter first name, middle initial, and last name)
Charles A. Irish, Jr.
John F. Amatetti
Harry L. Jenkins
Robert R. Cochran

=====

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

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
M.J. Wells & Associates, LLC
1420 Spring Hill Road, Suite 600
McLean, Virginia 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 THE SHAREHOLDERS: (enter first name, middle initial, and last name)
Martin J. Wells & Associates, Inc., Member
Terence J. Miller & Associates, Inc., Member

=====

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

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

Rezoning Attachment to Par. 1(b)

DATE: February 16, 2007
(enter date affidavit is notarized)

92704c

for Application No. (s): RZ/FDP 2006-PR-027
(enter County-assigned application number (s))

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

Martin J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 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 THE SHAREHOLDER: (enter first name, middle initial, and last name)

Martin J. Wells

=====

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

=====

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

Terence J. Miller & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 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 THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Terence J. Miller

=====

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

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

Rezoning Attachment to Par. 1(b)

DATE: February 16, 2007
(enter date affidavit is notarized)

92704c

for Application No. (s): RZ/FDP 2006-PR-027
(enter County-assigned application number (s))

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

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

DESCRIPTION OF CORPORATION: (check one statement)

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

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

David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Peter M. Dolan, Jr., James P. Downey (former), Jay du Von, Jerry K. Emrich, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskar, John E. Rinaldi, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

=====

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

=====

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

LandDesign, Inc.
1414 Prince Street, Suite 400
Alexandria, VA 22314

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)

Bradley W. Davis
Peter R. Crowley
Dale C. Stewart

=====

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

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

Rezoning Attachment to Par. 1(b)

DATE: February 16, 2007
(enter date affidavit is notarized)

92704c

for Application No. (s): RZ/FDP 2006-PR-027
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Cubellis DCA f/k/a Design Concepts Architects P.C.
8614 Westwood Center Drive, #340
Vienna, VA 22182

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Rohit Anand (nmi) (former)
Lenord G. Cubellis
Susan M. Packard
Richard W. Rankin

=====

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

=====

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

Fairfax Ridge Development, LLC c/o Crescent Heights of America, Inc.
2930 Biscayne Boulevard, Suite 1800
Miami, Florida 33137

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)

Fairfax Ridge Holdings, LLC, Sole Member and Managing Member

=====

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

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

Rezoning Attachment to Par. 1(b)

DATE: February 16, 2007
(enter date affidavit is notarized)

92704c

for Application No. (s): RZ/FDP 2006-PR-027
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Fairfax Ridge Holdings, LLC
2930 Biscayne Boulevard, Suite 1800
Miami, Florida 33137

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

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)
Fairfax Ridge Holdings II, LLC

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer,** etc.)
Efy Bashary (nmi), President; Cindy A. Fancher, VP; Terry Tallant, VP (former); Kevin S. Price, VP; Shlomo Dachoh (nmi), Secretary; Joseph P. Zdon, Jr., Treasurer; Pablo de Almagro (nmi), Assistant Treasurer; Sharon Christenbury, VP

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Fairfax Ridge Holdings II, LLC
2930 Biscayne Boulevard, Suite 1800
Miami, Florida 33137

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)
Fairfax Ridge Holdings III, LLC

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer,** etc.)
Efy Bashary (nmi), President; Cindy A. Fancher, VP; Terry Tallant, VP (former); Kevin S. Price, VP; Shlomo Dachoh (nmi), Secretary; Joseph P. Zdon, Jr., Treasurer; Pablo de Almagro (nmi), Assistant Treasurer; Sharon Christenbury, VP

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

Rezoning Attachment to Par. 1(b)

DATE: February 16, 2007
(enter date affidavit is notarized)

92709c

for Application No. (s): RZ/FDP 2006-PR-027
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Fairfax Ridge Holdings III, LLC
2930 Biscayne Boulevard, Suite 1800
Miami, Florida 33137

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

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)
SK Business Trust for the benefit of Sonny Kahn (nmi)
RF Business Trust for the benefit of Russell W. Galbut
Menin 1998 Family Trust for the benefit of Bruce A. Menin

=====
NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)
Efy Bashary (nmi), President; Cindy A. Fancher, VP; Terry Tallant, VP (former); Kevin S. Price, VP; Shlomo Dachoh (nmi), Secretary; Joseph P. Zdon, Jr., Treasurer; Pablo de Almagro (nmi), Assistant Treasurer; Sharon Christenbury, VP

=====
NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
OAC Fairfax LLC f/k/a Fairfax Ridge LP
c/o Olayan America Corporation
505 Park Avenue, New York, NY 10022

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)
Olayan America Corporation, Sole Member

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

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

Rezoning Attachment to Par. 1(b)

DATE: February 16, 2007
(enter date affidavit is notarized)

92704c

for Application No. (s): RZ/FDP 2006-PR-027
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Olayan America Corporation
505 Park Avenue
New York, New York 10022

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

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)
Olayan Investments Company Establishment

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer,** etc.)
Hutham S. Olayam, President; John O. Wolcott, EVP; Anthony S. Fusco, VP; Nazeeh S. Habachy, Secretary

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Olayan Investments Company Establishment
111 Poseidonos Avenue P.O. Box 70228
Athens, Greece 16610

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)
Suliman S. Olayan

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer,** etc.)
Suliman S. Olayan, Chairman; Aziz D. Syrani, President; Nazeeh S. Habachy, Secretary; Gabriel N. Salia, Comptroller; Frank J. Parrotta, Executive VP

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

Rezoning Attachment to Par. 1(b)

DATE: February 16, 2007
(enter date affidavit is notarized)

92704c

for Application No. (s): RZ/FDP 2006-PR-027
(enter County-assigned application number (s))

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

Fairfax Ridge Condominium Unit Owners Association c/o Crescent Heights of America, Inc.
2930 Biscayne Boulevard, Suite 1800
Miami, Florida 33137

DESCRIPTION OF CORPORATION: (check one statement)

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

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

A non-shareholder, not-for-profit association.

=====

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

Kevin S. Price, President, Director; Bruce S. Hester, Vice President, Director; Cindy A. Fancher, Secretary/Treasurer, Director

=====

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)

=====

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

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

REZONING AFFIDAVIT

DATE: February 16, 2007
(enter date affidavit is notarized)

92704c

for Application No. (s): RZ/FDP 2006-PR-027
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)
None

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

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

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

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

REZONING AFFIDAVIT

DATE: February 16, 2007
(enter date affidavit is notarized)

92704c

for Application No. (s): RZ/FDP 2006-PR-027
(enter County-assigned application number(s))

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

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

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

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

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

None

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

REZONING AFFIDAVIT

DATE: February 16, 2007
(enter date affidavit is notarized)

92704c

for Application No. (s): RZ/FDP 2006-PR-027
(enter County-assigned application number(s))

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

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

None

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

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

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

WITNESS the following signature:

(check one)

[] Applicant

[x] Applicant's Authorized Agent

Inda E. Stagg, agent

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

Subscribed and sworn to before me this 16 day of February, 2007, in the State/Comm. of Virginia, County/City of Arlington.

[Signature]
Notary Public

My commission expires: 11/30/2007

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 26, 2007
 (enter date affidavit is notarized)

I, Inda E. Stagg, 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 92703e

in Application No.(s): SEA 00-P-050
 (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)
TCR Mid Atlantic Properties, Inc. Agents: P. Sean Caldwell Charles N. Bay	6110 Executive Boulevard, Suite 315 Rockville, Maryland 20852	Applicant/Contract Purchaser of Tax Map 56-2 ((1)) 18A
OAC Fairfax LLC f/k/a Fairfax Ridge LP Agents: P. Sean Caldwell Charles N. Bay Anthony S. Fusco Nazeeh S. Habachy	6110 Executive Boulevard, Suite 315 Rockville, Maryland 20852	Title Owner of Tax Map 56-2 ((1)) 18A

(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 Attachment to Par. 1(a)DATE: February 26, 2007
(enter date affidavit is notarized)

92703e

for Application No. (s): SEA 00-P-050
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
VIKA, Incorporated Agents: John F. Amatetti Robert J. Bosco Robert R. Cochran	8180 Greensboro Drive, Suite 200 McLean, Virginia 22102	Engineers/Agent
M.J. Wells & Associates, LLC Agents: Robin L. Antonucci Jami L. Milanovich Jorjean M. Rice	1420 Spring Hill Road, Suite 600 McLean, Virginia 22102	Transportation Consultant/ Agent
LandDesign, Inc. Agents: Kevin J. Tankersley Robert D. Anderson Stephen M. Jordan	200 S. Peyton Street Alexandria, Virginia 22314-2813	Architects/Agent
Cubellis DCA f/k/a Design Concepts Architects P.C. Agent: Rohit Anand (nmi)	8614 Westwood Center Drive, #340 Vienna, VA 22182	Architects/Agent
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. Agents: Martin D. Walsh Lynne J. Strobel M. Catharine Puskar Jason B. Heinberg Tara E. Wiedeman Abby C. Denham Blair A. Lonergan Inda E. Stagg Elizabeth D. Baker Kara M. Whisler Susan K. Yantis Megan C. Shilling Elizabeth A. McKeeby	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent

 (check if applicable)

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 26, 2007
(enter date affidavit is notarized)

92703e

for Application No. (s): SEA 00-P-050
(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)
TCR Mid-Atlantic Properties, Inc.
6110 Executive Boulevard, Suite 315
Rockville, Maryland 20852

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Harlan R. Crow
J. Ronald Terwilliger
William C. MacDonald

(check if applicable) [X] 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: February 26, 2007
(enter date affidavit is notarized)

92703e

for Application No. (s): SEA 00-P-050
(enter County-assigned application number (s))

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

VIKA, Incorporated
8180 Greensboro Drive, Suite 200
McLean, Virginia 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 THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Charles A. Irish, Jr.
John F. Amatetti
Harry L. Jenkins
Robert R. Cochran

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

M.J. Wells & Associates, LLC
1420 Spring Hill Road, Suite 600
McLean, Virginia 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 THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Martin J. Wells & Associates, Inc., Member
Terence J. Miller & Associates, Inc.,
Member

(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 Attachment to Par. 1(b)

DATE: February 26, 2007
(enter date affidavit is notarized)

92703e

for Application No. (s): SEA 00-P-050
(enter County-assigned application number (s))

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

Martin J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 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 THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Martin J. Wells

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

Terence J. Miller & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 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 THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Terence J. Miller

(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 Attachment to Par. 1(b)

DATE: February 26, 2007
(enter date affidavit is notarized)

92703e

for Application No. (s): SEA 00-P-050
(enter County-assigned application number (s))

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

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

DESCRIPTION OF CORPORATION: (check one statement)

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

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

David J. Bomgardner, E. Andrew Burcher,	Bryan H. Guidash, Michael D. Lubeley,
Thomas J. Colucci, Peter M. Dolan, Jr.,	J. Randall Minchew, M. Catharine Puskar,
James P. Downey (former), Jay du Von,	John E. Rinaldi, Lynne J. Strobel,
Jerry K. Emrich, William A. Fogarty,	Garth M. Wainman, Nan E. Walsh,
John H. Foote, H. Mark Goetzman,	Martin D. Walsh

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

LandDesign, Inc.
200 S. Peyton Street
Alexandria, VA 22314-2813

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)

Bradley W. Davis
Peter R. Crowley
Dale C. Stewart

(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 Attachment to Par. 1(b)

DATE: February 26, 2007
(enter date affidavit is notarized)

92703e

for Application No. (s): SEA 00-P-050
(enter County-assigned application number (s))

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

Cubellis DCA f/k/a Design Concepts Architects P.C.
8027 Leesburg Pike, Suite 300
Vienna, Virginia 22182

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)

Rohit Anand (nmi) (former)
Lenord G. Cubellis
Susan M. Packard
Richard W. Rankin

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

Nesk Corporation
505 Park Avenue
New York, New York 10022

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)

Edward A. Kavounas
Neil H. Smith

(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 Attachment to Par. 1(b)

DATE: February 26, 2007
(enter date affidavit is notarized)

92703e

for Application No. (s): SEA 00-P-050
(enter County-assigned application number (s))

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

Olayan America Corporation
505 Park Avenue
New York, New York 10022

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)

Olayan Investments Company
Establishment

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

Olayan Investments Company Establishment
111 Poseidonos Avenue
P.O. Box 70228
Athens, Greece 16610

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)

Suliman S. Olayan

(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 Attachment to Par. 1(b)

DATE: February 26, 2007
(enter date affidavit is notarized)

92703e

for Application No. (s): SEA 00-P-050
(enter County-assigned application number (s))

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

OAC Fairfax LLC f/k/a Fairfax Ridge LP
505 Park Avenue
New York, New York 10022

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)

Olayan America Corporation, Sole Member

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: February 26, 2007
(enter date affidavit is notarized)

92703e

for Application No. (s): SEA 00-P-050
(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)

Fairfax Ridge LP
6010 Executive Boulevard, Suite 200
Rockville, MD 20852

(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)

Olayan America Corporation, General and Limited Partner
Nesk Corporation, 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: February 26, 2007
(enter date affidavit is notarized)

92703e

for Application No. (s): SEA 00-P-050
(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:

[x] 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 26, 2007
(enter date affidavit is notarized)

92703e

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.)

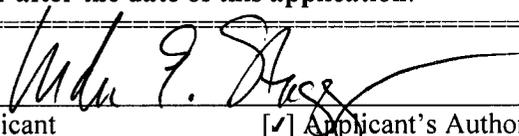
None

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

Inda E. Stagg, agent
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 26 day of February, 2007, in the State/Comm. of Virginia, County/City of Arlington.


Notary Public

My commission expires: 11/30/2007



Inda E. Stagg
Land Use Coordinator
(703) 528-4700, ext. 5423
istagg@arl.thelandlawyers.com

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

RECEIVED
Department of Planning & Zoning

JUL 26 2006

Zoning Evaluation Division

July 13, 2006

VIA HAND DELIVERY

Barbara A. Byron
Director, Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

**Re: Statement of Justification
Rezoning ("RZ") and Special Exception Amendment ("SEA") Applications
TCR MidAtlantic Properties, Inc., Fairfax Ridge Development, LLC
and Fairfax Ridge Condominium Unit Owners Association
(the "RZ Applicants")
TCR MidAtlantic Properties, Inc. (the "SEA Applicant")
TM 46-4 ((19)) All Parcels ("Land Bay A")
TM 56-2 ((1)) 18A ("Land Bay B" and "The SEA Property")
(Together, Land Bay A and Land Bay B are the "RZ Properties" or
the "Application Properties")**

Dear Ms. Byron:

This letter serves as a Statement of Justification for the RZ and SEA applications. The RZ Applicants are seeking approval of a request to rezone Land Bay A and Land Bay B of Fairfax Ridge from the PDH-20 District to the PDH-30 District. The SE Applicant is seeking approval of a Special Exception Amendment for Land Bay B of Fairfax Ridge in order to continue commercial parking in a residential district.

Location, History, Comprehensive Plan, and General Land Bay Information

Location: The Application Properties consist of two (2) land bays within an area known as Fairfax Ridge: Land Bay A and Land Bay B, which are located in a triangular area that is south of Interstate 66, north of Route 50, and west of Waples Mill Road in the Providence Magisterial District. Another road, Fairfax Ridge Road, runs through this triangular area. Together, the Application Properties contain 23.01 acres of land (for density purposes this land area is increased to 23.98 acres to account for a previous 0.972 acre street dedication.)

History: On May 23, 2001, the Planning Commission approved FDP 2000-PR-056, subject to the Board's approval of the associated RZ/CDP. On July 9, 2001, the Board of

Supervisors approved RZ/CDP 2000-PR-056, which rezoned Land Bay A and Land Bay B from the C-3 District to the PDH-20 District, and which permitted the development of 420 dwelling units on 23.98 acres at a density of 17.51 du/ac. On that same date, the Board of Supervisors also approved SE 00-P-050 to allow commercial parking in a residential district on Land Bay B.

Comprehensive Plan: Land Bay A and Land Bay B are located within the Fairfax Center Area (Area III), Sub-Unit K, of the Comprehensive Plan (hereinafter sometimes “the Plan”). Generally, the Plan recommends medium intensity office use at 0.50 FAR at the overlay level, with an option for multifamily residential use at 20 to 25 du/ac with consolidation, and if certain conditions are adequately met. It is the Applicants’ opinion that they are met, as further described in this Statement of Justification and in the Residential Development Criteria discussion located in Exhibit 1.

This proposed development is an “ADU Development”. As such, the Comprehensive Plan range is adjusted as described in the Ordinance from 20 to 25 du/ac, to 23.4 to 29.25 du/ac. The proposed density of Land Bay A and Land Bay B, together, is 28.43 du/ac, which is within the adjusted Plan range.

General Land Bay A Information: Land Bay A contains approximately 19.82 acres of land (20.795 acres including a previous 0.972 acre street dedication), and is located on the western side of Fairfax Ridge Road. Land Bay A is developed with eleven (11) existing multifamily structures and a clubhouse/leasing office as approved pursuant to RZ/FDP 2000-PR-056 as discussed in the “History” section above, and which will remain. No new development is proposed for Land Bay A, but the RZ Applicants are requesting a rezoning of this Land Bay from the PDH-20 District to the PDH-30 District, along with associated Conceptual Development Plan/Final Development Plan (“CDP/FDP”) approval. The proposals for development of Land Bay A were thoroughly evaluated at the time of the approved rezoning to PDH-20, and there is no change proposed to the existing development of Land Bay A. The rezoning discussion below, therefore, will be predominantly with regard to the proposals for Land Bay B.

General Land Bay B Information: Land Bay B contains approximately 3.19 acres of land, and is located on the eastern side of Fairfax Ridge Road. Currently, Land Bay B is developed with a surface parking lot that is utilized by a commercial use pursuant to previous Special Exception approval. The RZ Applicants are requesting a rezoning of this Land Bay from the PDH-20 District to the PDH-30 District, along with associated CDP/FDP approval, in order to redevelop Land Bay B with 262 high-quality, multifamily homes and a clubhouse/leasing office with structured parking. In addition, the SE Applicant is seeking approval to permit a portion of the structured parking proposed with the RZ Application to be utilized by the same commercial entity that currently uses the existing surface parking lot.

Rezoning Discussion

As stated previously, Land Bay A and Land Bay B are zoned PDH-20 pursuant to RZ/FDP 2000-PR-056. Land Bay A is developed with eleven (11) four and five-story buildings, consisting of a total of 420 multifamily dwelling units, a clubhouse/leasing office and structured and non-structured parking with 696 spaces. Land Bay B is developed with a surface parking lot.

The RZ Applicants seek to rezone Land Bay A and Land Bay B to the PDH-30 District. Pursuant to the requested rezoning, existing development on Land Bay A will not change from that approved pursuant to RZ/FDP 2000-PR-056; and it is the RZ Applicants' intention that the proffers currently governing Land Bay A will remain in full force and effect.

The RZ Applicants have already provided for Land Bay A, and are proposing for Land Bay B, a residential layout that is compatible in density and in scale with the surrounding development. Surrounding properties are similarly developed in terms of use, type, and intensity. The proposed residential development will provide a reduction in traffic and a greater amount of dedicated open space over that which would be generated by commercial development, and will be a significant benefit to the neighboring properties.

Land Bay B will include up to 262 multifamily residential units and up to 709 underground parking spaces – 434 of these parking spaces would be for the residential use and 275 of these parking spaces would serve the adjacent commercial use. A four (4) to six (6)-story residential building is proposed on Land Bay B, with up to two and one-half (2.5) stories of parking underneath the building. This building is primarily four (4)-stories in height, with the exception of the portion of the building on the southwest corner of Land Bay B, where the building is increased to six (6) stories to accommodate terrain limitations and to avoid interference with the Tree Save Area. This height variation (from grade) also allows the entrances for the requested SEA commercial parking and the residential parking to be completely separate (See discussion of Special Exception Amendment below).

Active and passive open space, pedestrian networks, landscaping and buffering all exist on Land Bay A and are all key elements of the development plan for Land Bay B. The site design for Land Bay B includes a large urban plaza. A pedestrian network is proposed, with sidewalks on the north side of Fairfax Ridge Road that connect to a proposed trail along Waples Mill Road, and which connects to Land Bay A, Land Bay C (not part of this application), and the active and passive open space amenities on those Land Bays. Extensive landscaping (as shown on the CDP/FDP/SEA Plat) includes a combination of deciduous, ornamental and evergreen materials. The landscaping design provides for a strong streetscape and special emphasis at entry areas. The proposed tree cover is 11.7%.

To the best of the Applicants' knowledge and belief, there are no known hazardous and toxic materials on Land Bay A nor on Land Bay B; neither are there any planned with the proposed development of Land Bay B. Furthermore, to the best of the Applicants' knowledge, the proposed use on Land Bay B and the existing use of Land Bay A will be in conformance with all applicable ordinances, regulations and adopted standards, except as noted below under Requested Waivers and Modifications.

Please see Exhibit 1 for a discussion of the Residential Development Criteria as they apply to the RZ Property.

Requested Waivers and Modifications

The following waivers and modifications are requested and are identified in the CDP/FDP/SEA Plat notes:

1. A waiver of the multiple family loading space requirement of Article 11 for multifamily dwellings.
2. A modification of the transitional screening and a waiver of the barrier requirement along the right-of-way of I-66 under Paragraph 3 of Section 13-304 of the Zoning Ordinance for Land Bay A;
3. A waiver of Service Drive requirements along the ROW of I-66 and Route 50; and,
4. A waiver of the requirements for on-site stormwater management facilities for Land Bay B.

Special Exception Amendment Discussion

The SEA request involves Land Bay B only, and is to amend SE 00-P-050 that was previously approved for commercial parking in a residential district. The requested SEA would permit the substitution of an existing parking area (consisting of 275 surface parking spaces and serving office buildings on adjacent property northwest of Land Bay B) with underground structured parking to serve both the existing office buildings on adjacent property and the requested residential development on Land Bay B. As proposed, the parking spaces for the commercial use will be located on the first level of the proposed underground parking structure on Land Bay B, with access provided at grade from the adjacent commercial office building property. Residential parking spaces will be located on the second level of the parking structure and will utilize a separate access from Fairfax Ridge Road.

As a secondary commercial use in a PDH District, the area for the parking use is subject to the use limitation of Par. 6 of Sect. 6-106 of the Zoning Ordinance. This paragraph

provides that, in a PDH-30 District, the maximum total land area devoted to commercial uses shall not exceed 200 square feet of commercial use per dwelling unit. Under the proposed rezoning, there will be a maximum number of 682 dwelling units, which results in a maximum permitted commercial parking area of 136,400 square feet. The area of the parking garage designated for commercial parking spaces will not exceed 123,900 square feet and will comply with this limitation.

The following is a description of the proposed special exception use:

- a. Type of operation: Office parking
- b. Hours of operation: Typical office hours
- c. Estimated number of patrons: Not applicable
- d. Proposed number of employees: Not applicable
- e. Estimate of traffic impact: Not applicable, as this parking serves existing office buildings and the entry to the commercial parking area will be separated from the entry to the residential parking area
- f. Vicinity or general area to be served by use: Office tenants on adjacent parcel to the northwest
- g. Description of building façade and architecture of proposed new building: Underground parking structure
- h. Hazardous/Toxic Wastes on Site: The SE Applicant is unaware of any hazardous or toxic substances
- i. To the best of the SE Applicant's knowledge, the proposed special exception use is in conformance with all applicable ordinances, regulations and adopted standards.

Concluding Statement

The Applicants believe that the RZ Application addresses the high quality design elements anticipated with P-District development in the Fairfax Center Area, will result in a high quality living environment, will be an asset to the Fairfax Center Area, and will provide a needed residential component in this predominantly commercial land unit. Further, the Applicants believe that the SE Application is appropriate and meets the criteria for approval. Thus, in consideration of this Statement of Justification and the discussion in Exhibit 1, the Applicants request approval of the proposed rezoning of Land Bay A and Land Bay B and of the proposed SEA on Land Bay B.

If you have any questions regarding this submission or if you require any additional information, please do not hesitate to contact me. As always, I appreciate your cooperation and assistance.

Sincerely,

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



Inda E. Stagg
Land Use Coordinator

Attachments

cc: Linda Smyth, Providence District Supervisor
Ken Lawrence, Providence District Planning Commissioner
Sean Caldwell
Bob Cochran, VIKA
Kevin Tankersley, Land Design
Rohit Anand, Design Concepts Architects
Martin D. Walsh



FAIRFAX COUNTY

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

I R G I N I A

Telephone: 703-324-3151

FAX: 703-324-3926

TTY: 703-324-3903

August 1, 2001

Elizabeth D. Baker, Land Use Coordinator
Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC
2200 Clarendon Boulevard – 13th Floor
Arlington, Virginia 22201-3359

RE: Rezoning Application RZ 2000-PR-056
(Concurrent with PCA 90-P-040 and SE 00-P-050)

Dear Ms. Baker:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on July 9, 2001, granting Rezoning Application Number RZ 2000-PR-056 in the name of Fairfax Ridge Limited Partnership, to rezone certain property in the Providence District from the C-3 District and Highway Corridor Protection Overlay District to the PDH-20 District and Highway Corridor Protection Overlay District, subject to the proffers dated July 5, 2001, located on the west side of Waples Mill Road, immediately south of I-66 and north of Lee Jackson Highway, Tax Map 46-4 ((1)) 36 and 37; 56-2 ((1)) 15F, 16, 18A, and 22 consisting of approximately 23.98 acres.

The Conceptual Development Plan was approved; the Planning Commission having previously approved Final Development Plan FDP 2000-PR-056 on May 23, 2001, subject to the Board's approval of RZ 2000-PR-056.

(NOTE: On June 25, 2001 the Board deferred the public hearing on this item until July 9, 2001).

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

RZ 2000-PR-056
August 1, 2001

- 2 -

cc: Chairman Katherine K. Hanley
Supervisor-Providence 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
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay
Robert Moore, Trnsprt'n. Planning Div., Dept. of Transportation
Charles Strunk, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPWES
Kenny King, Proffer Administrator, Plans & Document Control, OSDS, DPWES
Frank Edwards, Department of Highways - VDOT
Land Acq. & Planning Div., Park Authority
District Planning Commissioner
James Patteson, Director, Facilities Mgmt. Div., DPWES
Barbara J. Lippa, Executive Director, Planning Commission

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
AUG 14 2001

ZONING EVALUATION DIVISION
ZONING EVALUATION DIVISION

PROFFERS

RZ 2000-PR-056

July 5, 2001

Pursuant to Section 15.2-2303(a), *Code of Virginia*, 1950 as amended and subject to the Board of Supervisors approving a rezoning to the PDH-20 District, for property identified as Tax Map 46-4 ((1)) 36 and 37 and 56-2 ((1)) 15F, 16, 22 (hereinafter referred to as "Land Bay A") and Tax Map 56-2 ((1)) 18A (hereinafter referred to as "Land Bay B"), with both Land Bay A and Land Bay B being referred to as the "Property", the Applicant and owner proffer for themselves, their successors and assigns the following conditions, which if approved, supersede all previously approved proffers for the Property:

1. Development Plan.

- A. Development of the Property shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan (CDP/FDP) prepared by Land Design, Inc., consisting of 10 sheets, dated September 15, 2000 through May 7, 2001.
- B. Notwithstanding that the CDP/FDP is presented on 10 sheets and said CDP/FDP is the subject of Proffer 1 above, it shall be understood that the proffered portion of the CDP shall be the entire plan shown on Sheet 2 relative to the points of access, the maximum number and type of dwelling units, the amount and general location of open space, the general location of the Environmental Quality Corridor (EQC), the general location of the limits of clearing and grading, and the general location and arrangement of the buildings and parking garages. The Applicant has the option to request a FDPA for elements other than the CDP elements from the Planning Commission for all or a portion of the CDP/FDP in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance with respect to the remaining elements.
- C. Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the Final Development Plan (FDP) may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layouts shown on the FDP without requiring approval of an amended FDP provided such changes are in substantial conformance with the FDP as determined by the Zoning Administrator and do not increase the total number of dwelling units, decrease the amount of open space; decrease the setback from the peripheries; or reduce open space or landscaping.
- D. The CDP/FDP maintains the existing surface parking lot on Tax Map 56-2 ((1)) 18A serving office buildings on adjacent parcels identified as Tax Map 46-4 ((1))

15B and 56-2 ((1)) 15C, 15D, which is subject to Special Exception approval as a secondary use in a P-District, in accordance with Par. 6C of Sect. 6-106 of the Ordinance.

2. Transportation

A. Waples Mill Road

- (1) At the time of site plan approval or upon written demand by Fairfax County, whichever shall occur first, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way along the Property's Waples Mill Road frontage, north of Waples Mill Road's intersection with Fairfax Ridge Road North, measuring to a maximum of 70 feet from the existing centerline as shown on the CDP/FDP.
- (2) The Applicant shall construct a right turn deceleration lane on southbound Waples Mill Road at Fairfax Ridge Road North, as shown on the CDP/FDP and approved by the Virginia Department of Transportation (VDOT), prior to issuance of the 420th or last residential use permit (RUP) for the Property, whichever occurs first.
- (3) If at any point within one year following the issuance of the last RUP for the Property, a signal warrant study is requested by either the County or VDOT, the Applicant shall complete said warrant study and if warranted shall install a traffic signal at the intersection of Fairfax Ridge Road North and Waples Mill Road.
- (4) At the time of site plan approval or upon written demand by Fairfax County, whichever shall occur first, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way along the Property's Waples Mill Road frontage, south of Waples Mill Road's intersection with Fairfax Ridge Road South, measuring to a maximum of 57 feet from the existing centerline. The Applicant shall construct an extension of the existing westernmost lane on southbound Waples Mill Road at Route 50 from its existing terminus to its intersection with Fairfax Ridge Road South, subject to securing appropriate grading and sidewalk easements for work on Tax Map 56-2 ((1)) 21. Said improvement shall be complete and open for use by the public prior to the issuance of the 50th RUP for the Property.

B. Route 50

The Applicant shall contribute the sum of \$600,000 to Fairfax County for construction of a second left turn lane on eastbound Route 50 at Waples Mill Road and associated signal modifications or for other improvements at that intersection as determined by VDOT and Fairfax County. The contribution shall be made in three installments, with \$200,000 being contributed prior to the

issuance of the first building permit, a second payment of \$200,000 contributed prior to the issuance of the 200th building permit, and the third payment of \$200,000 to be contributed prior to the issuance of the 400th building permit for the Property, or no later than 36 months following the issuance of the first building permit, whichever shall occur first.

In lieu of the contribution above, the Applicant may elect to obtain bids from two VDOT qualified contractors for an alternative design, to be approved by VDOT and Fairfax County, for construction of the second left turn lane within the existing median and associated signal modifications. Should the bid estimates be less than \$600,000, the Applicant may elect to build the improvements, with said improvements being complete and open for public use prior to the issuance of the 100th RUP for the Property.

- C. Interstate 66. The Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way along the Property's Interstate 66 frontage, which measures approximately 132 feet to 206 feet from centerline and contains approximately 0.75 acres, as indicated on the CDP/FDP. Dedication shall occur at the time of site plan approval or upon request, whichever occurs first.
 - D. Fairfax Center Area Road Fund. The Applicant shall provide a contribution to the Fairfax Center Area Road Fund consistent with the Procedural Guidelines adopted by the Board of Supervisors on November 22, 1982, as may be revised. In accordance with the Fairfax Center Road Fund Policy, the Applicant shall receive credit against the Fairfax Center Road Fund contribution for those improvements that are creditable expenses.
 - E. Density Credit. Advanced density credit shall be reserved as may be permitted by the provisions of Paragraph 5 of Section 2-308 of the Fairfax County Zoning Ordinance for all eligible dedications described herein, or as may be required by Fairfax County or VDOT at time of site plan approval.
 - F. Interparcel Access Easement. Prior to site plan approval, an interparcel access easement shall be recorded that permits ingress/egress across the Property for future use by Tax Map 56-2 ((1)) 19, 20 and 21.
3. Landscape Plan. A landscape plan in general conformance with the landscape design shown on Sheets 4, 4A, 4B and 5 of the CDP/FDP shall be submitted prior to the second submission of the site plan. The landscape plan shall include detailed streetscape, courtyard and open space landscaping. Said plan shall be coordinated with and approved by the Urban Forester. Street trees along Waples Mill Road and Fairfax Ridge Road shall be a minimum of 3½ to 4 inch caliper at the time of planting. The Applicant shall provide maintenance and replacement of landscaping as necessary.
 4. Tree Preservation. For the purposes of maximizing the preservation of trees in tree save areas, the Applicant shall prepare a tree preservation plan. The Applicant shall contract with a certified arborist (the "Project Arborist") to prepare a tree preservation plan to be

submitted as part of the first site plan submittal. The tree preservation plan shall be reviewed and approved by the Urban Forestry Branch. The tree preservation plan shall consist of a tree inventory which includes the location, species, size, crown spread and condition rating percent of all trees 12 inches or greater in diameter, measured 4½ feet from the ground, and located within twenty (20) feet of the limits of clearing and grading for the entire Application Property. The condition analysis shall be prepared using methods outlined in the latest edition of *The Guide for Plant Appraisal*. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be incorporated into the tree preservation plan. Activities should include, but are not limited to, crown pruning, root pruning, mulching and fertilization.

All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing, consisting of four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no farther than 10 feet apart, shall be placed at the limits of clearing and grading as shown on the Phase I and Phase II erosion and sedimentary control sheets in all areas. The tree protection fencing shall be made clearly visible to all construction personnel. The tree protection fencing shall be installed prior to the performance of any clearing and grading activities on the site. All tree preservation activities, including installation of tree protection fencing, shall be performed under the supervision of the Project Arborist. Prior to the commencement of any clearing or grading on the site, the Project Arborist shall verify in writing that the tree protection fencing has been properly installed.

Clearing, grading and construction shall conform to the limits of clearing and grading as shown on the CDP/FDP, subject to the installation of necessary utility lines, trails and other required site improvements, all of which shall be installed in the least disruptive manner possible, considering cost and engineering, as determined in accordance with the approved plans. Similarly, care shall be taken within the Environmental Quality Corridor to construct the regional storm management facilities and install necessary utility lines, trails and required improvements in the least disruptive manner possible. The Applicant shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting, the Applicant and Project Arborist shall walk the limits of clearing and grading with an Urban Forestry Division representative to determine where adjustments to the clearing limits can be made to increase the survivability of trees at the edge of the limits of clearing and grading.

The County Urban Forester may require modifications of such plans to the extent these modifications do not alter the number of dwelling units shown on the CDP/FDP, reduce the size of the proposed units, significantly move their location on the lot, or require the installation of retaining walls greater than 2 feet in height. Trees that are not likely to survive construction due to their proximity to disturbance shall also be identified at this time and the Applicant shall remove such trees as part of the clearing operation. Any tree designated for removal at the edge of the limits of clearing and grading and within the tree preservation area shall be removed using chain saws. The stump shall be cut as close to ground level as practical. 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 tree preservation area.

5. Stormwater Management

A. Prior to the issuance of the first Residential Use Permit (RUP) for the Property, a regional stormwater pond in the location shown on the CDP/FDP (the "Pond") shall have been bonded, permitted and be under construction. For purposes of this proffer, "under construction" is defined as having the Phase I permit, siltation and erosion control inspection complete. The Pond shall be constructed in accordance with the plans and specifications approved by DPWES, and, to the extent approved by DPWES, generally consistent with the Schematic Pond Design set forth on Sheet 8 of the CDP/FDP, with the following design characteristics.

- (1) A micropool designed to contain a minimum of 10 percent of the BMP value, subject to DPWES approval.
- (2) Sediment forebays sized to contain either 0.1 inch of runoff for impervious acre or a minimum of 10 percent of the BMP value associated with the contributing drainage of each forebay, subject to DPWES approval.
- (3) The two-year post development peak flow rate reduced to a level that is two-thirds less than the predevelopment rate, to the extent feasible.
- (4) The detention of the one-year storm and release over a 24-hour period, to the extent feasible.
- (5) Removal of trees (greater than three inches in diameter) below an elevation that is the lower of (i) three feet below the two-year elevation, or (ii) two feet below the BMP elevation, except as required by grading for the construction and development of the community as depicted on the CDP/FDP. If trees die from inundation during the first two years after completion between the elevations described above, the Applicant shall remove the tree stem and leave the roots intact.

B. Upon release of bonds, DPWES shall assume all maintenance responsibilities for this regional stormwater facility.

C. As the entity responsible for the construction of the regional pond, the Applicant shall be eligible for reimbursement of the actual cost of constructing the regional pond which exceeds the estimated cost of a conventional onsite stormwater management/best management practice pond(s) designed to accommodate development of the site upon entering into a reimbursement agreement with the County. The actual cost of the pond will equal the total estimated cost to be incurred by the Applicant in connection with the construction of the pond including without limitation, the cost of design, engineering, construction and

10% of the design, engineering and construction for ordinary overhead and administration costs. The actual cost does not include the value of the land acquired and/or conveyed for the pond or its ancillary easements. The Applicant shall pay all pro-rata share assessments for the entire development project.

D. Notwithstanding that the Applicant shall construct the regional pond as described above, the Applicant shall be able to construct alternative stormwater management/Best Management Practices facilities to serve development on a temporary basis, as determined by DPWES if in substantial conformance with the CDP/FDP.

6. Recreational Facilities. Pursuant to Paragraph 2 of Section 6-409 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall provide recreational facilities to serve the Property. These facilities shall include a swimming pool, passive seating areas, tot lot, on-site trail and an indoor recreational/leasing facility, a minimum of 4,500 square feet in size. The Applicant proffers that the minimum expenditure for the above-referenced recreational facilities shall be \$955.00 per residential unit. In the event the total cost of recreational improvements constructed on site by the Applicant is demonstrated to be less than \$955 per unit, the Applicant shall provide the remainder in a cash contribution to the Fairfax County Park Authority for the development of active recreational facilities in the vicinity of the Property.

7. Noise Attenuation.

A. The Applicant shall provide the following noise attenuation measures as a result of the Traffic Noise Analysis prepared by Polysonics, Corp. dated April 2001:

(1) In order to reduce exterior noise to a level of approximately 65 dBA Ldn at the proposed outdoor recreational areas, a noise attenuation barrier, composed of a combination sound wall and/or berm, shall be provided along the Subject Property's frontage of I-66 as shown on the CDP/FDP. The noise attenuation barrier shall be generally 20 to 28 feet in height yet shall not exceed a maximum of 32 feet in height. It shall be flush with the ground level, be architecturally solid from the ground up with no gaps or openings (except where necessary to provide for a gate, drainage or utilities, as determined by VDOT) and shall be designed consistent with VDOT standards with regard to barrier height and barrier materials, as determined by VDOT. At the time of site plan submission, the Applicant shall submit a supplemental noise analysis for approval to DPWES based on final engineering and grading ensuring that the design of the noise attenuation barrier is adequate to reduce noise levels at the upper floors of Buildings 1 through 4 to less than 75 dBA Ldn and identifying the projected 70 dBA Ldn and 65 dBA Ldn contours after the noise attenuation wall is in place. In the event that exterior noise levels cannot be reduced to less than 75 dBA Ldn with a maximum 32 foot noise attenuation barrier, the building heights for Buildings 1 through 4 shall be reduced as necessary to ensure reduction in noise levels at the upper levels

of Buildings 1 through 4 to less than 75 dBA Ldn. Under no circumstances shall dwelling units be constructed in areas with greater than 75 dBA Ldn exterior noise levels after the noise attenuation barrier is in place.

The noise attenuation barrier shall be built to VDOT standards and shall be located within the I-66 right-of-way. Neither the Applicant, nor its successors or assigns, shall be responsible for restoration, removal, relocation or reconstruction of the noise wall if such wall is removed or otherwise altered in conjunction with future improvements to I-66.

- (2) In order to reduce interior noise to a level of approximately 45 dBA Ldn, units identified in the supplemental noise analysis described in Proffer 7A(1), as being impacted by highway noise from I-66 having levels projected to be greater than 70 dBA Ldn after the noise attenuation wall is in place shall employ the following acoustical measures:

Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 45. Doors and glazing shall have a laboratory STC rating of at least 37 unless glazing constitutes more than 20% of any façade exposed to noise levels of Ldn 65 dBA or above. If glazing constitutes more than 20% of an exposed façade, then the glazing shall have a STC rating of at least 45. 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.

- (3) In order to reduce interior noise to a level of approximately 45 dBA Ldn within units identified in the supplemental noise analysis described in Proffer 7A(1), as being impacted by highway noise from I-66 having levels projected to be between 65 and 70 dBA Ldn after the noise attenuation wall is in place shall employ with the following acoustical measures:

Exterior walls should have a laboratory sound transmission class (STC) rating of at least 39. Doors and glazing shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20% of any façade exposed to noise levels of Ldn 65 dBA or above. If glazing constitutes more than 20% of an exposed façade, then the glazing shall have a STC rating of at least 39. All surfaces should be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials (ASTM) to minimize sound transmission.

- B. Alternative interior noise attenuation measures may be provided subject to the implementation of a refined noise study as reviewed and approved by DPWES after consultation with the DPZ.

8. Architectural Design. The architectural design of the buildings shall be in general character with the elevations shown on Sheet 2 of the CDP/FDP, and shall be generally consistent in style on all sides of the structure. The buildings shall be constructed with a mixture of masonry, siding and glass materials. The elevations may be refined as a result of final design and engineering so long as the character and quality of the buildings remain consistent with those shown. No balconies shall be provided for those dwelling units within Building 1 that face the noise wall.

9. Pedestrian Facilities.
 - A. The Applicant shall provide a comprehensive sidewalk system within the developed portions of the Property as generally shown on Sheets 2A and 2B of the CDP/FDP, including completion of sidewalks along the Property frontages and internal connections between all the residential buildings. Construction of sidewalks shall be concurrent with development activity on the Property.

 - B. The Applicant shall construct a six-foot wide asphalt pedestrian trail both along the southern side of the proposed stormwater management pond, and shall provide connections from this trail to the internal sidewalk system, with alternate paving materials (such as concrete or brick bandings) provided at crossings of the travel way/parking areas as shown on the CDP/FDP.

 - C. The Applicant shall construct an eight (8) foot wide asphalt trail along its Waples Mill Road frontage with the exact location and design determined at the time of site plan approval. Construction shall occur concurrent with development on the Property.

10. Housing Trust Fund. The Applicant shall contribute a sum of \$150,000.00 to the Fairfax County Housing and Community Development's Housing Trust Fund for affordable housing needs within Fairfax County.

11. Dedication of Environmental Quality Corridor ("EQC"). The Applicant shall dedicate and convey in fee simple to the Board of Supervisors the EQC as generally depicted and described on the CDP/FDP for Land Bay A. Dedication shall occur at the time of pond completion and bond release.

12. Exterior Lighting. Exterior lighting on the Property shall include full cut-off fixtures with light directed downward and inward to reduce light spillage and glare on adjacent properties.

13. Bicycle Racks. The Applicant shall provide bicycle racks in the vicinity of each residential building.

14. Use of Garages. The Applicant agrees that individual garages shall only be used for a purpose that will not interfere with the intended purpose of garages (e.g., parking of vehicles). Tenants shall be advised of the use restriction which shall be included in the lease documents.

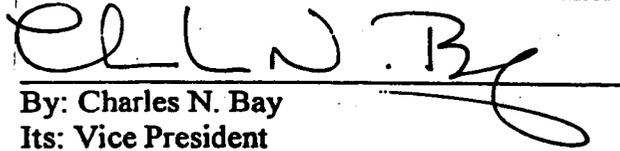
15. Asbestos. If DPWES and the Applicant determine that a potential health risk exists due to the presence of asbestos-containing rock on the Property, the Applicant shall:
 - A. Take appropriate measures as determined by the Health Department to alert all construction personnel as to the potential health risks.
 - B. Commit to appropriate construction techniques as determined by DPWES in coordination with the Health Department and the Applicant to minimize this risk. Such techniques may include, but are not limited to, dust suppression measures during all blasting and drilling activities and covered transportation of removed material presenting this risk, and appropriate disposal.
16. Contribution. At the time of site plan approval, the Applicant shall contribute the amount of \$10,000 to the Waples Mill Elementary School.
17. Signs. The Applicant shall abide by the regulations in Article 12 of the Zoning Ordinance with regard to permanent and temporary signs on the Property.
18. Severability. Any of these land bays/sections/buildings within the Property may be subject to Proffered Condition Amendments and Final Development Plan Amendments without joinder or consent of the property owners of the other land bays/sections/buildings. The Applicant reserves the right to file for separate zoning action on either Land Bay A or B, which is consistent with the Comprehensive Plan without joinder or consent of the property owners of the other land bay.
19. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and his/her successors and assigns.
20. 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 in the same instrument.

[SIGNATURES BEGIN ON NEXT PAGE]

APPLICANT/CONTRACT PURCHASER
OF TAX MAP 46-4 ((1)) 36, 37 AND 56-2
((1)) 15F, 16 AND 22
Fairfax Ridge Limited Partnership

By: TCR Fairfax Ridge Limited Partnership,
its General Partner

By: TCR Mid Atlantic Apartments, Inc., its
General Partner


By: Charles N. Bay
Its: Vice President

[SIGNATURES CONTINUE ON NEXT PAGE]

RZ 2000-PR-056

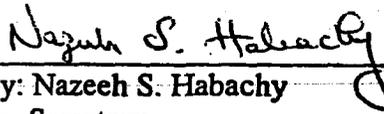
TITLE OWNER

OAC Fairfax, L.L.C.

By: Olayan America Corporation, its
Member



By: Anthony S. Fusco
Its: Vice President



By: Nazeeh S. Habachy
Its: Secretary

[SIGNATURES END]

APPROVED DEVELOPMENT CONDITIONS

FDP 2000-PR-056

May 23, 2001

If it is the intent of the Planning Commission to approve FDP 2000-PR-056 located at Tax Maps 046-4 ((1)) 36, 37 and 056-2 ((1)) 15F, 16, 18A, 32, then staff recommends that the approval be subject to the following development conditions.

1. Development of the subject property shall be in conformance, as defined by Section 16-403 of the Zoning Ordinance, with the Conceptual Development Plan/Final Development Plan Amendment entitled "Fairfax Ridge," prepared by Land Design Inc, and dated September 15, 2000 as revised through April 13, 2001 (Sheets 4A, 5 - 10), April 26, 2001 (Sheets 4, 4B) and May 7, 2001 (Sheets 1 - 3).

2. Swimming pool discharge water shall be routed into the stormwater management system. The discharge process shall follow the guidelines below in order to ensure that pool water is properly neutralized prior to being discharged:

- In order to ensure that high levels of chlorine are not discharged into the surface water system, pool water shall not be chlorinated prior to backwashing and/or discharge.
- All waste water resulting from the cleaning and draining of the pool shall meet the appropriate level of water quality prior to discharge.

If the water being discharged from the pool is discolored or contains a high level of suspended solids that could affect the clarity of the receiving stream, it shall be allowed to stand so that most of the solids settle out prior to being discharged.

3. Landscaping shall be consistent with the quality, quantity, size and locations depicted on Sheets 4, 4A, 4B and 5 of the FDP, as determined by the Urban Forestry Division of DPWES.

4. All on-site lighting shall be directed downward and inward, to prevent light spilling onto adjacent properties. In order to provide maximum security, energy efficiency and quality ambient lighting, full cut-off light fixtures shall be used for all parking lot and parking deck lighting, including the "wall-pack" security lighting typically found at the rear, sides, and alleyways of buildings and for pedestrian and street lighting. Lighting for landscaping shall not utilize "up-lighting", but rather downward-focused lighting that does not present glare or provide an overly lit environment that hinders night time vision, as determined by DPWES.

5. All dumpsters shall be fully screened from view through the use of solid, opaque enclosures.
6. Areas within the EQC as depicted on the FDP shall remain undisturbed with the exception of clearing and grading activities necessary for the construction of the regional stormwater pond and essential utility lines. Tree preservation areas disturbed outside of final easements shall be restored, including replacement of trees damaged or destroyed by construction activities, as determined by the Urban Forester.
7. Where feasible, and in coordination with the Urban Forester, usable understory trees from forested areas to be disturbed shall be transplanted into landscaped areas onsite.
8. At time of site plan approval, the Director of DPWES will determine the appropriate design of the proposed trail along Waples Mill Road, which shall be constructed by the applicant, as depicted on the FDP.
9. Freestanding project identification signage shall be constructed as generally shown on the FDP. Number of freestanding identification signs shall be limited to one at each primary entrance to the development off of Fairfax Ridge Road. Additional signage for the development shall be in conformance with the provisions of Article 12 of the Zoning Ordinance. Illumination of signs shall be in conformance with the performance standards for glare as set forth in Part 9 of Article 14 of the Zoning Ordinance. Additionally, signs that require lighting shall be internally illuminated or down lit to avoid glare and light trespass. No uplighting shall be permitted on any sign.

CONCEPTUAL DEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN

CDP/FDP #2000-PR-056

FOR TAX MAP 46-4 ((01)) PARCELS 18A, 36 & 37 AND 56-2 ((01)) PARCELS 15F, 16 & 22

SPECIAL EXCEPTION PLAT/SE #00-P-050

FOR TAX MAP 46-4 ((01)) 18A

FAIRFAX RIDGE

Providence Magisterial District
Fairfax County, Virginia

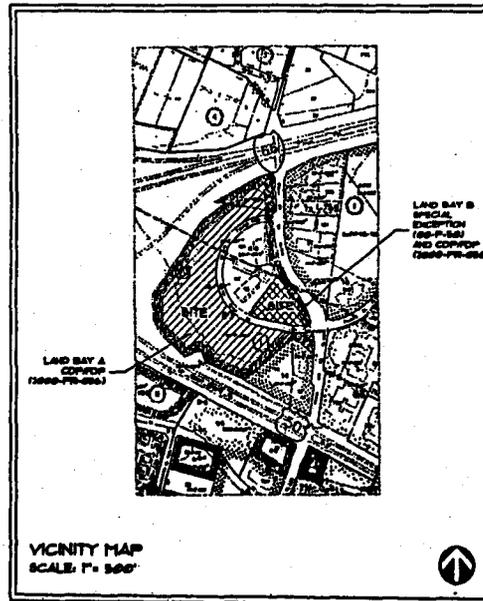
PREPARED FOR

FAIRFAX RIDGE LIMITED PARTNERSHIP

SEPTEMBER 15, 2000

INDEX:

- | | |
|----|--|
| 1 | COVER SHEET |
| 2 | CONCEPTUAL DEVELOPMENT PLAN/ FINAL DEVELOPMENT PLAN/SPECIAL EXCEPTION PLAN |
| 2A | CDP/FDP PLAN ENLARGEMENT |
| 2B | CDP/FDP PLAN ENLARGEMENT |
| 3 | GENERAL NOTES/SOILS MAP/BULK PLANE DIAGRAM |
| 4 | LANDSCAPE PLAN |
| 4A | LANDSCAPE PLAN ENLARGEMENT |
| 4B | LANDSCAPE PLAN ENLARGEMENT |
| 5 | COURTYARD AND POOL CONCEPTS |
| 6 | SITE DETAILS |
| 7 | CONCEPTUAL ARCHITECTURAL ELEVATION/SITE SECTION |
| 8 | REGIONAL DETENTION POND #D47 CONCEPT PLAN |
| 9 | REGIONAL DETENTION POND #D47/SITE SECTIONS |
| 10 | CONCEPTUAL STREETSCAPE PLANS |



REVISION

FEBRUARY 9, 2001
MARCH 9, 2001
MARCH 16, 2001
APRIL 13, 2001
APRIL 24, 2001
MAY 7, 2001



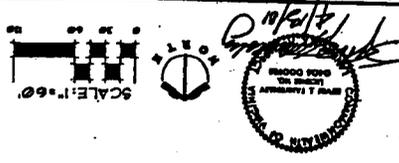
PREPARED BY:

LandDesign, Inc.

Landscaping Architecture Land Planning
1444 Plume Street Suite 400 703/746-7744
Manassas, VA 22110-2010 Fax 703/746-0991

LDI # 2000018
SHEET # 1 OF 10

DATE REVISION
NO.
BY
CHK
SCALE
AS SHOWN
PROJECT/FILE NO.
ISSUE NO.
SHEET NO.

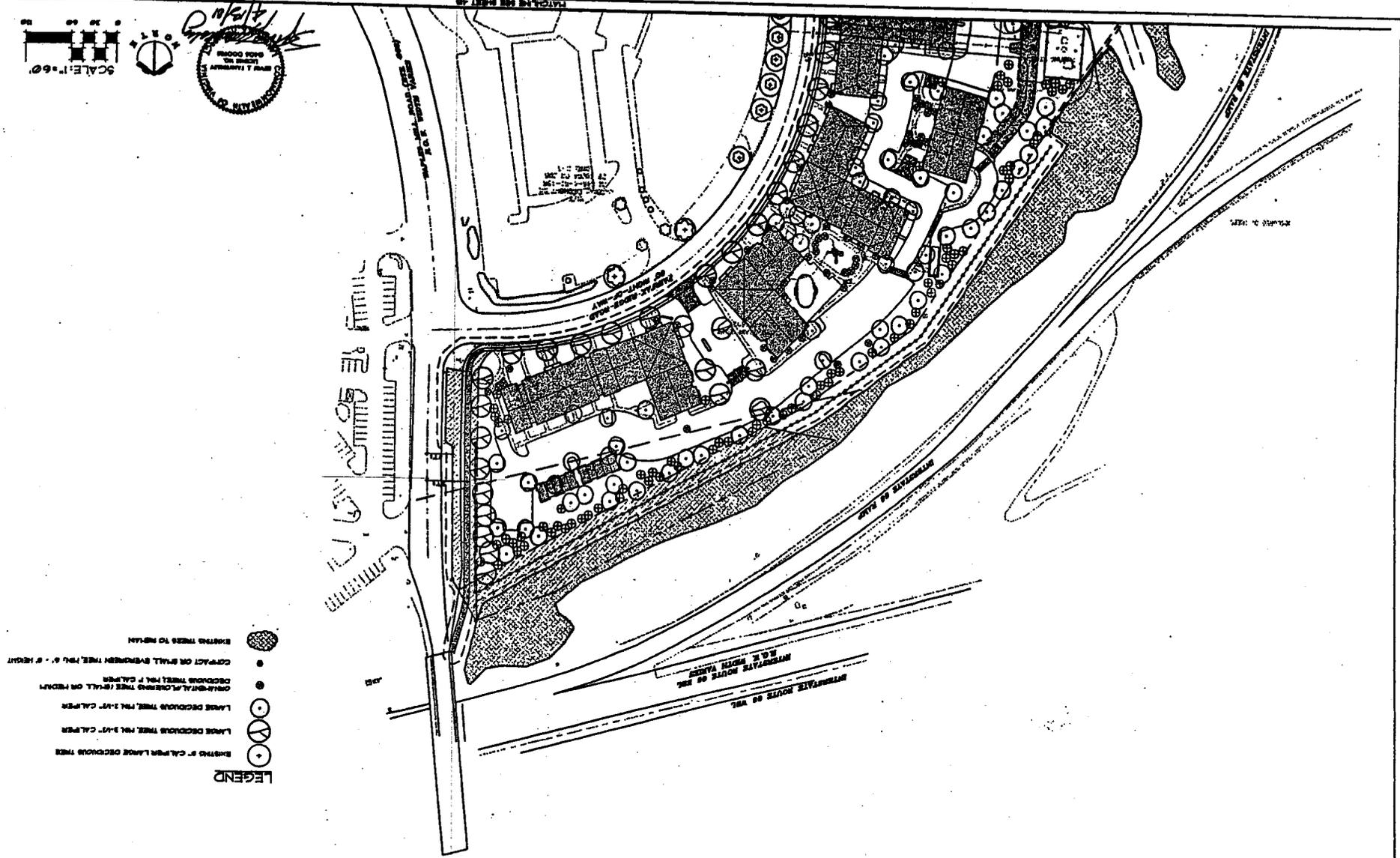


LANDSCAPE PLAN ENLARGEMENT

Fairfax Ridge
 CDE/RDP 3000-PR-056 / SE 00-P-950
 Providence Municipal District
 Fairfax County, Virginia

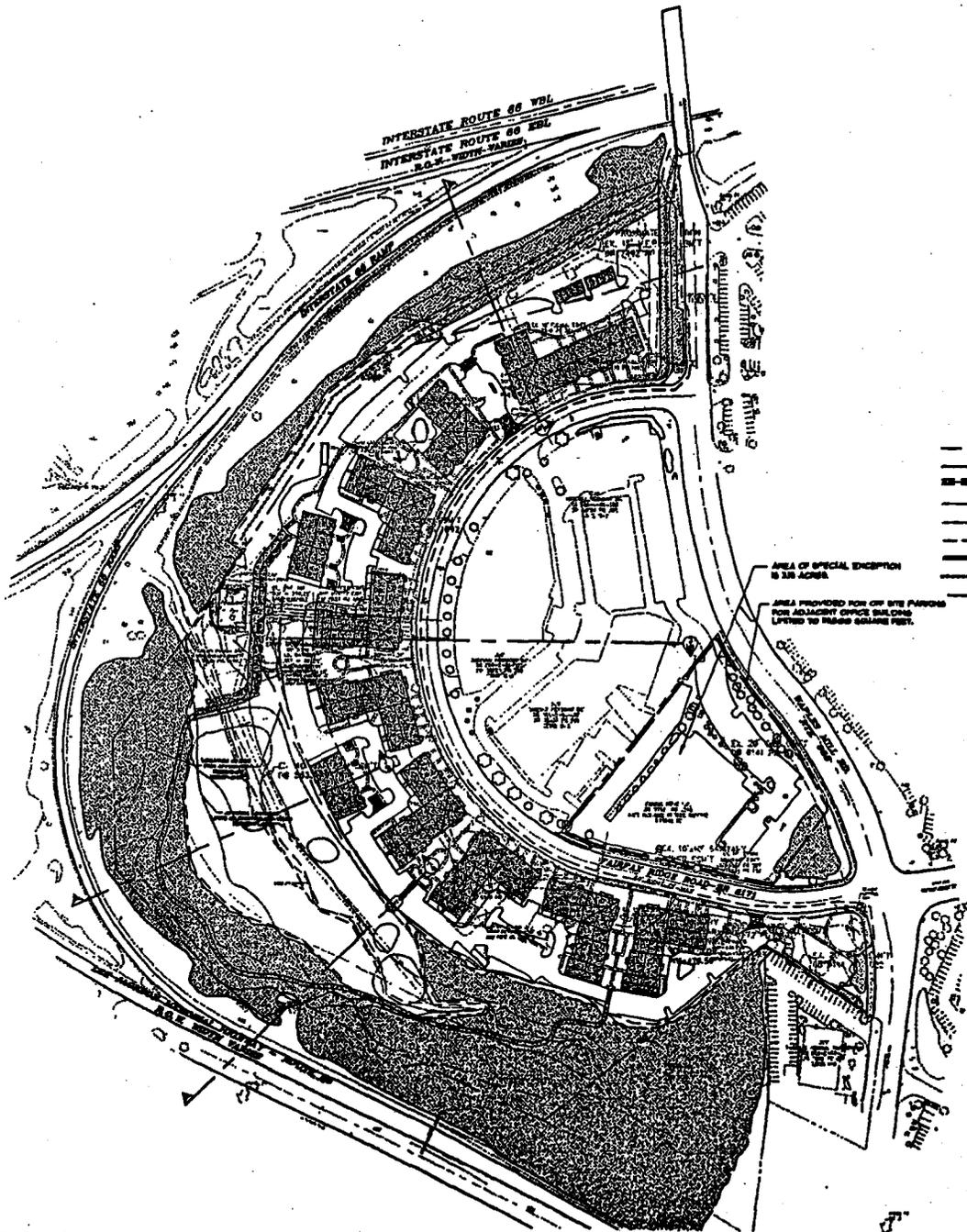
Fairfax Ridge
 Limited Partnership

LandDesign, Inc.
 Landscape Architecture
 1111 West 17th Street, Suite 200
 Arlington, VA 22202
 Phone: 703/241-1111 Fax: 703/241-1111



- LEGEND**
- EXISTING TREES TO REMAIN
 - CONTACT OR WALL BETWEEN TREE, 10' - 8' HEIGHT
 - ORIGINAL PLANTING TREE (STALL OR REDUCED DECIDUOUS TREE), 10' - 7' CALIPER
 - LARGER DECIDUOUS TREE, 10' - 12' CALIPER
 - LARGER DECIDUOUS TREE, 12' - 17' CALIPER
 - EXISTING P. CALIPER LARGER DECIDUOUS TREE

C:\CONTRACTS\0501\0501-14-14-000\0501-14-14-000.dwg Plot Date: 05/13/2008 10:52:38 AM



CONCEPTUAL DEVELOPMENT PLAN TABULATION FOR LAND BAY A AND B

SITE AREA, LAND BAY A	26.78 +/- AC
SITE AREA, LAND BAY B	3.18 +/- AC
TOTAL SITE AREA	29.96 +/- AC (1,044,786 S.F.)
PROPOSED D.U. DEDICATION	1.00 +/- AC
PROPOSED ZONING	PM-20
NET	MULTI-FAMILY DWELLINGS AND SECONDARY USE

DENSITY CALCULATION

DENSITY ALLOWED (FROM-DU) (200-FRAC) (20 D.U./AC)	400 D.U./A
UNITS PROPOSED, LAND BAY A	400 MULTIFAMILY D.U.'S
UNITS PROPOSED, LAND BAY B	0 D.U.'S
TOTAL UNITS PROPOSED	400 MULTIFAMILY D.U.'S
MAXIMUM DENSITY PROPOSED	17.8 D.U./AC

FINAL DEVELOPMENT PLAN TABULATION FOR LAND BAY A ONLY

SITE AREA PROPOSED:	26.78 +/- ACRES
PROPOSED MAXIMUM NUMBER OF MULTI-FAMILY DWELLING UNITS:	400
PROPOSED CLASHOUSE/LEASING OFFICE:	8,500 SQUARE FEET
MAXIMUM NUMBER OF RESIDENTIAL STORIES:	4 STORIES
MAXIMUM BUILDING HEIGHT:	60 FEET
MAXIMUM BUILDING HEIGHT:	8 STORIES
MAXIMUM NUMBER OF PARKING GARAGE LEVELS:	0
MAXIMUM HEIGHT OF PARKING GARAGE:	10 FEET
OPEN SPACE REQUIRED:	25% (7,200 SQ)
OPEN SPACE PROVIDED:	96% (10,40 +/- AC)
DEVELOPED RECREATIONAL OPEN SPACE:	1.01 AC +/-
(INCLUDES POOL, RECREATIONAL FACILITIES IN CLASHOUSE, TENNIS, JOYRITTY COURTYARDS, AND JOGGING TRAIL.)	
PARKING SPACES REQUIRED:	675 SPACES
PARKING SPACES PROVIDED:	675 SPACES
SURFACE:	675 SPACES
EXTERNAL GARAGE:	00 SPACES
TANDER:	00 SPACES
PARKING STRUCTURE:	130 SPACES
PARKING UNDER BLDG. 1:	00 SPACES
PRESTRESSING GARAGE:	10 SPACES

SPECIAL EXCEPTION TABULATION FOR LAND BAY B ONLY

SPECIAL EXCEPTION AREA: 130,000 SQUARE FEET (3.10 ACRES)

*THIS SPECIAL EXCEPTION IS SUBJECT TO PARAGRAPH 6C OF SECTION 8-1106 OF THE ZONING ORDINANCE WHICH STATES IN GENERAL THAT THE MAXIMUM TOTAL LAND AREA DEVOTED TO A SECONDARY USE WITHIN A PM-20 DISTRICT CANNOT EXCEED 300 SQUARE FEET OF COMMERCIAL LAND AREA PER DWELLING UNIT WITHIN A DISTRICT. 400 DWELLING UNITS ARE PROPOSED WITHIN THE OFF-SITE PARKING AREA. THEREFORE, THE MAXIMUM LAND AREA DEDICATED FOR THIS USE CANNOT EXCEED 130,000 SQUARE FEET (3.10 ACRES). 8,500 SQUARE FEET IS PROVIDED FOR THE RESIDENTIAL CLASHOUSE/LEASING OFFICE ON LAND BAY A; 115,000 SQUARE FEET IS PROVIDED FOR THE OFF-SITE PARKING AREA FOR THE ADJACENT OFFICE BUILDING ON LAND BAY B.

NOTE: LAND BAYS CAN BE DIVIDED FOR FUTURE ADJUSTMENTS TO THIS PLAN, SUBJECT TO THE FUTURE.

FOR ENLARGEMENTS OF LANDBAY A, SEE SHEETS 2A AND 2B

Professional seals and stamps for Robert E. Booth, Robert E. Booth & Associates, Inc., and the State of Virginia. Includes a north arrow and a graphic scale of 1" = 100'.

Land Design, Inc.
 1411 West 10th Street, Suite 100, Norfolk, VA 23502
 Phone: 757-637-1111 Fax: 757-637-1112

Fairfax Ridge Limited Partnership

Fairfax Ridge CDP/UDP 2000-PR-056 / SE 00-P-01
 Providence Magisterial District
 Fairfax County, Virginia

UDP/UDP/SE PLAT

REVISIONS

NO.	DATE	DESCRIPTION
1		ISSUED FOR PERMIT

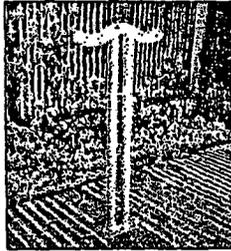
SCALE: AS SHOWN
 PROJECT/FILE NO. 2000000
 SHEET NO. 1 OF 10



MANUFACTURER:
VICTOR STANLEY, INC.
BRICK HOUSE RD.
DUNKIN, MD. 20754
301-888-8300
40-257-975 FAX

STYLE:
-MODEL NUMBER 30 3/4" X 4" SLATS
-CENTER POST STYLE, COLOR-BLACK
-STANDARD SURFACE MOUNT
-WITH TANNER PROOF BOLT,
-MANUFACTURER'S MANUAL, PINK

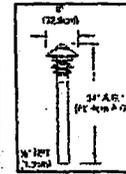
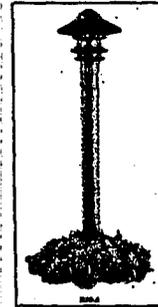
NOTE:
1. OR APPROVED EQUAL
2. INSTALL PER MANUFACTURER'S
INSTRUCTIONS



MANUFACTURER:
LANDSCAPE FORMS
251 LAMARLE AVENUE
KALAPAZO, MI 48861
(517) 831-2648

MODEL:
NUMBER P15009-01-05
COLOR: BLACK POWDERCOAT

NOTE:
1. OR APPROVED EQUAL
2. BAKE BACK TO BE SURFACE MOUNTED PER
MANUFACTURER'S INSTRUCTIONS



PATH LIGHT TO BE:
MADCO 886-4
COORDINATE LOCATIONS WITH
LOCATIONS SHOWN ON PLAN
ALL JUNCTION BOXES TO BE
BELOW GRADE.

PATH LIGHT
COLOR TO BE BLACK

MANUFACTURED BY:
MADCO
P.O. BOX 88
190 COLLETTWAY
LITTLETON, PA
771 395-761
OR APPROVED EQUAL

1 BENCH
6 PICTORIAL

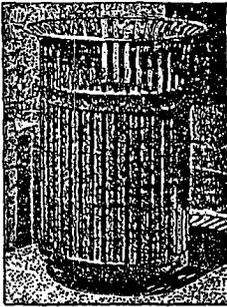
02A-33
NTS

4 BIKE RACK
6 PICTORIAL

02C-002
NOT TO SCALE

7 PATH LIGHT
6 PICTORIAL

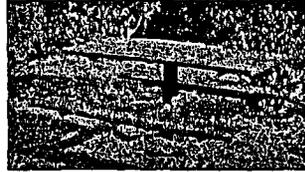
02D-124
NTS



MANUFACTURER:
VICTOR STANLEY, INC.
BRICK HOUSE ROAD
DUNKIN, MARYLAND 20754
TEL: (301) 888-8300
FAX: (301) 888-8300
TOLL FREE: (800) 366-3070

STYLE:
-RECYCLED MODEL NUMBER 88-342 (26 GAL)
-OR APPROVED EQUAL
-FRAME COLOR, COLOR TO BE DETERMINED BY
LANDSCAPE ARCHITECT

NOTE:
RECEPTACLE TO BE MOUNTED IN GROUND
PER MANUFACTURER'S INSTRUCTIONS.



MANUFACTURER:
VICTOR STANLEY, INC.
BRICK HOUSE RD.
DUNKIN, MD. 20754
301-888-8300
40-257-975 FAX

STYLE:
-MODEL NUMBER CP-16, 37 3/4"
-RECYCLED PLASTIC SLATS
-CENTER POST STYLE, COLOR-DARK
-BRN-02-STANDARD SURFACE MOUNT
-WITH TANNER PROOF BOLT,
-TAN PINK TO MATCH BENCH PINK

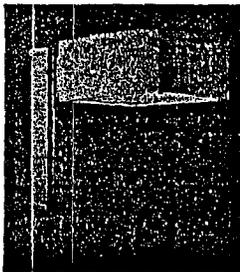
NOTE:
1. OR APPROVED EQUAL
2. INSTALL PER MANUFACTURER'S
INSTRUCTIONS.

2 WASTE RECEPTACLE
6

02F-013
NTS

5 SURFACE MOUNT PICNIC TABLE
6 PICTURE

02G-011
NTS



LUMINAIRE TO BE GARDOCO POINT 16 SHAN ARM
POINT CUTOFF LUMINAIRE OR APPROVED EQUAL,
WITH METAL HALIDE LAMP, MOUNTED ON 4"
SQUARE REINFORCED ALUMINUM POST. POST SHALL
BE GARDOCO CATALAN SQUARE GALV. COLOR TO
BE DETERMINED BY LANDSCAPE ARCHITECT,
(COLOR TO BE BLACK)

MANUFACTURED BY:
GARDOCO LIGHTING
3641 ALVARADO STREET
SAN LEANDRO, CA 94577
PHONE: (925) 221-0780

NOTE: FOR USE IN PARKING LOTS AND AREAS
REQUIRING CONTROL OF LIGHT SPILL OVER.

ADDITIONAL LIMITING NOTES

1. THE HEIGHT OF THE POLES AND FIXTURES (INCLUDING
MOUNTING BASE, IF ANY) SHALL NOT EXCEED THE HEIGHT
OF THE BUILDINGS OR 25 FEET, WHICHEVER IS LESS.

2. ALL PARKING LOT LIGHTING SHALL CONFORM TO ALL
ON-OFF FIXTURES.



3 PARKING
6 LOT/DECK LIGHT
6 PICTORIAL

02H-02
NTS

4 MODULAR BLOCK RETAINING
6 WALL WITH PLANTINGS
6 PICTORIAL

14B-12
NTS

LAND DESIGN, INC.
1414 Peachtree Road, Suite 400
Atlanta, GA 30309-3215
Phone: 404-231-1215 Fax: 404-231-1215

Fairfax Ridge
Limited Partnership

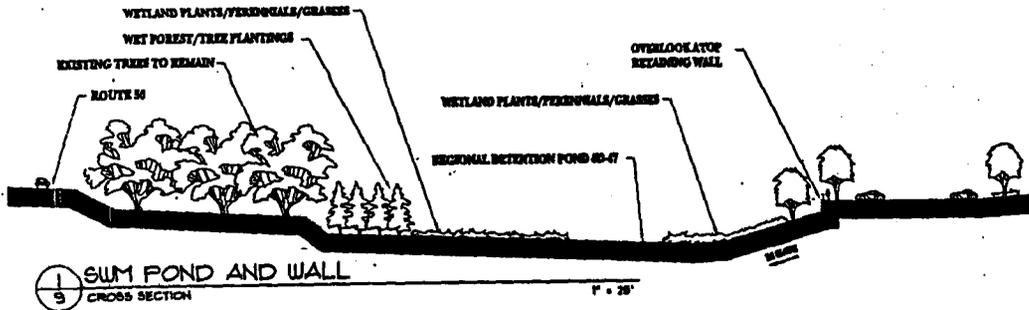
Fairfax Ridge
CDP / FDP 2000-PR-055 / SE 00-P-050
Providence Magisterial District
Fairfax County, Virginia

Site Details

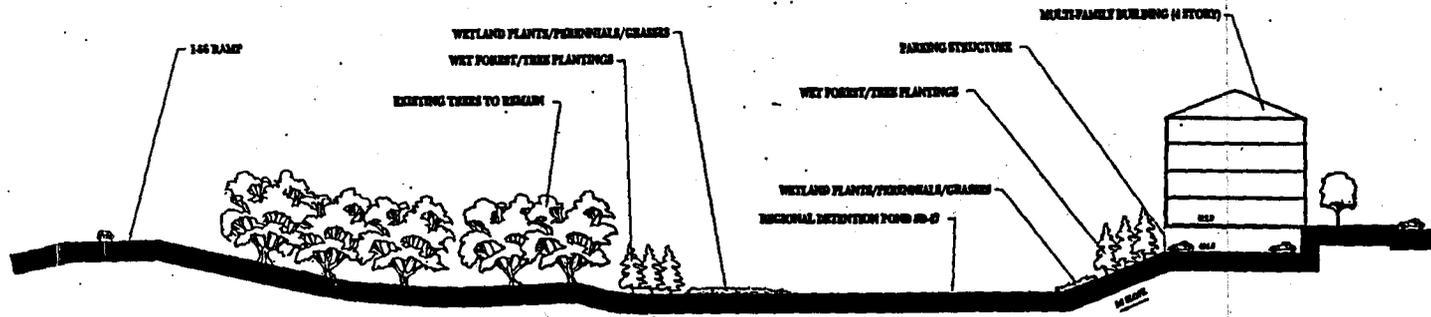
REVISION
FAIRFAX COUNTY
COMMENTS
1/24/01
ADDITIONAL INFO
FAIRFAX COUNTY
COMMENTS

DATE 3/20/01
DES. DWG. P/W
BY: BIC
SCALE: AS SHOWN
PROJECT/FILE NO.
20000000
SHEET NO.
6 OF 10

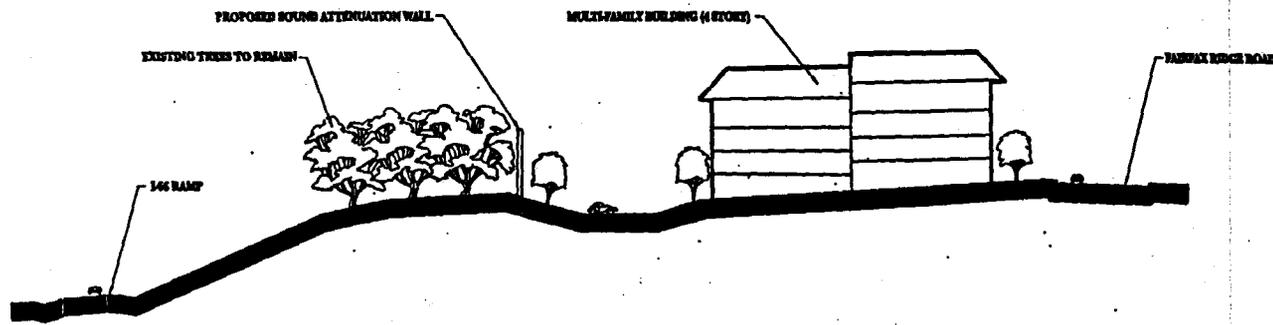




1
3
SUM POND AND WALL
CROSS SECTION
P = 20'



2
3
SUM POND AND PARKING STRUCTURE
CROSS SECTION
P = 20'



3
3
PROPOSED SOUND ATTENUATION WALL
CROSS SECTION
P = 20'

SEAL OF THE
STATE OF VIRGINIA
LANDSCAPE ARCHITECT
JAMES M. BARR
1/13/01

NOTE:
LANDSCAPES SHOWN ON THIS SHEET IS PRELIMINARY,
IT REPRESENTS THE QUANTITY AND THE LEVEL OF
QUALITY OF LANDSCAPE MATERIAL THAT IS
PROPOSED. THE ACTUAL LOCATIONS, TYPES AND
AMOUNTS OF VEGETATION WILL BE DETERMINED
FURTHER TO MORE DETAILED LANDSCAPE PLANS TO
BE PREPARED AND SUBMITTED IN CONJUNCTION WITH
THE SITE PLAN.

LandDesign, Inc.
Landscape Architecture
1400 West Street
Suite 200
Fairfax, VA 22031-1217
Tel: 571-271-1217
Fax: 571-271-1218

Fairfax Ridge
Limited Partnership

Fairfax Ridge
CDP / FDP 2000-FR-066/SE 00-P-050
Providence Magisterial District
Fairfax County, Virginia

Regional Detention Pond
#D - 47 Cross Section

REVISIONS	
1	ADD/REV
2	ADD/REV
3	ADD/REV
4	ADD/REV
5	ADD/REV
6	ADD/REV
7	ADD/REV
8	ADD/REV
9	ADD/REV
10	ADD/REV
11	ADD/REV
12	ADD/REV
13	ADD/REV
14	ADD/REV
15	ADD/REV
16	ADD/REV
17	ADD/REV
18	ADD/REV
19	ADD/REV
20	ADD/REV
21	ADD/REV
22	ADD/REV
23	ADD/REV
24	ADD/REV
25	ADD/REV
26	ADD/REV
27	ADD/REV
28	ADD/REV
29	ADD/REV
30	ADD/REV
31	ADD/REV
32	ADD/REV
33	ADD/REV
34	ADD/REV
35	ADD/REV
36	ADD/REV
37	ADD/REV
38	ADD/REV
39	ADD/REV
40	ADD/REV
41	ADD/REV
42	ADD/REV
43	ADD/REV
44	ADD/REV
45	ADD/REV
46	ADD/REV
47	ADD/REV
48	ADD/REV
49	ADD/REV
50	ADD/REV



FAIRFAX COUNTY

APPENDIX 7

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

August 1, 2001

Elizabeth D. Baker, Land Use Coordinator
Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC
2200 Clarendon Boulevard - 13th Floor
Arlington, Virginia 22201-3359

RE: Special Exception Application Number SE 00-P-050
(Concurrent with PCA 90-P-040 and RZ 2000-PR-056)

Dear Ms. Baker:

At a regular meeting of the Board of Supervisors held on July 9, 2001 the Board approved Special Exception Application Number SE 00-P-050 in the name of Fairfax Ridge Limited Partnership, generally located in the northwest quadrant of the intersection of Waples Mill Road and Fairfax Ridge Road, Tax Map 56-2 ((1)) 18A, to permit commercial off-street parking on residentially zoned property pursuant to Section 9-609 of the Fairfax County Zoning Ordinance, 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. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by DPWES. Any plan submitted pursuant to this Special Exception shall be in conformance with the approved CDP/FCP and Special Exception Plat entitled "Fairfax Ridge," prepared by Land Design Inc, and dated September 15, 2000 as revised through April 13, 2001 (Sheets 4A, 5 - 10), April 26, 2001 (Sheets 4, 4B) and May 7, 2001 (Sheets 1 - 3).

SE 00-P-050
August 1, 2001

- 2 -

4. Pursuant to Paragraph 6 of Section 6-106 of the Zoning Ordinance, maximum area devoted to parking shall not exceed the equivalent of 300 square feet of parking use for each dwelling unit approved under RZ/FDP 2000-PR-056, or 126,000 square feet. The parking use is approved as accessory to existing office uses on Parcels 56-2 ((1)) 15B, 15C and 15D.
5. The parking area shall not be used as a commercial off-street parking lot as defined by the Zoning Ordinance, where a charge or fee is imposed for temporary, daily or overnight storage of motor vehicles.

The Board also:

- **Modified the transitional screening requirements and waived the barrier requirements along the right-of-way of Route 66, as depicted on the Conceptualized Development Plan/Final Development Plan.**
- **Waived the multi-family loading space requirements and the service drive requirements for primary highways.**

(NOTE: On June 25, 2001, the Board deferred the public hearing on this item until July 9, 2001.)

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

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

SE 00-P-050
August 1, 2001

- 3 -

cc: Chairman Katherine K. Hanley
Supervisor - Providence District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
John Crouch, Assistant Chief, PPRB, DPZ
Audrey Clark, Director, BPRD, DPWES
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Robert Moore, Tmsprt'n. Planning Div., Department of Transportation
Charles Strunk, Project Planning Section, Department of Transportation
Michelle A. Brickner, Director, Site Development Services, DPWES

~~Kenny King, Proffer Administrator, Plans & Document Control, OSDS, DPWES~~
Department of Highways, VDOT
Land Acqu. & Planning Div., Park Authority
District Planning Commissioner

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
AUG 2 2:01

ZONING EVALUATION DIVISION



County of Fairfax, Virginia

MEMORANDUM

DATE: January 19, 2007

TO: Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: LAND USE & ENVIRONMENTAL ANALYSIS for: RZ/FDP 2006-PR-027/SEA 00-P-050
TCR Mid Atlantic Properties, Inc., Fairfax Ridge Land Bays A & B

This memorandum, prepared by Deborah Albert, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the Conceptual Development Plan/Final Development Plan (CDP/FDP) dated August 31, 2006 and revised through December 21, 2006. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

DESCRIPTION OF THE APPLICATION

The applicant, TCR Mid Atlantic Properties, Inc., seeks to rezone 23.98 acres of land from the PDH-20 Zoning District to the PDH-30 Zoning District, to develop a multi-family building with a maximum of five stories and sixty-five feet in height on a portion of the subject property. The proposed building, located on an existing surface parking lot on an area known as "Land Bay B" of the Fairfax Ridge development, would have 262 units and a clubhouse/leasing facility. The remainder of the subject property, "Land Bay A" was developed under RZ 2000-PR-056 as multifamily housing, and has been converted from rental to condominium. No new development is proposed on Land Bay A, however, the entire site has been brought into the zoning application for calculation of density and ADUs. Proposed density across the development is 29.64 dwelling units per acre (du/ac), based on the land area subsequent to dedication of roads for the previous development, including bonus density for the provision of 34 ADUs (five percent of all residential units existing and proposed in Land Bays A and B), all of which would be located in the proposed building. The existing residential development on Land Bay A consists of 420 multifamily units, a clubhouse/leasing

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

office, and 696 structured and non-structured parking spaces. Land Bay B was also considered under the rezoning of Land Bay A, and shown as parking for the adjacent office building on that CDP/FDP and developed as such. An underground parking garage with 709 spaces and up to 2.5 floors is currently proposed for Land Bay B. The applicant also seeks approval to permit a portion of the structured parking garage (275 spaces) to be used for the commercial office development on the adjacent parcel. Access to the proposed building is shown through a courtyard on the southeast side of the building. Proposed tree cover is 11.7%. Proposed open space is 40% for Land Bay B (40% required). Stormwater management for the subject property is provided in Regional Pond #47.

LOCATION AND CHARACTER OF THE AREA

The subject property is located on Waples Mill Road, north of Lee Highway (Route 29) and north and east of Fairfax Ridge Road, in Land Unit K of the Fairfax Center area. The property to the south and west of Fairfax Ridge Road is developed with eleven multifamily residential buildings. The land behind these buildings is a designated Resource Protection Area (RPA) and Environmental Quality Corridor (EQC), and has been left in its natural state, with the exception of some recreational trails to which the existing development has access. The entire semi-circular area is surrounded on the north, south and west by Lee Highway and an on-ramp for I-66. The area to the east, across Waples Mill Road makes up the remainder of Land Unit K in the Fairfax Center area, is zoned I-5 and C-6 and is planned for and developed with office.

COMPREHENSIVE PLAN CITATIONS

Land Use:

In the Fairfax County Comprehensive Plan, Area III, Fairfax Center Area as amended through September 25, 2006, Land Unit K, pages 78-79, the Plan states:

“This area contains office uses and a hotel. These uses are expected to remain. Undeveloped parcels are planned for medium intensity office use at .50 FAR at the overlay level to be compatible with the overall intensity of this area. Particular attention should be given to the presentation of a high-quality image from I-66 and Route 50. The planned roadway improvements for this area are shown on Figure 6.

Development in this area is constrained by an Environmental Quality Corridor (EQC) associated with the stream valley that traverses the western portion of the land unit. The

EQC encompasses the floodplain, associated alluvial soils, and steep slopes. This EQC area should be retained in open space.

As an option to office use at the overlay level, Parcels 46-4((1))15A, 36, 37, and 56-2((1))15F, 16, 18A and 22 (an area with approximately 24 acres), and Parcels 47-3((1))58A and 58B (an area with approximately 14 acres), may be considered for multifamily residential uses at 20 to 25 dwelling units per acre if all of either group of the above parcels are fully consolidated and considered under one rezoning. Low-rise multifamily use and/or mid-rise multifamily use may be appropriate if the proposal results in a quality living environment. Less intensive uses or other unit types are generally not appropriate because they would not be compatible with existing office use. A quality living environment would include usable open space for recreation, buffers, screening and noise mitigation measures. Residential development should be designed in a manner compatible with the adjacent office buildings in terms of scale and height. Any development application for this option should also be evaluated in terms of adequately addressing the following conditions:

- Preservation of the Environmental Quality Corridor and the Resource Protection Area.
- Provide usable open space and on-site active recreation facilities sufficient to serve the residents of this complex.
- Provide pedestrian walkways connecting all portions of the development and linkages to adjacent properties.
- Provide noise attenuation measures, which may include noise barriers and/or a substantial vegetative buffer adjacent to I-66 and/or the I-66/ Route 50 interchange; in addition, the site design should orient buildings in a manner that will further shield active recreational areas and open space areas from highway noise.
- At the time of zoning, provide an evaluation of the existing sewer system capacity and commit to providing any improvements necessary to offset the increased sewer flow demand of the residential development to the satisfaction of Fairfax City and Fairfax County.

As an option to office at the overlay level, Parcels 56-2((1))19 and 20 (an area of approximately 3.51 acres) may be considered for multifamily residential use at a density of 16 – 20 du/ac provided that the proposed development is designed in a manner that is compatible with the adjacent residential development in terms of height, scale, materials and massing of buildings and meets the conditions above for residential development in Land Unit K. Access should be through the adjacent residential community to Fairfax Ridge Road. No residential development should occur on Parcel 20. Density associated with these two parcels should be used to the extent possible on Parcel 19 and some or all

of Parcel 20 should be considered for dedication to the County for park and transportation purposes.”

Environment:

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:

In the Fairfax County Comprehensive Plan, Policy Plan, 2003 Edition, Environment section as amended through November 15, 2004, on pages 5-7, 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 a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .
- Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County’s streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:
- Minimize the amount of impervious surface created.
 - Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation.
 - Where feasible, convey drainage from impervious areas into pervious areas. . . .
 - Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements. . . .

- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements.
- Encourage shared parking between adjacent land uses where permitted. . . .

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

In the Fairfax County Comprehensive Plan, Policy Plan, 2003 Edition, Environment section as amended through November 15, 2004, on pages 10-11, the Plan states:

“Federal agencies with noise mitigation planning responsibilities have worked with the health community to establish maximum acceptable levels of exposure (Guidelines for Considering Noise in Land Use Planning and Control). These guidelines expressed in terms of sound pressure levels are; DNL 65 dBA for outdoor activity areas, DNL 50 dBA for office environments, and DNL 45 dBA for residences, schools, theaters and other noise sensitive uses. While the federal guidelines consider all land uses to be compatible with noise levels below DNL 65 dBA, they are not proscriptive as they relate to local land use decisions. Further, it is known that adverse noise impacts can occur at levels below DNL 65 dBA and that there may be variability among communities in responses to such noise.

Objective 4: Minimize human exposure to unhealthful levels of transportation generated noise.

Policy a: Regulate new development to ensure that people are protected from unhealthful levels of transportation noise.”

In the Fairfax County Comprehensive Plan, Policy Plan, 2003 Edition, Environment section as amended through November 15, 2004, on page 11, the Plan states:

“Objective 6: Ensure that new development either avoids problem soil areas, or implements appropriate engineering measures to protect existing and new structures from unstable soils. . . .

Policy b: Require new development on problem soils to provide appropriate engineering measures to ensure against geotechnical hazards.”

In the Fairfax County Comprehensive Plan, Policy Plan, 2003 Edition, Environment section as amended through November 15, 2004, 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.”

COMPREHENSIVE PLAN MAP: Fairfax Center Area

LAND USE ANALYSIS

The subject property is located in Land Area K of the Fairfax Center Area which is planned for office use at 0.25 floor area ratio (FAR), 0.35 FAR and 0.50 FAR at the Baseline, Intermediate and Overlay levels, respectively. The Plan recommends an option for residential use at 20-25 du/ac with full consolidation of designated groups of parcels, including those included with this application, if several conditions are satisfied. The applicant has proposed to develop the site under the residential option. The extent to which the proposed use and density are consistent with the site-specific conditions in the Comprehensive Plan, are discussed below.

Issue: Consolidation. The Comprehensive Plan recommends that multifamily residential uses at 20 to 25 du/ac may be considered on the subject property if all of the designated parcels are considered as a group within one rezoning application. The rezoning application includes the approximately 24 acres, including the parcels formerly identified (prior to the existing residential development on the site) as 46-4 ((1)) 15A, 36, 37 and 56- ((1)) 15 F, 16, 18A and 22, as specified as the first parcel grouping listed in the Plan. While no changes are proposed for Land Bay A, this area is brought into the application for density and ADU

calculations. This is in conformance with the Comprehensive Plan recommendation for the residential option. However, the intent of the Plan guidance to consider the above referenced group of parcels under a single rezoning, is to achieve a development that is consistent and integrated across the designated area and where the Plan conditions can be applied to the entire development. In this respect, as described in more detail below, the proposed development does not appear to treat the entire group of parcels as a single development.

Issue: Compatibility. While overall density across the residential portion of the site would be 29.64 du/ac, the effective density on Land Bays A and B, respectively, would be 20.2 du/ac and 82 du/ac with the proposed new residential building, creating a substantially different scale of development across the two Land Bays. The proposed building is to be 65 feet in height, which given the slightly lower elevation of the vacant area of the site, is consistent with the 60-foot residential buildings existing on the site, as shown by cross sections provided by the applicant. However, the size and massing of the proposed building lend a different character to the site than that of the development on Land Bay A and the overall office development in the area.

The CDP/FDP does not show how residential developments in Land Bays A and B will be integrated and function as a single development. The brick pavers shown on the CDP/FDP at the entrance to the proposed building courtyard along Fairfax Ridge Road align with similar brick pavers at the entrance gate to the existing development across the street, however, the effect of the matching pavers is overshadowed by the difference in massing of the two developments. The existing multi-family residential buildings on the site integrate open space and recreational areas within the development. Courtyards between the buildings provide amenities such as benches and open areas for residents to congregate. The addition of a recess on the side of the proposed building along Fairfax Ridge Road helps to mirror the courtyard space between residential buildings across the street, and slightly reduces the comparative effect of the massing on this side of the building.

The massing of the proposed building also affects the office building on the site as well as office development along Waples Mill Road. While the front of the office building on the site faces Fairfax Ridge Road along the center of the horseshoe, the predominant development along Waples Mill Road is office. The proposed building would tower over the office building on the site, as well as appear comparatively larger than other offices on Waples Mill Road due to its placement and small setback from the road. A large, solid residential structure in this location would effectively alter the appearance of Waples Mill Road, artificially increasing the dominance of residential development. The existing residential development on Land Bay A has only a small presence on Waples Mill Road and is therefore more complementary with the office use in the general area, and maintains the viability of the remaining area planned for and developed with office on the site. The proposed development as it is currently designed, would have an isolating effect on the connection between the office building on the site with the rest of the office development in the Waples Mill Road area. The massing effect of the proposed building could be reduced if

the setback were increased and the building was stepped down in height on its Waples Mill Road frontage, or recessed as shown for the front and right sides of the building.

Issue: Open Space and Recreation Facilities. The Comprehensive Plan recommends that residential development of this parcel at the overlay level provide usable open space and on-site active recreation facilities. As mentioned above, the adjacent residential development provides open courtyards where residents may congregate. While the applicant proposes an inner courtyard which includes landscaping, a pool and a clubhouse, similar facilities to those provided in the existing development, these facilities are completely internal to the proposed building. The physical separation of these facilities from the existing development on the site, provides no assurance that all of the residential units on the site will function as an integrated development. While the applicant has proffered to pursue use and access agreements for residences in both developments to use the proposed facilities, the prior conversion of units in Land Bay A to condominiums may make this arrangement difficult. The applicant has also committed to make recreational facilities available to residents of Land Bay C, which does not have a swimming pool, and is not part of this application.

Issue: Affordable Housing. The proposed development will include 34 ADUs and 228 market rate units, for a total of five percent ADUs across the residential development in Land Bays A and B. In addition, in proffers dated December 21, 2006, the applicant has committed to provide a total of eight percent workforce housing and ADUs combined. However, tabulations for workforce housing are not included on the CDP/FDP, and it is unclear how many units of workforce housing will be provided, and if the number of market rate units will be adjusted to incorporate the workforce housing. The applicant should also provide additional information on the average size of the ADU and workforce housing units and commit to providing a range of unit types in each of these categories.

Issue: Pedestrian Circulation. The Comprehensive Plan recommends that development under the residential option at the overlay level provide pedestrian walkways connecting all portions of the development and linkages to adjacent properties. While the existing residential development provides open courtyards linked to sidewalks, as well as access to trails through the Resource Protection Area (RPA) behind the development, the proposed development does not appear to be linked with this pedestrian network. Given the inward focus of recreational facilities in the proposed building, the existing pedestrian network appears to be physically separated from the proposed development, and has the effect of not being accessible to residents of the proposed building. The applicant should provide a crosswalk on Fairfax Ridge Road connecting Land Bay C with Land Bay B in order to facilitate safe access to recreational facilities for residents on both sides of the Fairfax Ridge Road.

Access to the proposed building is shown through the courtyard to the main entrance on the southeast face of the building. It is not clear if residents will be able to access the building through the parking garage as well. Pedestrian circulation through the garage should provide a safe passage from parking areas to the building and the applicant should demonstrate how

pedestrian and vehicle conflicts will be minimized. It is also not shown how employees of the adjacent office will safely exit the shared garage to access the entrance to the office building.

Issue: Sewer System Capacity. An analysis of existing sewer system capacity and a commitment to provide any improvements necessary to offset increased sewer flow demand of residential development is recommended by the Plan under the residential option. The application does not indicate that such an analysis has been or will be performed. The applicant should commit to performing this analysis to be reviewed and approved by both Fairfax County and Fairfax City.

Conclusion. In summary, staff does not feel that the proposed development sufficiently meets Comprehensive Plan guidance for the residential option, with respect to creating a single development on the designated group of parcels which provides pedestrian connections, usable open space and recreation facilities which serve the entire residential complex. Massing of the proposed new residential development should be in a character consistent with the existing residential development on Land Bay A, and through provision of open space, recreational facilities and pedestrian networks, should appear physically integrated with this development. Design and placement of any residential development should be compatible with the adjacent office on the site and other office development on Waples Mill Road. It should avoid creating a strong residential presence on the Waples Mill Road.

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.

Issue: Asbestos Soils. Fairfax County soils maps indicate the presence of asbestos bearing soils and bedrock on the subject property. This area is also indicated as having a shallow depth to bedrock which could necessitate blasting during construction phases for the proposed development. The asbestos bearing materials present a potential health risk for those coming in contact with the materials. As such, the applicant will be required to provide appropriate protective measures for construction workers on-site during clearing and grading phases of the proposed development as well as suppression methods to ensure that any asbestos which might be encountered cannot become airborne and present a hazard to individuals on adjacent properties. In proffers dated December 21, 2006, the applicant has committed to address the asbestos issues and has included commitments to safe practices and precautions against property damage which might result from blasting bedrock in such close proximity to existing structures and residences.

Issue: Transportation Generated Noise. The subject property is affected by transportation generated noise from I-66 on the north, south and west of the property, from Lee Jackson Memorial Highway (Route 50), to the south of the property, and from Waples Mill Road, immediately east of the property. The existing residential development on the site, as well as the noise attenuation walls constructed to mitigate the existing units provide significant noise mitigation for the subject property. The applicant has submitted a noise study performed for the development on Land Bay C, which indicates that the proposed building is not subject to noise greater than 65 dBA DNL from Route 50. The applicant has indicated that there may be an existing noise study for Land Bay B, and if so, this should be provided. Given the proximity of the proposed building to Waples Mill Road, the applicant should commit to mitigating interior noise in the proposed building to 45 dBA DNL and exterior noise in recreation areas to 65 dBA DNL.

Issue: Tree Preservation. The CDP/FDP depicts an area of tree save in the southeast corner of the subject property, and this area is shown to be outside the limits of clearing and grading. The area shown as tree save is the only area of the site that remains with natural tree cover. The remainder of the site is developed as a surface parking lot, with landscaped islands.

Issue: Stormwater Management. The applicant has stated that stormwater management for the subject property is provided in Regional Pond #47. Any (SWM/BMP) facility will be subject to review and approval by staff in the Department of Public Works and Environmental Services.

COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan depicts a Major Paved Trail (defined as asphalt or concrete, eight feet or more in width) on the subject property's Waples Mill Road frontage. The applicant has proffered to construct a ten-foot wide trail in this location.

PGN: DLA

issues that I found during the writing of the staff report

signage

make sure density is given for entire site

make sure that site amenities are for B as well as A

make sure 'FYI only' is taken off in favor of prev. constr, no change proposed"

look at pages, numbers, dates, etc.

really need to commit to the materials on the elevation – if it's brick, say so, and is the accent material in the notch lighter brick or something else?

what good are the cross sections if they aren't to scale?

need to see key to cross sections – as far as I can tell, there is no way these could show a perpendicular section?

Does it ever say anywhere that the trails on A and C are open to the residents of B?

Need to work on bike rack proffer – numbers?

In proffer about light – need to include Ped Signals

May need to provide detail area of front door

Modify LCG proffer – no utility crossings

Put previous FDP conditions into proffers



MEMORANDUM

DATE: January 24, 2007

TO: Barbara A. Byron, Director
Zoning Evaluation Division

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

SUBJECT: Transportation Issues

FILE: 3-4 (RZ 2006-PR-027)

REFERENCE: CDP/FDP 2006-PR-027; TRC MidAtlantic, Inc.
Traffic Zone: 1601
Land Identification: 46-4 ((19)) All Parcels; 56-2 ((27)) All Parcels
56-2 ((1)) 18A

These comments reflect the position of the Department of Transportation, and are based on the Conceptual/Final Development Plan revised to January 22, 2007, and draft proffers last revised to January 23, 2007. The following issues remain unaddressed with the application:

1. The transportation demand management [TDM] proffers are a part of the above proffer package and are under evaluation, and will be addressed in an addendum to this memorandum.
2. Sight distance, due to the curvature of Fairfax Ridge Drive and the embankment of the parking lot in Land Bay A, does not appear to meet minimum VDOT standards.
3. The spacing between the above referenced parking lot entrance and the proposed entrance to the building on Land Bay B does not appear to meet VDOT entrance standards.

This department can not support approval of the application until the applicant can demonstrate that these entrance and sight distance issues have been resolved to VDOT satisfaction.

AKR/CAA

Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services.





County of Fairfax, Virginia

MEMORANDUM

October 10, 2006

TO: Tracy Strunk, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Todd Nelson, Urban Forester II
Forest Conservation Section, DPWES 

SUBJECT: Fairfax Ridge Land Bays A and B; RZ/FDP 2006-PR-027

RE: Request for assistance dated September 25, 2006

This review is based upon a site visit conducted on October 4, 2006, and the Special Exception Amendment Plat (SEA) stamped "Received, Department of Planning and Zoning, August 31, 2006," and the Existing Vegetation Map (EVM) date stamped by the submitting engineer on July 7, 2006.

Site Description: This site is an existing 275 space asphalt parking lot that serves an office building located to west. There is an existing sub-climax upland forest stand of trees at the southeast corner of the site adjacent to the intersection of Waples Mill Road and Fairfax Ridge Road. Vegetation in this stand consists primarily of red oak, white oak, black gum, Virginia pine, willow oak, hickory, and ash trees. The vegetation in this area appears to be in good condition and should be considered a priority for preservation. Vegetation in the central, western, and northern portions of the site consists of spruce, ash, cherry, pear, and pine trees. These trees are planted in parking lot islands and should not be considered for preservation.

- 1. Comment:** There is an existing sub-climax upland forest stand of trees at the southeast corner of the site adjacent to the intersection of Waples Mill Road and Fairfax Ridge Road. Vegetation in this stand consists primarily of red oak, white oak, black gum, Virginia pine, willow oak, hickory, and ash trees. The vegetation in this area appears to be in good condition and should be considered a priority for preservation.

Recommendation: A tree save area should be provided at the southeastern portion of the site to preserve the entire existing sub-climax upland forest.

- 2. Comment:** Given the nature of the tree cover on this site, and depending upon the ultimate development configuration provided, several proffers will be instrumental in assuring adequate tree preservation and protection throughout the development process.

Recommendation: Recommend the following proffer language to ensure effective tree preservation:

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



Tree Preservation Plan. The tree preservation plan shall consist of tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 10 inches in diameter and greater, and 25 feet to either side of the limits of clearing and grading shown on the CDP/FDP 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 CDP/FDP 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 any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.”

Tree Preservation Walk-Through. “The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant’s certified arborist or landscape architect shall walk the limits of clearing and grading with an UFM, 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 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 adjacent trees and associated understory vegetation and soil conditions.”

Limits of Clearing and Grading. “The Applicant shall conform strictly to the limits of clearing and grading as shown on the CDP/FDP, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDP/FDP, they shall be located in the least disruptive manner necessary as determined by UFM, DPWES. A replanting plan shall be developed and implemented, subject to approval by UFM, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.”

Tree Preservation Fencing: “All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the “Root Pruning” proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing 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 (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFM, DPWES, shall be notified and given the opportunity to inspect the site to ensure 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 UFM, DPWES.”

Root Pruning. “The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by UFM, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFM, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.”

Site Monitoring. “During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by UFM. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFM approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by UFM, DPWES.”

3. **Comment:** A modification of the transitional screening and a waiver of the barrier requirement along the right-of-way of I-66 for Land Bay A are requested with this application.

Recommendation: Urban Forest Management would support the decision of the Planning Commission and Board of Supervisor’s to approve these waiver/modification requests under Paragraph 11, Section 13-304, of the Zoning Ordinance of Fairfax County.

Please contact me at 703-324-1770 if you have any questions.

TLN/
UFMID #: 118861

cc: RA File
DPZ File



County of Fairfax, Virginia

MEMORANDUM

DATE: October 5, 2006

TO: Barbara A. Byron, Director
Zoning Evaluation Division

THROUGH: Tom Crow, Director *TC*
Environmental Health Division

FROM: Glenn Smith, Program Manager *GS*
Community Health and Safety Section

SUBJECT: Application No. RZ/FDP 2006-PR-027 concurrent w/ SEA 00-P-050;
TM # 56-2 1 18A
TM # 56-2 27 multiple parcels

The Soils Map indicates that “orange soils” or actinolite/tremolite mineral deposits are present at this proposed construction site. Therefore, a potential health hazard exists at this location of naturally occurring asbestos.

Special safety precautions are required to construct and develop projects in “orange soils”. These safety precautions are designed to protect the public health as well as the health and safety of the personnel who develop and construct these projects. These Directives must be implemented in order to proceed with the project.

The Health Department has additional information for naturally occurring asbestos soils, on our web site at www.co.fairfax.va.us/service/hd/asbintro.htm. If you have any questions, please contact John Yetman at 703-246-8421.

Fairfax County Health Department
Division of Environmental Health
Community Health and Safety Section
10777 Main Street, Suite 102, Fairfax, VA 22030
Phone: 703-246-2300 TTY: 711 Fax: 703-278-8156
www.fairfaxcounty.gov/hd





County of Fairfax, Virginia

MEMORANDUM

DATE: February 22, 2007

TO: Tracy Strunk
Zoning and Evaluation Division
Department of Planning and Zoning

FROM: Gilbert Osei-Kwadwo
Wastewater Planning and Monitoring Division

SUBJECT: Sanitary Sewer Analysis Report – RZ/FDP 2006-PR-027

The two pumping stations that will provide sewer service for the subject application do not seem to have adequate capacity to handle the sewage from the proposed additional multifamily units. Therefore, the applicant needs to conduct a capacity analysis of the stations to ascertain their adequacy to handle the estimated flows. If it is determined that they are inadequate, then all the necessary improvements need to be done prior to the development of the proposed additions.



Fairfax Water

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

**PLANNING AND ENGINEERING
DIVISION**

JAMIE BAIN HEDGES
ACTING DIRECTOR
(703) 289-6302
Fax: (703) 289-6398

October 5, 2006

Ms. Barbara A. Byron, Director
Zoning Evaluation Division
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: RZ 06-PR-027
FDP 06-PR-027

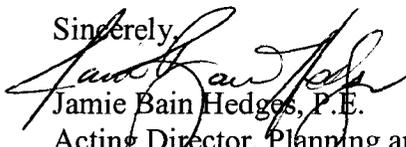
Dear Ms. Byron:

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

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available at the site from existing 12-inch, 8-inch and 6-inch water mains located at the property. See the enclosed water system map. The Generalized Development Plan has been forwarded to Plan Control for distribution to the Engineering Firm.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.
4. Any development or redevelopment requiring relocation of existing water mains is at the expense of the developer.
5. Due to the limited detail of these plans, Fairfax Water is not able to provide comprehensive comments with regard to existing and proposed water facilities. Fairfax Water will review for conformance with Fairfax Water's Design Practice Manual and Standard Details upon submittal of final site plans.

If you have any questions regarding this information please contact me at (703) 289-6302.

Sincerely,



Jamie Bain Hedges, P.E.
Acting Director, Planning and Engineering



County of Fairfax, Virginia

MEMORANDUM

DATE: September 29, 2006

TO: Barbara Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning

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

SUBJECT: Fire and Rescue Department Preliminary Analysis of Rezoning Application RZ 2006-PR-027 Final Development Plan 2006-PR-027

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #421, Fair Oaks
2. After construction programmed _____ this property will be serviced by the fire station _____
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is _____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.



Fairfax County Public Schools
Office of Facilities Planning Services

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

FROM: Gary Chevalier, Director 
Office of Facilities Planning Services

SUBJECT: School Impact Analysis
Zoning Application RZ 2006 PR-027 – TCR Mid-Atlantic Properties; Fairfax Ridge Development, LLC and Fairfax Ridge Condominiums

DATE: November 30, 2006

MAP: 46-4 and 56-2

PLANNING UNIT 4288 - Cluster VII

ACREAGE: 23.01 acres

REQUEST: Rezone from PDH-20 to PDH-30 to permit development of 262 mid-high rise multi-family residential units. The existing development of 420 units along the west side of Fairfax Ridge Drive, while included in the proposed rezoning application, will remain unchanged.

Schools that serve this property, their current total memberships, net operating capacities, and five year projections are as follows:

School Name	9/30/06 Capacity	9/30/06 Membership	2007-2008 Membership*	Memb/Cap Difference 2007-2008	2011-2012 Membership	Memb/Cap Difference 2011-2012
Fairfax HS	2075/2200	2146	2107	93	2189	11
Lanier MS	775/1125	971	966	-159	1014	111
Waples Mill ES	802	812	825	-23	794	8

The proposed application could increase the projected student membership as shown in the following analysis:

School Level	Existing Zoning PDH-20 – Multi-family High Rise			Proposed Zoning PDH-30			Student Increase	Total Students
	Units	Ratio	Students	Units	Ratio	Students		
9-12	420	x .024	10	682	x .024	16	6	16
7-8	420	x .010	4	682	x .010	7	3	7
K-6	420	X .042	18	682	X .042	29	11	29
						Total	20	52

Comments:

The current PDH-20 zoning limits the development to the existing 420 mid-rise multi-family units; the request to rezone the property to PDH-30 retains those existing units and would allow the development of an additional 262 mid-rise multi-family units. The proposed rezoning could result in a total of 20 additional students with the greatest impact at the elementary school level. While there is sufficient capacity projected for the 2011-12 school year at the middle school level, both

Fairfax County Public Schools
Office of Facilities Planning Services

the elementary and high school which currently serve the site will be at or near capacity in the same timeframe.

Based on the approved proffer guidelines, the students generated by this application would justify a proffered contribution of \$232,600 for schools (20 students x \$11,630 per student). It is noted that the suggested proffer amount reflects the updated proffer formula which applies to all residential rezoning applications accepted after June 1, 2006. The foregoing information does not take into account the potential impacts of other development proposals that could impact the same schools.

Source: FY 2008-2012, Facilities Planning Services Office, Enrollment Projections, FY2008-12 CIP
Note: Five-year projections are those currently available and will be updated yearly. School attendance areas are subject to yearly review.



County of Fairfax, Virginia

MEMORANDUM

DATE: October 12, 2006

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

FROM: Valerie Tucker, Chief Stormwater Engineer
Environmental and Site Review Division, Site Review East
Department of Public Works and Environmental Services

SUBJECT: Rezoning Application, RZ/FDP 2006-PR-027, TCR Midatlantic Properties, *Conceptual Development Plan/Final Development Plan, Fairfax Ridge Land Bays A & B, dated August 31, 2006 (Plan)*, Tax Map #046-4-19 and 056-2-27 per application (Site), Providence District

We have reviewed the referenced submission and offer the following comments related to stormwater management:

Chesapeake Bay Preservation Ordinance

There are portions of a Resource Protection Area designated on this Site. The applicant shall provide the RPA boundaries on the Plan and indicate the source of the boundary lines. No encroachment is proposed with this application.

The applicant has indicated that the existing regional pond (D-47) provides the required water quality control requirements, therefore no additional BMPs are required.

Floodplain

There are regulated floodplains on the Site. No encroachment into the floodplain is proposed with this application.

Downstream Drainage Complaints

There are no downstream complaints on file along the outfall for this Site.

Stormwater Detention

The applicant indicates that stormwater detention will be achieved by the existing regional pond (D-47).

If you have any question or require additional information, please contact me 4-1720.

cc: Steve Aitcheson, Director, Stormwater Planning Division, DPWES
Zoning Application file (3993-ZONA-001-1)

Department of Public Works and Environmental Services
Land Development Services, Environmental and Site Review Division
12055 Government Center Parkway, Suite 535
Fairfax, Virginia 22035-5503
Phone 703-324-1720 • TTY 703-324-1877 • FAX 703-324-8359





FAIRFAX COUNTY PARK AUTHORITY

MEMORANDUM



TO: Barbara A. Byron, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sandy Stallman, Manager *Sandy Stallman*
Park Planning Branch

DATE: October 25, 2006

SUBJECT: RZ/FDP 2006-PR-027, Fairfax Ridge Land Bays A&B
Tax Map Number(s): 56-2 ((1)) 18A
56-2 ((27)) multiple parcels
46-4 ((19)) multiple parcels

BACKGROUND

The Park Authority staff has reviewed the proposed Development Plan dated August 31, 2006, for the above referenced application. The Development Plan shows 262 multi-family units developed on a parcel rezoned from PDH-20 and HC to PDH-30 and HC. The development could add 524 new residents to the Providence Supervisory District.

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.

ANALYSIS AND RECOMMENDATIONS

Recreational Impact:

The residents of this development will need access to outdoor recreational facilities. Typical recreational needs include playground/tot lots, basketball, tennis and volleyball courts and athletic fields. Based on the Zoning Ordinance Sections 6-110 and 16-404, the applicant shall provide \$955 per non-ADU (affordable dwelling unit) residential unit for outdoor recreational facilities to serve the development population. With 228 non-ADUs proposed, the Ordinance-required contribution is \$217,740.

The \$955 per unit funds required by Ordinance offset only a portion of the impact to provide recreational facilities for the new residents generated by this development. Typically, a large portion if not all of the Ordinance-required funds are used for outdoor recreational amenities onsite (such as an outdoor pool and tot lots). As a result, the Park Authority is not compensated for the increased demands caused by residential development for other recreational facilities that the Park Authority must provide (such as picnic areas, ballfields, and basketball courts).

This area has very little local serving parkland. The nearest park facilities are Waples Mill and Fairfax Villa parks. Both parks are resource protection based and offer little in the form of recreation. In order to offset the additional impact caused by the proposed development, the applicant should provide an additional \$343,440 (\$265 per estimated resident) to the Park Authority for recreational facility development at one or more Park Authority sites located within the service area of this development. The Park Authority received no additional funds for development of recreational facilities when Land Bay A was approved. Land Bay A is an integral part of this rezoning and is receiving transferred density from Land Bay B. Therefore the additional residents created by Land Bay A are included in this request. The requested funds are needed to develop recreation opportunities in the service area of this development.

The conceptual development plan reflects an urban plaza but little detail is provided on its design and function. The Park Authority is interested in reviewing the urban plaza design in more detail. If the applicant wishes the Park Authority will offer suggestions to maximize the plaza's benefit as a recreational space.

Several recreational amenities were provided in the construction of Land Bay A including a swimming pool, walking trail, fitness center, and tot lot. There is concern about connectivity between Land Bay A and B if those amenities are to be accessible to the residents of Land Bay B. The Park Authority suggests providing crosswalks for safe pedestrian access between the two land bays. The crosswalks should be raised or made of special pavement for increased visibility.

cc: Charles Bittenbring, Acting Director, Planning and Development Division
Cindy Messinger, Director, Resource Management Division
Chron Binder
File Copy

FAIRFAX CENTER CHECKLIST

Case Number:

RZ/FDP 2006-PR-027 -- Land Bay B only

Plan Date:

2/26/2007

Not
Applicable Applicable Essential Satisfied Comments

I. AREA WIDE BASIC DEVELOPMENT ELEMENTS					
A. Roadways					
1. Minor street dedication and construction	x				
2. Major street R.O.W. dedication	x				
B. Transit					
1. Bus loading zones with necessary signs and pavement; Bus pull-off lanes	x				
2. Non-motorized access to bus or rail transit stations		x	x	x	sidewalks to bus stop on 50
3. Land dedication for transit and commuter parking lots	x				
C. Non-motorized Transportation					
1. Walkways for pedestrians		x	x	x	
2. Bikeways for cyclists		x	x	x	trail on WM
3. Secure bicycle parking facilities		x		x	

II. AREA WIDE MINOR DEVELOPMENT ELEMENTS					
A. Roadways					
1. Major roadway construction of immediately needed portions	x				
2. Signs	x				
B. Transit					
1. Bus shelters	x				
2. Commuter parking	x				
C. Non-motorized transportation					
1. Pedestrian activated signals		x		x	
2. Bicycle support facilities (showers, lockers)	x				
D. Transportation Strategies					
1. Ridesharing programs		x	x	x	
2. Subsidized transit passes for employees	x				
III. AREA WIDE MAJOR DEVELOPMENT ELEMENTS					

FAIRFAX CENTER CHECKLIST

Case Number:

RZ/FDP 2006-PR-027 -- Land Bay B only

Plan Date:

2/26/2007

Not

Applicable Applicable Essential Satisfied

Comments

	Not Applicable	Applicable	Essential	Satisfied	Comments
A. Roadways					
1. Contribution towards major (future) roadway improvements		x	x	x	Fx Cnt Road fund
2. Construct and/or contribute to major roadway improvements	x				
3. Traffic signals as required by VDOT		x		x	traffic signal @ north int.
B. Transit					
1. Bus or rail transit station parking lots	x				
C. Transportation Strategies					
1. Local shuttle service	x				
2. Parking fees	x				
D. Non-motorized Circulation					
1. Grade separated road crossings	x				

FAIRFAX CENTER CHECKLIST

Case Number:

RZ/FDP 2006-PR-027 -- Land Bay B only

Plan Date:

2/26/2007

Not

Applicable Applicable Essential Satisfied

Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Environmental Quality Corridors (EQC)					
1. Preservation of EQCs as public or private open space		x		x	w/ Land Bay A
B. Stormwater Management (BMP)					
1. Stormwater detention/retention		x		x	
2. Grassy swales/vegetative filter areas		x		x	
C. Preservation of Natural Features					
1. Preservation of quality vegetation		x		x	
2. Preservation of natural landforms	x				
3. Minimize site disturbance as a result of clearing or grading limits	x				
D. Other Environmental Quality Improvements					
1. Mitigation of highway-related noise impacts		x		x	
2. Siting roads and buildings for increased energy conservation (Including solar access)		x		x	provided shadow study

II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS					
A. Increased Open Space					
1. Non-stream valley habitat EQCs	x				
2. Increased on-site open space		x		x	
B. Protection of Ground Water Resources					
1. Protection of aquifer recharge areas	x				
C. Stormwater Management (BMP)					
1. Control of off-site flows	x				
2. Storage capacity in excess of design storm requirements	x				
D. Energy Conservation					
1. Provision of energy conscious site plan		x		x	shadow study
III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS					

FAIRFAX CENTER CHECKLIST

Case Number:

RZ/FDP 2006-PR-027 -- Land Bay B only

Plan Date:

2/26/2007

Not

Applicable Applicable Essential Satisfied Comments

A. Innovative Techniques					
1. Innovative techniques in stormwater management		x		x	
2. Innovative techniques in air or noise pollution control and reduction	x				
3. Innovative techniques for the restoration of degraded environments	x				

FAIRFAX CENTER CHECKLIST

Provision of Public Facilities

Case Number:

RZ/FDP 2006-PR-027 -- Land Bay B only

Plan Date:

2/26/2007

Not

Applicable Applicable Essential Satisfied

Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Park Dedications					
1. Dedication of stream valley parks in accordance with Fairfax County Park Authority policy	x				
B. Public Facility Site Dedications					
1. Schools	x				
2. Police/fire facilities	x				

II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS					
A. Park Dedications					
1. Dedication of parkland suitable for a neighborhood park	x				
B. Public Facility Site Dedication					
1. Libraries	x				
2. Community Centers	x				
3. Government offices/facilities	x				

III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS					
A. Park Dedications					
1. Community Parks	x				
2. County Parks	x				
3. Historic and archeological parks	x				
B. Public Indoor or Outdoor Activity Spaces					
1. Health clubs	x				
2. Auditoriums/theaters	x				
3. Athletic fields/major active recreation facilities	x				

FAIRFAX CENTER CHECKLIST

Land Use - Site Planning

Case Number:

RZ/FDP 2006-PR-027 -- Land Bay B only

Plan Date:

2/26/2007

Not

Applicable Applicable Essential Satisfied

Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Site Considerations					
1. Coordinated pedestrian and vehicular circulation systems		x	x	x	
2. Transportation and sewer infrastructure construction phased to development construction		x	x	x	
3. Appropriate transitional land uses to minimize the potential impact on adjacent sites		x	x	x	
4. Preservation of significant historic resources	x				
B. Landscaping					
1. Landscaping within street rights-of-way		x		x	
2. Additional landscaping of the development site where appropriate		x		x	
3. Provision of additional screening and buffering	x				

II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS					
A. Land Use/Site Planning					
1. Parcel consolidation		x		x	
2. Low/Mod income housing		x			ADU okay, WFH not optimal
B. Mixed Use Plan					
1. Commitment to construction of all phases in mixed-use plans	x				
2. 24-hour use activity cycle encouraged through proper land use mix	x				
3. Provision of developed recreation area or facilities		x		x	

FAIRFAX CENTER CHECKLIST

Land Use - Site Planning

Case Number:

RZ/FDP 2006-PR-027 -- Land Bay B only

Plan Date:

2/26/2007

Not

Applicable

Applicable

Essential

Satisfied

Comments

III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS					
A. Extraordinary Innovation					
1. Site design		x			better setbacks, fully commit to new arch.
2. Energy conservation		x			

FAIRFAX CENTER CHECKLIST

Detailed Design

Case Number:

RZ/FDP 2006-PR-027 -- Land Bay B only

Plan Date:

2/26/2007

Not

Applicable

Applicable

Essential

Satisfied

Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Site Entry Zone					
1. Signs		x		x	
2. Planting		x		x	
3. Lighting		x		x	
4. Screened surface parking	x				
B. Street Furnishings					
1. Properly designed elements such as lighting, signs, trash receptacles, etc.		x		x	

II. AREA WIDE MINOR DEVELOPMENT ELEMENTS					
A. Building Entry Zone					
1. Signs		x		x	
2. Special planting		x			better details at front door?
3. Lighting		x		x	
B. Structures					
1. Architectural design that complements the site and adjacent developments		x		x	
2. Use of energy conservation techniques		x			need CABO proffer
C. Parking					
1. Planting - above ordinance requirements	x				
2. Lighting	x				
D. Other Considerations					
1. Street furnishing such as seating, drinking fountains		x		x	on noorth --do we need to see front
2. Provision of minor plazas		x		x	door too?

FAIRFAX CENTER CHECKLIST

Detailed Design

Case Number:

RZ/FDP 2006-PR-027 -- Land Bay B only

Plan Date:

2/26/2007

Not

Applicable

Applicable

Essential

Satisfied

Comments

III. AREA WIDE MAJOR DEVELOPMENT ELEMENTS					
A. Detailed Site Design					
1. Structured parking with appropriate landscaping	x				
2. Major plazas	x				
3. Street furnishings to include structures (special planters, trellises, kiosks, covered pedestrian areas (arcades, shelters, etc.), Water features/pools, ornamental fountains, and special surface treatment		x			commit to details for LBB
4. Landscaping of major public spaces	x				

FAIRFAX CENTER CHECKLIST

Summary

Case Number:

RZ/FDP 2006-PR-027 -- Land Bay

Plan Date:

2/26/2007

I. BASIC DEVELOPMENT ELEMENTS

- 1. Applicable Elements 19
- 2. Elements Satisfied 19
- 3. Ratio **1.00**

II. MINOR DEVELOPMENT ELEMENTS

- 1. Applicable Elements 14
- 2. Elements Satisfied 11
- 3. Ratio **0.79**

III. MAJOR DEVELOPMENT ELEMENTS

- 1. Applicable Elements 6
- 2. Elements Satisfied 3
- 3. Ratio **0.50**

IV. ESSENTIAL DEVELOPMENT ELEMENTS

- 1. Applicable Elements 8
- 2. Elements Satisfied 8
- 3. Ratio **1.00**

V. MAJOR TRANSPORTATION DEVELOPMENT ELEMENTS

- 1. Applicable Elements 2
- 2. Elements Satisfied 2
- 3. Ratio **1.00**

VI. LOW/MODERATE INCOME HOUSING ELEMENT

yes

no

16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS**16-101 General Standards**

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

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

16-102 Design Standards

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

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

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.



Provisions for Parking in R Districts

The Board may approve a special exception authorizing a parcel of land in an R district to be used for off-street parking of motor vehicles, but only in accordance with the following conditions:

1. No charge shall be made for the use of such parcel for parking purposes.
2. All such off-street parking facilities shall be used solely for the parking of vehicles in operating condition. No motor vehicle repair work except emergency service shall be permitted in association with any such off-street parking.
3. All such off-street parking space shall be provided with safe and convenient access to a street. If any such space is located contiguous to a street, the street side thereof shall be curbed, and ingress and egress shall be provided only through driveway openings through the curb of such dimension, location and construction as may be approved by the Director in accordance with the Public Facilities Manual.
4. All such off-street parking areas shall be in accordance with the provisions of Par. 11 of Sect. 11-102.
5. All such off-street parking spaces and areas shall comply with the geometric design standards presented in the Public Facilities Manual.
6. There shall be no parking of vehicles closer to any lot line which abuts an R district than a distance equal to the dimension of the abutting corresponding yard as required by this Ordinance.
7. All lighting fixtures used to illuminate such off-street parking areas shall be in conformance with the performance standards for outdoor lighting set forth in Part 9 of Article 14.
8. All such off-street parking shall comply with the provisions for landscaping and screening set forth in Article 13.

RESIDENTIAL DEVELOPMENT CRITERIA

Fairfax County expects new residential development to enhance the community by: fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on other public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing and, being responsive to the unique site specific considerations of the property. To that end, the following criteria are to be used in evaluating zoning requests for new residential development. The resolution of issues identified during the evaluation of a specific development proposal is critical if the proposal is to receive favorable consideration.

Where the Plan recommends a possible increase in density above the existing zoning of the property, achievement of the requested density will be based, in substantial part, on whether development related issues are satisfactorily addressed as determined by application of these development criteria. Most, if not all, of the criteria will be applicable in every application; however, due to the differing nature of specific development proposals and their impacts, the development criteria need not be equally weighted. If there are extraordinary circumstances, a single criterion or several criteria may be overriding in evaluating the merits of a particular proposal. Use of these criteria as an evaluation tool is not intended to be limiting in regard to review of the application with respect to other guidance found in the Plan or other aspects that the applicant incorporates into the development proposal. Applicants are encouraged to submit the best possible development proposals. In applying the Residential Development Criteria to specific projects and in determining whether a criterion has been satisfied, factors such as the following may be considered:

- the size of the project
- site specific issues that affect the applicant's ability to address in a meaningful way relevant development issues
- whether the proposal is advancing the guidance found in the area plans or other planning and policy goals (e.g. revitalization).

When there has been an identified need or problem, credit toward satisfying the criteria will be awarded based upon whether proposed commitments by the applicant will significantly advance problem resolution. In all cases, the responsibility for demonstrating satisfaction of the criteria rests with the applicant.

1. Site Design:

All rezoning applications for residential development should be characterized by high quality site design. Rezoning proposals for residential development, regardless of the proposed density, will be evaluated based upon the following principles, although not all of the principles may be applicable for all developments.

- a) *Consolidation:* Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.
- b) *Layout:* The layout should:
 - provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences);
 - provide dwelling units that are oriented appropriately to adjacent streets and homes;

- include usable yard areas within the individual lots that accommodate the future construction of decks, sunrooms, porches, and/or accessory structures in the layout of the lots, and that provide space for landscaping to thrive and for maintenance activities;
 - provide logical and appropriate relationships among the proposed lots including the relationships of yards, the orientation of the dwelling units, and the use of pipestem lots;
 - provide convenient access to transit facilities;
 - Identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; encourage utility collocation where feasible.
- c) *Open Space:* Developments should provide usable, accessible, and well-integrated open space. This principle is applicable to all projects where open space is required by the Zoning Ordinance and should be considered, where appropriate, in other circumstances.
- d) *Landscaping:* Developments should provide appropriate landscaping: for example, in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots.
- e) *Amenities:* Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

2. Neighborhood Context

All rezoning applications for residential development, regardless of the proposed density, should be designed to fit into the community within which the development is to be located. Developments should fit into the fabric of their adjacent neighborhoods, as evidenced by an evaluation of:

- transitions to abutting and adjacent uses;
- lot sizes, particularly along the periphery;
- bulk/mass of the proposed dwelling units;
- setbacks (front, side and rear);
- orientation of the proposed dwelling units to adjacent streets and homes;
- architectural elevations and materials;
- pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses;
- existing topography and vegetative cover and proposed changes to them as a result of clearing and grading.

It is not expected that developments will be identical to their neighbors, but that the development fit into the fabric of the community. In evaluating this criterion, the individual circumstances of the property will be considered: such as, the nature of existing and planned development surrounding and/or adjacent to the property; whether the property provides a transition between different uses or densities; whether access to an infill development is through an existing neighborhood; or, whether the property is within an area that is planned for redevelopment.

3. Environment:

All rezoning applications for residential development should respect the environment. Rezoning proposals for residential development, regardless of the proposed density, should be consistent with the policies and objectives of the environmental element of the Policy Plan, and will also be evaluated on the following principles, where applicable.

- a) *Preservation*: Developments should conserve natural environmental resources by protecting, enhancing, and/or restoring the habitat value and pollution reduction potential of floodplains, stream valleys, EQCs, RPAs, woodlands, wetlands and other environmentally sensitive areas.
- b) *Slopes and Soils*: The design of developments should take existing topographic conditions and soil characteristics into consideration.
- c) *Water Quality*: Developments should minimize off-site impacts on water quality by commitments to state of the art best management practices for stormwater management and low-impact site design techniques.
- d) *Drainage*: The volume and velocity of stormwater runoff from new development should be managed in order to avoid impacts on downstream properties. Where drainage is a particular concern, the applicant should demonstrate that off-site drainage impacts will be mitigated and that stormwater management facilities are designed and sized appropriately. Adequate drainage outfall should be verified, and the location of drainage outfall (onsite or offsite) should be shown on development plans.
- e) *Noise*: Developments should protect future and current residents and others from the adverse impacts of transportation generated noise.
- f) *Lighting*: Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.
- g) *Energy*: Developments should use site design techniques such as solar orientation and landscaping to achieve energy savings, and should be designed to encourage and facilitate walking and bicycling.

4. Tree Preservation and Tree Cover Requirements:

All rezoning applications for residential development, regardless of the proposed density, should be designed to take advantage of the existing quality tree cover. If quality tree cover exists on site as determined by the County, it is highly desirable that developments meet most or all of their tree cover requirement by preserving and, where feasible and appropriate, transplanting existing trees. Tree cover in excess of ordinance requirements is highly desirable. Proposed utilities, including stormwater management and outfall facilities and sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas.

5. Transportation:

All rezoning applications for residential development should implement measures to address planned transportation improvements. Applicants should offset their impacts to the transportation network. Accepted techniques should be utilized for analysis of the development's impact on the network. Residential development considered under these criteria will range widely in density and, therefore, will result in differing impacts to the transportation network. Some criteria will have universal applicability while others will apply only under specific circumstances. Regardless of the proposed density, applications will be evaluated based upon the following principles, although not all of the principles may be applicable.

- a) *Transportation Improvements*: Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:
- Capacity enhancements to nearby arterial and collector streets;
 - Street design features that improve safety and mobility for non-motorized forms of transportation;
 - Signals and other traffic control measures;
 - Development phasing to coincide with identified transportation improvements;
 - Right-of-way dedication;
 - Construction of other improvements beyond ordinance requirements;
 - Monetary contributions for improvements in the vicinity of the development.
- b) *Transit/Transportation Management*: Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:
- Provision of bus shelters;
 - Implementation and/or participation in a shuttle bus service;
 - Participation in programs designed to reduce vehicular trips;
 - Incorporation of transit facilities within the development and integration of transit with adjacent areas;
 - Provision of trails and facilities that increase safety and mobility for non-motorized travel.
- c) *Interconnection of the Street Network*: Vehicular connections between neighborhoods should be provided, as follows:
- Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
 - When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;
 - Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
 - Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;
 - The number and length of long, single-ended roadways should be minimized;
 - Sufficient access for public safety vehicles should be ensured.
- d) *Streets*: Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.
- e) *Non-motorized Facilities*: Non-motorized facilities, such as those listed below, should be provided:
- Connections to transit facilities;
 - Connections between adjoining neighborhoods;
 - Connections to existing non-motorized facilities;
 - Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;
 - An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;

- Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
 - Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;
 - Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.
- f) *Alternative Street Designs:* Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

6. Public Facilities:

Residential development impacts public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). These impacts will be identified and evaluated during the development review process. For schools, a methodology approved by the Board of Supervisors, after input and recommendation by the School Board, will be used as a guideline for determining the impact of additional students generated by the new development.

Given the variety of public facility needs throughout the County, on a case-by-case basis, public facility needs will be evaluated so that local concerns may be addressed.

All rezoning applications for residential development are expected to offset their public facility impact and to first address public facility needs in the vicinity of the proposed development. Impact offset may be accomplished through the dedication of land suitable for the construction of an identified public facility need, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. Selection of the appropriate offset mechanism should maximize the public benefit of the contribution.

Furthermore, phasing of development may be required to ensure mitigation of impacts.

7. Affordable Housing:

Ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County. Part 8 of Article 2 of the Zoning Ordinance requires the provision of Affordable Dwelling Units (ADUs) in certain circumstances. Criterion #7 is applicable to all rezoning applications and/or portions thereof that are not required to provide any Affordable Dwelling Units, regardless of the planned density range for the site.

- a) *Dedication of Units or Land:* If the applicant elects to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance: a maximum density of 20% above the upper limit of the Plan range could be achieved if 12.5% of the total number of single family detached and attached units are provided pursuant to the Affordable Dwelling Unit Program; and, a maximum density of 10% or 20% above the upper limit of the Plan range could be achieved if 6.25% or 12.5%, respectively of the total number of multifamily units are provided to the Affordable Dwelling Unit Program. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board.

- b) *Housing Trust Fund Contributions*: Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs. This contribution shall be payable prior to the issuance of the first building permit. For for-sale projects, the percentage set forth above is based upon the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. For rental projects, the amount of the contribution is based upon the total development cost of the portion of the project subject to the contribution for all elements necessary to bring the project to market, including land, financing, soft costs and construction. The sales price or development cost will be determined by the Department of Housing and Community Development, in consultation with the Applicant and the Department of Public Works and Environmental Services. If this criterion is fulfilled by a contribution as set forth in this paragraph, the density bonus permitted in a) above does not apply.

8. Heritage Resources:

Heritage resources are those sites or structures, including their landscape settings, that exemplify the cultural, architectural, economic, social, political, or historic heritage of the County or its communities. Such sites or structures have been 1) listed on, or determined eligible for listing on, the National Register of Historic Places or the Virginia Landmarks Register; 2) determined to be a contributing structure within a district so listed or eligible for listing; 3) located within and considered as a contributing structure within a Fairfax County Historic Overlay District; or 4) listed on, or having a reasonable potential as determined by the County, for meeting the criteria for listing on, the Fairfax County Inventories of Historic or Archaeological Sites.

In reviewing rezoning applications for properties on which known or potential heritage resources are located, some or all of the following shall apply:

- a) Protect heritage resources from deterioration or destruction until they can be documented, evaluated, and/or preserved;
- b) Conduct archaeological, architectural, and/or historical research to determine the presence, extent, and significance of heritage resources;
- c) Submit proposals for archaeological work to the County for review and approval and, unless otherwise agreed, conduct such work in accordance with state standards;
- d) Preserve and rehabilitate heritage resources for continued or adaptive use where feasible;
- e) Submit proposals to change the exterior appearance of, relocate, or demolish historic structures to the Fairfax County Architectural Review Board for review and approval;
- f) Document heritage resources to be demolished or relocated;
- g) Design new structures and site improvements, including clearing and grading, to enhance rather than harm heritage resources;
- h) Establish easements that will assure continued preservation of heritage resources with an appropriate entity such as the County's Open Space and Historic Preservation Easement Program; and

- i) Provide a Fairfax County Historical Marker or Virginia Historical Highway Marker on or near the site of a heritage resource, if recommended and approved by the Fairfax County History Commission.

ROLE OF DENSITY RANGES IN AREA PLANS

Density ranges for property planned for residential development, expressed generally in terms of dwelling units per acre, are recommended in the Area Plans and are shown on the Comprehensive Plan Map. Where the Plan text and map differ, the text governs. In defining the density range:

- the “base level” of the range is defined as the lowest density recommended in the Plan range, i.e., 5 dwelling units per acre in the 5-8 dwelling unit per acre range;
- the “high end” of the range is defined as the base level plus 60% of the density range in a particular Plan category, which in the residential density range of 5-8 dwelling units per acre would be considered as 6.8 dwelling units per acre and above; and,
- the upper limit is defined as the maximum density called for in any Plan range, which, in the 5-8 dwelling unit per acre range would be 8 dwelling units per acre.
- In instances where a range is not specified in the Plan, for example where the Plan calls for residential density up to 30 dwelling units per acre, the density cited in the Plan shall be construed to equate to the upper limit of the Plan range, and the base level shall be the upper limit of the next lower Plan range, in this instance, 20 dwelling units per acre.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		