



# FAIRFAX COUNTY

APPLICATION FILED: May 5, 2004  
PLANNING COMMISSION: September 23, 2004  
BOARD OF SUPERVISORS: Not Scheduled

V I R G I N I A

September 9, 2004

## STAFF REPORT

### APPLICATIONS PCA 1998-DR-049-2 & FDPA 1998-DR-049-2

#### DRANESVILLE DISTRICT

**APPLICANT:** Hampstead Village LLC

**PRESENT ZONING:** PDH-5

**PARCELS:** 30-1 ((30)) 20-24

**ACREAGE:** 42,350 sq. ft. or 0.97 acre portion of the 24.14 acre Evans Farm Development

**DENSITY:** 6.05 du/ac (Based on 24.14 Acres Evans Farms Development including Bonus Density for Affordable Dwelling Units – No change from original Rezoning)

**OPEN SPACE:** 7.6 acres (31.5 Percent of Evans Farm Development)

**PLAN MAP:** 3-4 du/ac (14.43 Acres of Evans Farm Development)  
5-8 du/ac (9.71 Acres of Evans Farm Development)

**PROPOSAL:** Change the single family unit footprint of five lots within a 0.97 acre Portion of the 24.14 acre development known as Evans Farm

#### STAFF RECOMMENDATIONS:

Staff recommends that PCA 1998-DR-049-2 be approved subject to the draft proffers contained in Appendix 1.

Staff further recommends that FDPA 1998-DR-049-2 be approved subject to the Board of Supervisors approval of PCA 1998-DR-049-2.

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

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

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.



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).

# Proffered Condition Amendment

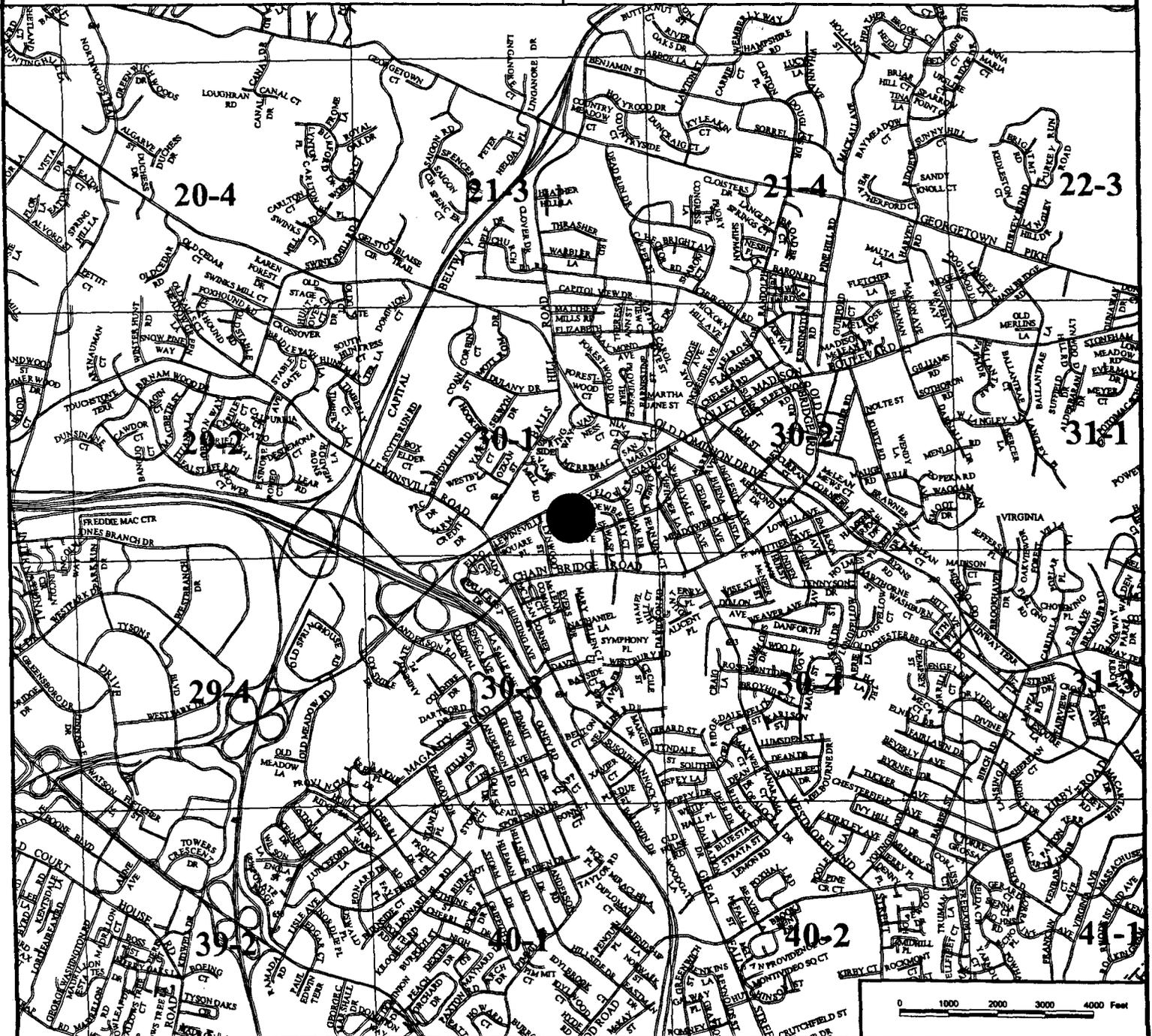
PCA 1998-DR-049-02

Applicant: HAMPSTEAD VILLAGE LLC  
Filed: 05/05/2004  
Area: 42,530 SF OF LAND; DISTRICT - DRANESVILLE  
Proposed: TO AMEND RZ 1998-DR-049 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT SITE MODIFICATIONS  
Located: SOUTH OF DOLLEY MADISON BLVD WEST OF MAYFLOWER DR NORTH OF CHAIN BRIDGE RD EAST OF GREAT FALLS ST  
Zoning: PDH- 5  
Overlay Dist:  
Map Ref Num: 030-1- /30/ /0020 /30/ /0021 /30/ /0022 /30/ /0023 /30/ /0024

# Final Development Plan Amendment

FDPA 1998-DR-049-02

Applicant: HAMPSTEAD VILLAGE LLC  
Filed: 05/05/2004  
Area: 42,530 SF OF LAND; DISTRICT - DRANESVILLE  
Proposed: TO AMEND FDP 1998-DR-049 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT SITE MODIFICATIONS  
Located: SOUTH OF DOLLEY MADISON BLVD, WEST OF MAYFLOWER DR AND SOUTH SIDE OF FARM MEADOW COURT  
Zoning: PDH- 5  
Overlay Dist:  
Map Ref Num: 030-1- /30/ /0020 /30/ /0021 /30/ /0022 /30/ /0023 /30/ /0024



# Proffered Condition Amendment

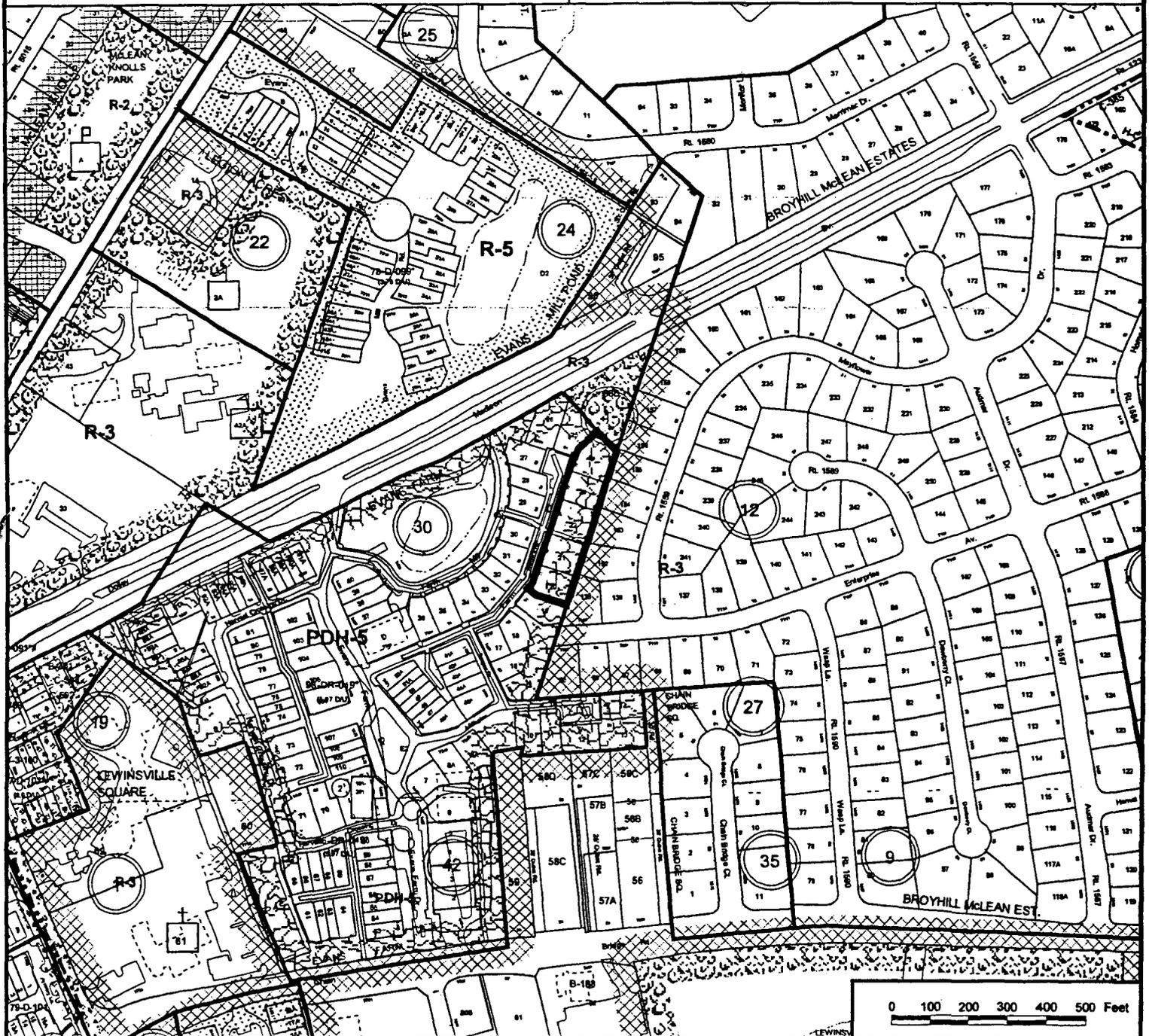
PCA 1998-DR-049-02

**Applicant:** HAMPSTEAD VILLAGE LLC  
**Filed:** 05/05/2004  
**Area:** 42,530 SF OF LAND; DISTRICT - DRANESVILLE  
**Proposed:** TO AMEND RZ 1998-DR-049 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT SITE MODIFICATIONS  
**Located:** SOUTH OF DOLLEY MADISON BLVD WEST OF MAYFLOWER DR NORTH OF CHAIN BRIDGE RD EAST OF GREAT FALLS ST  
**Zoning:** PDH- 5  
**Overlay Dist:**  
**Map Ref Num:** 030-1- /30/ /0020 /30/ /0021 /30/ /0022 /30/ /0023 /30/ /0024

# Final Development Plan Amendment

FDPA 1998-DR-049-02

**Applicant:** HAMPSTEAD VILLAGE LLC  
**Filed:** 05/05/2004  
**Area:** 42,530 SF OF LAND; DISTRICT - DRANESVILLE  
**Proposed:** TO AMEND FDP 1998-DR-049 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT SITE MODIFICATIONS  
**Located:** SOUTH OF DOLLEY MADISON BLVD, WEST OF MAYFLOWER DR AND SOUTH SIDE OF FARM MEADOW COURT  
**Zoning:** PDH- 5  
**Overlay Dist:**  
**Map Ref Num:** 030-1- /30/ /0020 /30/ /0021 /30/ /0022 /30/ /0023 /30/ /0024

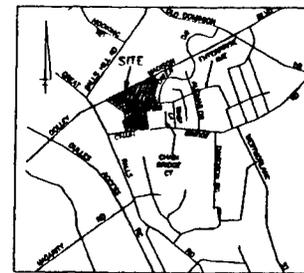


TAX MAP # 30-1-001-33  
FAIRFAX COUNTY  
BOARD OF SUPERVISORS  
R-3

TAX MAP # 30-1-001-42A  
LANGLAY SCHOOL INC.  
R-3

TAX MAP # 30-1-0024-02  
EVANS MILL POND OWNERS ASSOCIATION  
R-3

AREA OF CDPA/FDPA  
CURRENTLY UNDER CONSTRUCTION  
NO STRUCTURES AND NO VEGETATION  
0.3951 HO. 0.9764 AC.



VICINITY MAP  
SCALE: 1" = 1000'

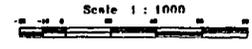
GENERAL NOTES

- The property delineated on this plat is located on Fairfax County Tax Assessment Map No. 30-1-0030-20-24 and are zoned RDM-5.
- Parcel "F" was shown hereon.
- Boundaries of property shown hereon.
- Total area of this site 24,140.41 AC.
- South and north areas shown hereon.
- The property has frontage on Dolley Madison Blvd. and Chain Bridge Road No. 1547. Proposed lot configuration plan shown hereon. All internal streets are to be privately owned and maintained.
- Photogrammetric mapping by Air Survey Corporation of Sterling, VA using Hottel's data & Associates Ltd. photogrammetric and aerial control with project coordinates and elevations. Topographic contours shown at 0.5' intervals.
- Clear space and proposed community and public uses shown hereon.
- The subject property is proposed to be developed with a mixture of single family detached duplex units, townhouse units and multi-family dwelling units with other access in garages located to the rear of the dwelling units. Houses will be set close to the street for a town center atmosphere.
- Proposed improvements to Dolley Madison Blvd. and Chain Bridge Road shown hereon. These improvements will be built as part of this development and shall conform to the current Fairfax County and/or V.D.O.T. requirements, standards and specifications.
- There are no delineated flood plains or environmental quality corridors/reserve protection areas within this site.
- Existing tree location survey shown hereon with proposed preservation.
- On-site storm water detention and on-site best management practice (BMP) will use the existing pond with modifications for this facility.
- There are no known easements having a width of twenty-five (25) feet or more.
- The existing pond, wetlands and trees will be retained as an open area with access for the general public.
- There is no visible evidence of geologic or other hazards.
- This site to be serviced by Public Sanitary Sewer and Public Water.
- To the best of our knowledge there is no physical evidence of hazardous or toxic substances or material on this site.
- The proposed development schedule is subject to approval by the Fairfax County Board of Supervisors, D.E.U. and subject to market conditions.
- Developer reserves the right to phase the development of the project.
- This development shall conform to all current and applicable ordinances, regulations and adopted standards except for those waivers, modifications and/or variances requested and approved.

- The Following Waivers are Approved:
- Private streets longer than 600' R.
- Waiver of setback along the frontage of Dolley Madison Blvd. and Chain Bridge Road.
- Waiver of private streets 7.5m(25') with parallel parking one side.
- Waiver of private streets 10.6m(35') with parallel parking two sides.
- Waiver of private streets 5.5m with no parking.
- Waiver of private street 0.3m for access to garages.
- Traditional screening along property line adjacent to Presbyterian Church and parcel 80 (Patons), including waiver of the additional setbacks required for elderly housing, if applicable.
- Traditional screening along Dolley Madison.
- Waiver of traditional screening and barrier requirement between multifamily and single family detached/detached and between single family detached and single family attached.
- Alternative spaces for private streets and walks.

CONCEPTUAL DEVELOPMENT PLAN AMENDMENT/  
FINAL DEVELOPMENT PLAN AMENDMENT  
**EVANS FARM**  
DRAVESVILLE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

OWNER:  
LOTS 20 - 24  
HAMPSTEAD VILLAGE LLC  
6820 ELM STREET SUITE 200  
MCLEAN, VIRGINIA 22101  
OB.11775 PG.1589



Huntley, Noyce & Associates, Ltd.  
CONSULTANTS • LAND PLANNING  
• CIVIL ENGINEERING • SURVEYING  
• ENVIRONMENTAL SCIENCE  
10000 WOODBURN DRIVE, SUITE 100  
FAIRFAX, VIRGINIA 22030  
TEL: (703) 261-1111  
FAX: (703) 261-1112

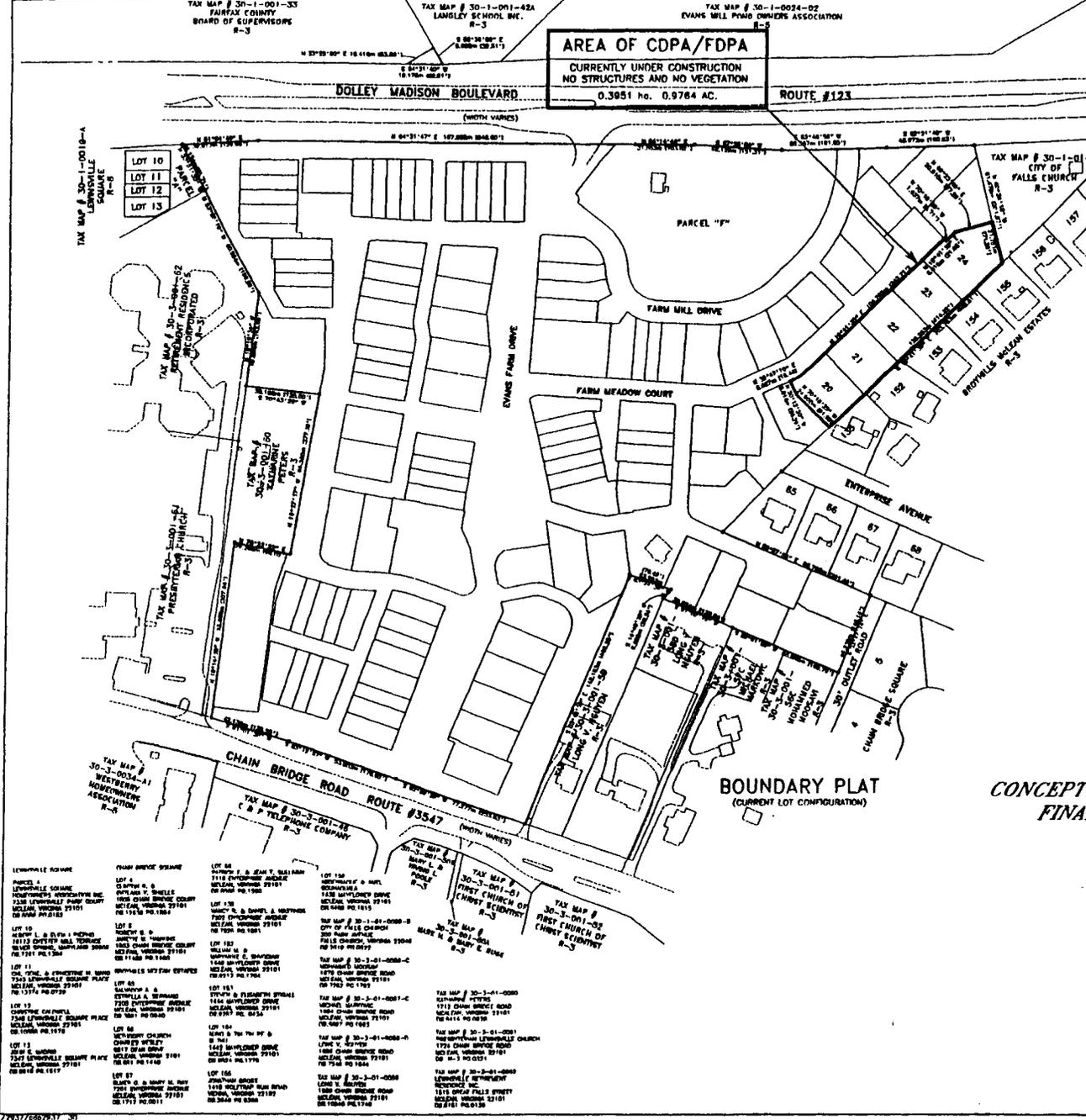


EVANS FARM  
DRAVESVILLE DISTRICT  
FAIRFAX COUNTY, VIRGINIA  
CDPA/FDPA (ZONING PLAT) - LOTS 20-24 (HOUSE TYPE CHANGE)

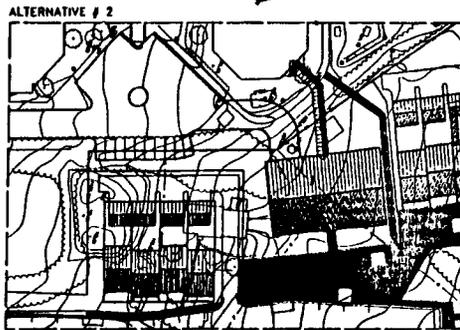
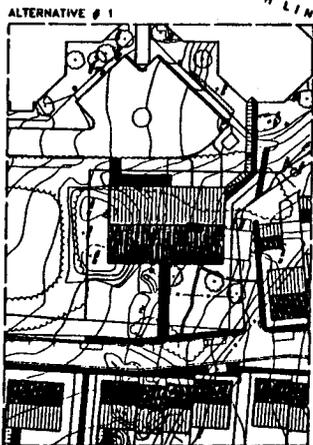
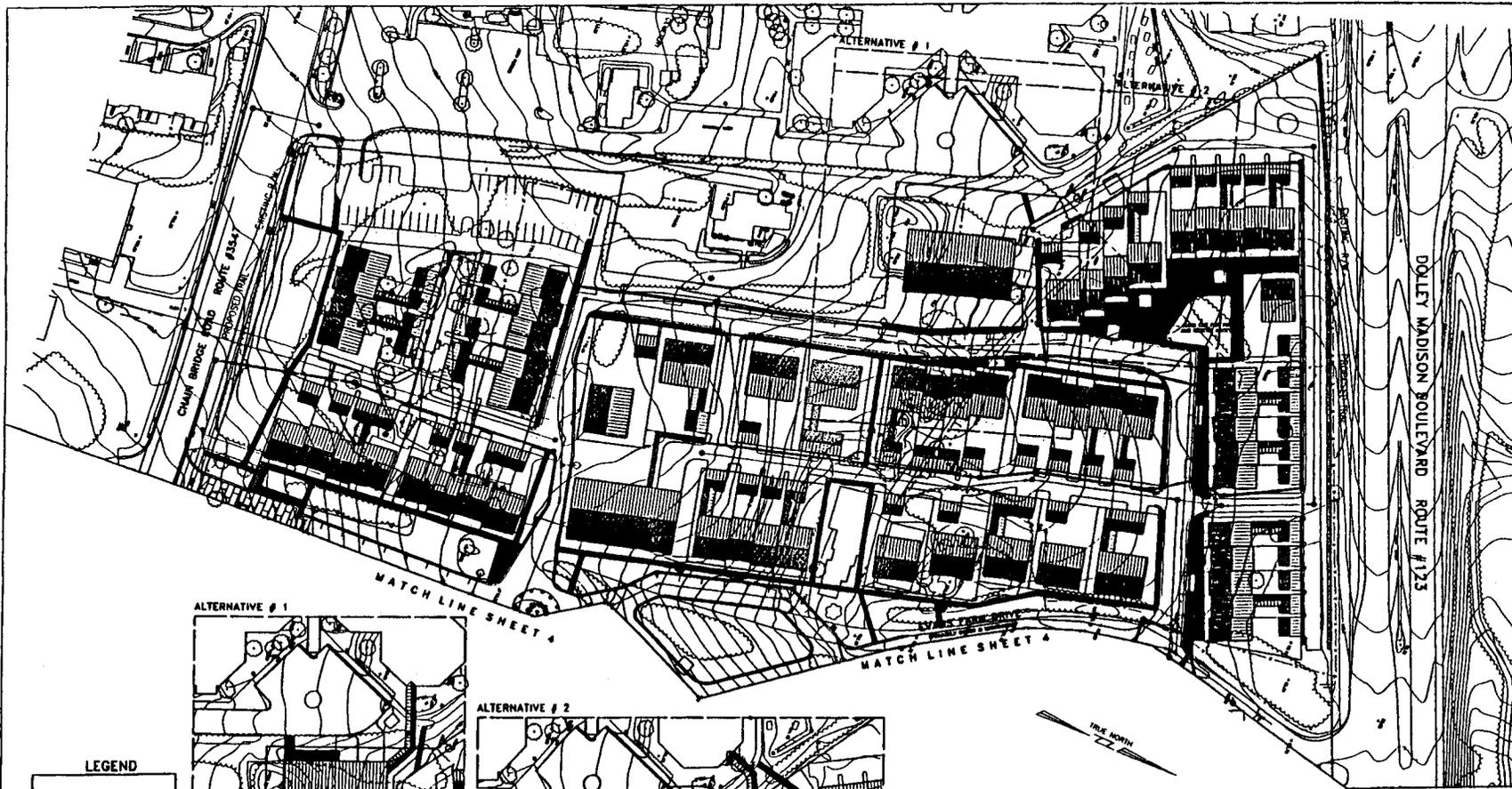
SCALE: 1:1000  
DATE: 07-23-98

REVIEWS:
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12-03-98
01-21-99
03-09-99
04-13-99
06-03-99
CDPA/FDPA 05-17-03
CDPA/FDPA 06-27-03
CDPA/FDPA 06-27-03
CDPA/FDPA 03-18-04
CDPA/FDPA 06-01-04

SHEET  
1 of 7  
PFE NO.  
PL-2837







**LEGEND**

-  SPECIAL PARKING AREA
-  WALKWAYS
-  WALLS

Scale 1 : 600

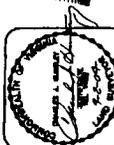


**FDP NOTES**

1. EXISTING POND WILL BE MODIFIED TO PROVIDE STORM DETENTION AND WATER QUALITY. THESE MODIFICATIONS WILL INCLUDE, BUT ARE NOT LIMITED TO, ACTIVITIES SUCH AS:
  - 1) DITCHING OF THE POND AND PROVIDING MORE NET VOLUME FOR THE WATER QUALITY.
  - 2) DRAINING OF THE AREA AROUND THE POND.
  - 3) INSTALLING A SLOPED STRUCTURE TO CONTROL THE RUNOFF FROM POND.
  - 4) INSTALLING AN EMERGENCY SPILLWAY ON THE EXISTING EMBANKMENT.
  - 5) ADJUSTING TOP OF THE EMBANKMENT PER PFD REQUIREMENTS.
  - 6) INSTALLING A CUTOFF CONDUIT UNDER THE EMBANKMENT.
2. STORE BUILDING TO BE MAINTAINED FOR AESTHETIC PURPOSES AND MAY OR MAY NOT BE USED AS A MEETING ROOM AND/OR AN OFFICE FOR A COMMUNITY MANAGER. STORE WILL TO BE MAINTAINED FOR AESTHETIC PURPOSES.
3. EXACT LOCATION OF SPECIAL PARKING AREAS, WALKWAYS, AND WALLS TO BE DETERMINED AT FINAL SITE PLAN. ADDITIONAL WALLS OR SPECIAL PARKING AREAS MAY BE PROVIDED AT FINAL SITE PLAN.
4. CONSTRUCTION DETAILS OF PARKING LOT ADJACENT TO LEWISVILLE PRESBYTERIAN CHURCH TO BE DETERMINED AT FINAL SITE PLAN.

**FOR INFORMATION ONLY**

Huntley, Myce & Associates, LTD  
 1000 W. 10th Street, Suite 100  
 Lincoln, NE 68502  
 (402) 441-1111  
 FAX (402) 441-1112  
 HMA 000001  
 HMA 000002  
 HMA 000003  
 HMA 000004  
 HMA 000005  
 HMA 000006  
 HMA 000007  
 HMA 000008  
 HMA 000009  
 HMA 000010



**EVANS FARM**  
 DRAWSMAN DISTRICT  
 FAIRFAX COUNTY, VIRGINIA  
 COPA/FDPA - LOTS 20 - 24 (HOUSE TYPE CHANGE)

SCALE: 1 : 600

DATE: 12-03-00

REVISIONS:

01-31-00
02-28-00
03-08-00
04-13-00
05-11-00
COPA/FDPA 05-12-03
COPA/FDPA 05-28-03
COPA/FDPA 05-18-04
COPA/FDPA 05-01-04

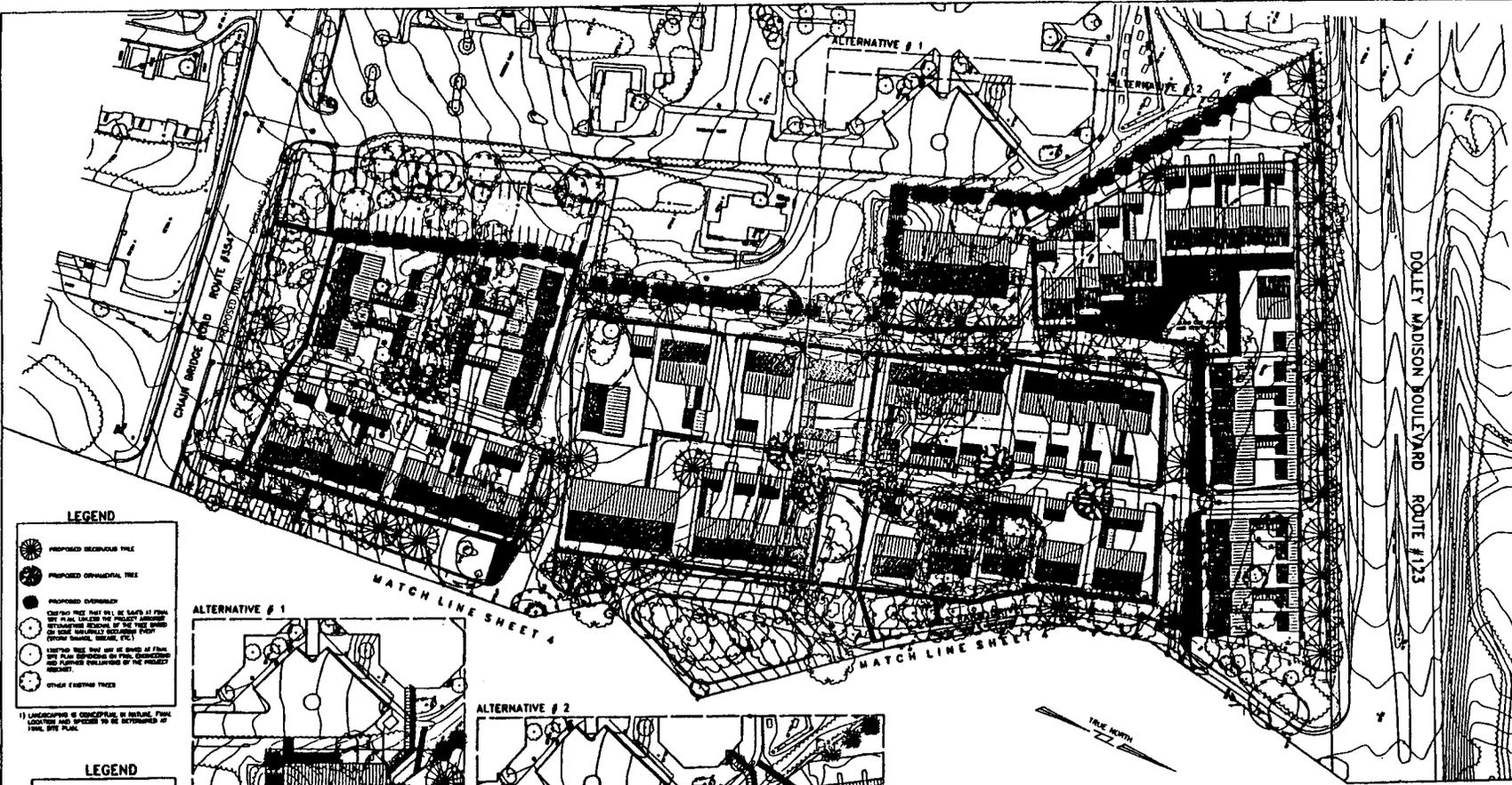
SHEET

3 of 7

FILE NO.

PL-2937

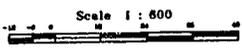
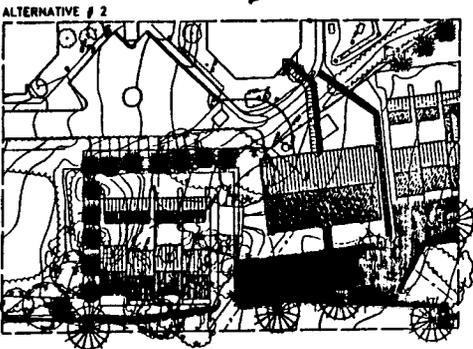




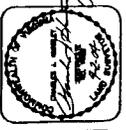
- LEGEND**
- PROPOSED DECIDUOUS TREE
  - PROPOSED ORNAMENTAL TREE
  - PROPOSED EVERGREEN
  - EXISTING TREE THAT MAY BE SAVED AT FINAL SITE PLAN. LISTED ON THE PROPOSED LANDSCAPE ALTERNATIVES SECTION OF THE TREE SCHEDULE OR TREE SCHEDULES ATTACHED TO THIS PLAN (OTHER THAN SIGNAGE, BENCHES, ETC.)
  - TREE TO BE REMOVED AT FINAL SITE PLAN. LISTED ON THE QUANTITIES AND PLANTING SCHEDULES OF THE PROJECT REPORT.
  - OTHER EXISTING TREES

1) LANDSCAPING IS SPECIFIC TO THE FINAL SITE PLAN LOCATION AND SPECIES TO BE DETERMINED AT FINAL SITE PLAN.

- LEGEND**
- SPECIAL PAVED AREA
  - ALTERNATIVE
  - WALL



Huntley, Myce & Associates, LTD  
 LANDSCAPE ARCHITECTS  
 1000 W. 10th Street, Suite 100  
 Lincoln, NE 68502  
 (402) 441-1111  
 FAX (402) 441-1112



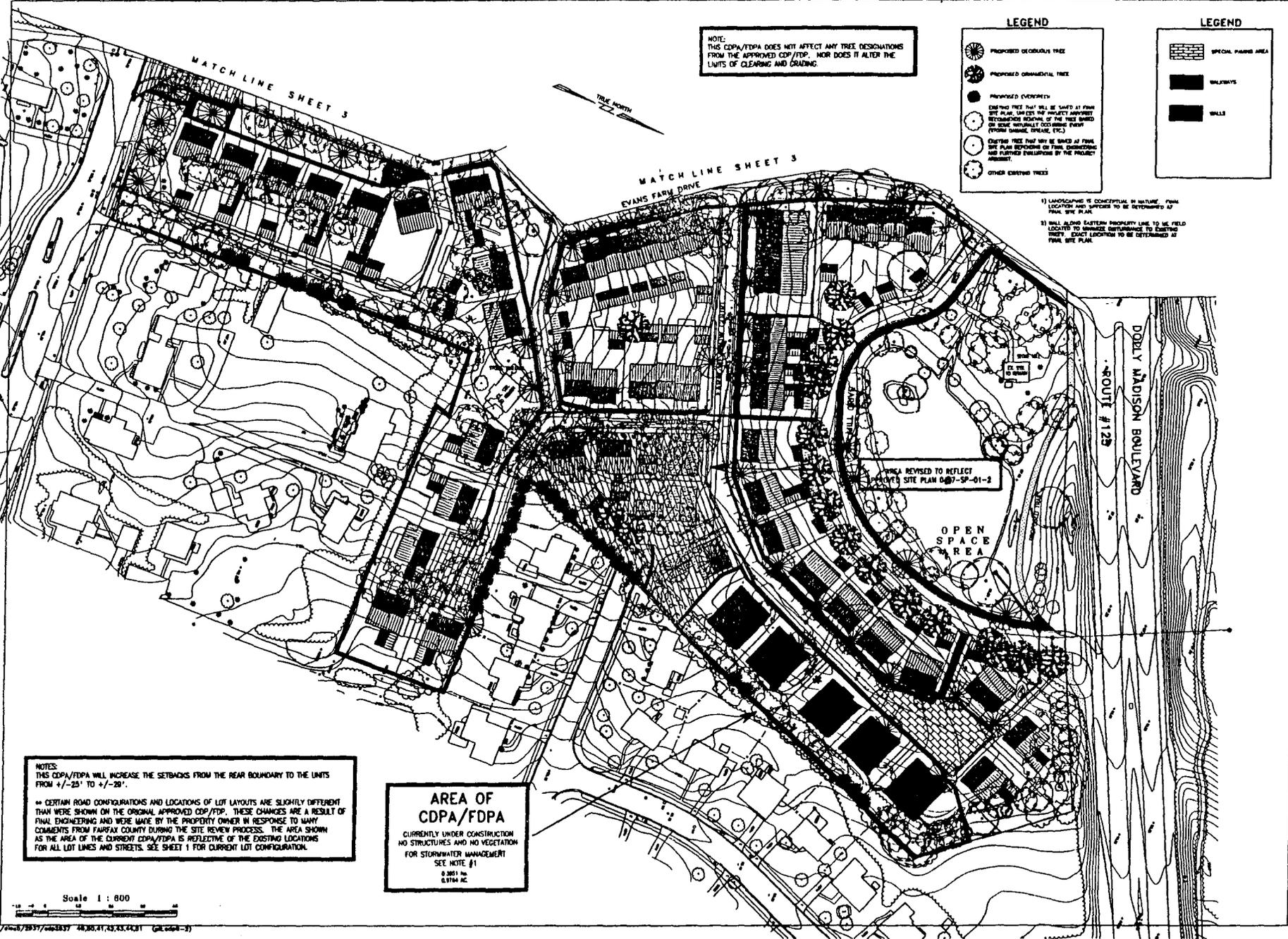
EVANS FARM  
 PRINCETON DISTRICT  
 FAIRFAX COUNTY, VIRGINIA  
 CORP./FDPA (LANDSCAPE) - LOTS 20 - 24 (HOUSE TYPE CHANGE)

SCALE: 1 : 800  
 DATE: 12-03-88  
 REVISIONS:

DATE	BY	DESCRIPTION
12-03-88	...	...
01-28-89	...	...
03-08-89	...	...
05-17-89	...	...
06-18-89	...	...
08-01-89	...	...

SHEET  
 5 of 7  
 FILE NO.  
 PL-2937

FOR INFORMATION ONLY



NOTE:  
THIS CDPA/FDPA DOES NOT AFFECT ANY TREE DESIGNATIONS  
FROM THE APPROVED COP/FTP. NOR DOES IT ALTER THE  
LIMITS OF CLEARING AND GRADING.

**LEGEND**

- PROPOSED DECIDUOUS TREE
- PROPOSED ORNAMENTAL TREE
- PROPOSED EVERGREEN
- EXISTING TREE THAT WILL BE SAVED AT FINAL SITE PLAN, UNLESS THE PROPERTY OWNER REQUESTS REMOVAL OF THE TREE BASED ON SOME UNACCEPTABLE OCCURRENCE PATTERN (TRUNK DAMAGE, SPRAING, ETC.)
- EXISTING TREE THAT WILL BE SAVED AT FINAL SITE PLAN DEPENDING ON FINAL SPECIFICATIONS AND EXISTING CONDITIONS OF THE PROJECT AREA.
- OTHER EXISTING TREES

**LEGEND**

- SPECIAL PAVING AREA
- WALKWAYS
- WALLS

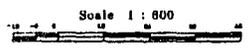
1) LANDSCAPING IS CONCEPTUAL IN NATURE. FINAL LOCATION AND SPECIES TO BE DETERMINED AT FINAL SITE PLAN.  
2) WALL ALONG EASTERN PROPERTY LINE TO BE FIELD LOCATED TO MAINTAIN DISTANCE TO EXISTING TREES. EXACT LOCATION TO BE DETERMINED AT FINAL SITE PLAN.

CDPA REVISED TO REFLECT  
REVISED SITE PLAN 0-97-SP-01-2

OPEN  
SPACE  
AREA

NOTES:  
THIS CDPA/FDPA WILL INCREASE THE SETBACKS FROM THE REAR BOUNDARY TO THE UNITS FROM +/-25' TO +/-29'.  
\*\* CERTAIN ROAD CONFIGURATIONS AND LOCATIONS OF LOT LAYOUTS ARE SLIGHTLY DIFFERENT THAN WERE SHOWN ON THE ORIGINAL APPROVED COP/FTP. THESE CHANGES ARE A RESULT OF FINAL ENGINEERING AND WERE MADE BY THE PROPERTY OWNER IN RESPONSE TO MANY COMMENTS FROM FAIRFAX COUNTY DURING THE SITE REVIEW PROCESS. THE AREA SHOWN AS THE AREA OF THE CURRENT CDPA/FDPA IS REFLECTIVE OF THE EXISTING LOCATIONS FOR ALL LOT LINES AND STREETS. SEE SHEET 1 FOR CURRENT LOT CONFIGURATION.

**AREA OF  
CDPA/FDPA**  
CURRENTLY UNDER CONSTRUCTION  
NO STRUCTURES AND NO VEGETATION  
FOR STORMWATER MANAGEMENT  
SEE NOTE #1  
0.2051 AC  
0.1794 AC



Huntley, Myce & Associates, LTD  
10000 WOODBURN DRIVE, SUITE 100  
FAIRFAX COUNTY, VIRGINIA 22031  
TEL: 703-261-1100  
FAX: 703-261-1101  
WWW.HMAY.COM



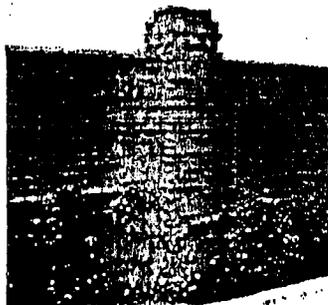
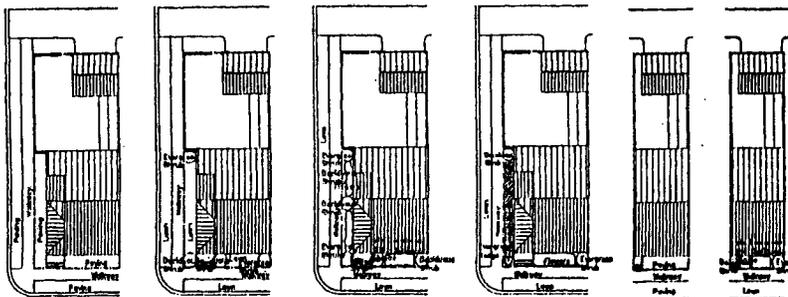
**EVANS FARM**  
MANASSAS DISTRICT  
FAIRFAX COUNTY, VIRGINIA  
CDPA/FDPA (LANDSCAPE) - LOTS 20 - 24 (HOUSE TYPE CHANGE)

SCALE: 1 : 800  
DATE: 12-03-98  
REVISIONS:

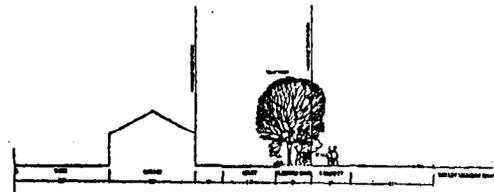
01-21-99
01-28-99
01-13-99
01-21-99
CDPA/FDPA 06-12-01
CDPA/FDPA 08-28-01
CDPA/FDPA 03-18-01
CDPA/FDPA 08-01-01

SHEET  
6 of 7  
FILE NO.  
PL-2037

TOWNHOUSE UNITS



WALL DETAIL - ALONG EAST PROPERTY LINE

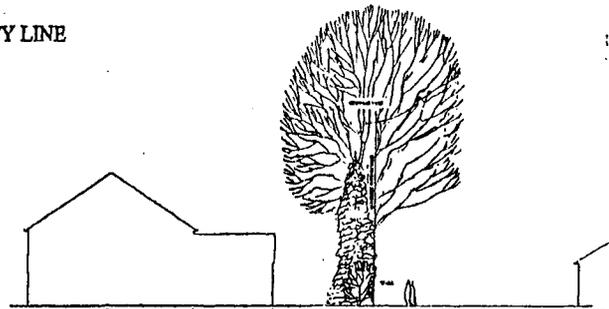
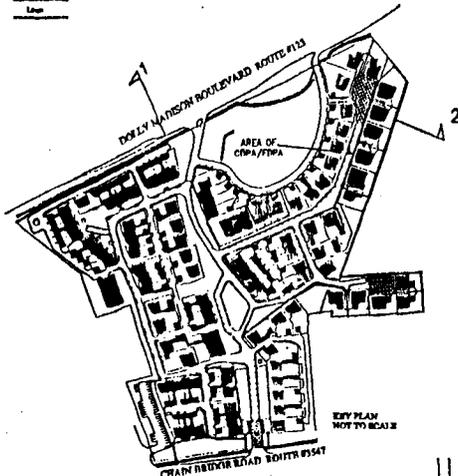
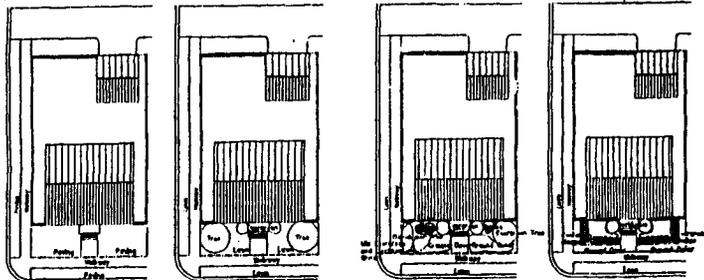


SECTION 1  
NOT TO SCALE

DECK WALL ABOVE FINISH LOCATION TO BE DETERMINED AT SITE PLAN

NOTE:  
1) TYPICAL FOUNDATION PLANTING  
ARE ILLUSTRATIVE IN NATURE. EXACT  
FOUNDATION PLANTING PLANS TO BE  
DETERMINED AT FINAL SITE PLAN.

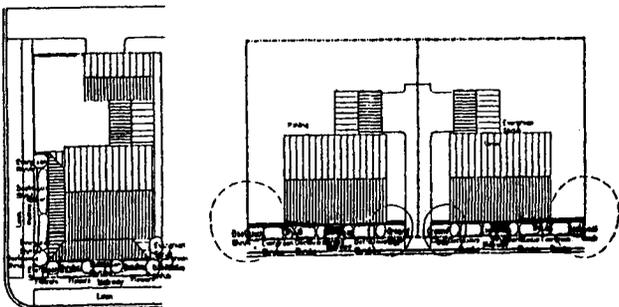
TYPICAL FOUNDATION PLANTING PLANS



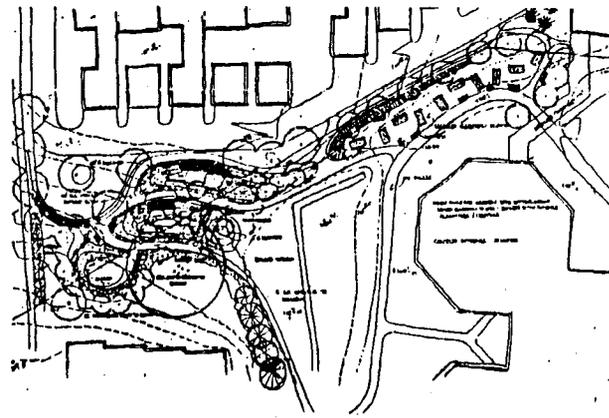
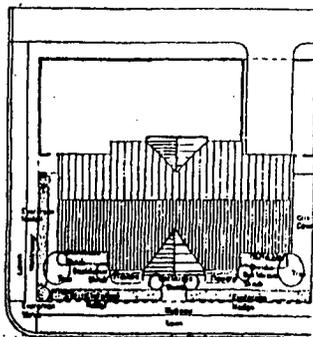
SECTION 2  
NOT TO SCALE

DECK WALL ABOVE FINISH LOCATION TO BE DETERMINED AT SITE PLAN

SINGLE FAMILY DETACHED UNITS



MULTI-FAMILY UNITS



LANDSCAPE DETAIL - NW CORNER OF SITE

Hunter, Wice & Associates, LTD  
 ARCHITECTS  
 1000 W. 10th Street, Suite 110  
 Norfolk, Virginia 23510  
 (804) 745-1100  
 FAX (804) 745-1101  
 HUNTER, WICE & ASSOCIATES, LTD  
 1000 W. 10th Street, Suite 110  
 Norfolk, Virginia 23510  
 (804) 745-1100  
 FAX (804) 745-1101



EVANS FARM  
 BRANESVILLE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA  
 COPA/TPA - 7 - 24 (HOUSE TYPE CHANGE)

SCALE:	NONE
DATE:	07-23-98
REVISIONS:	
06-10-98	
12-03-98	
07-21-99	
03-08-99	
04-13-99	
06-03-98	
COPA/TPA NO. 13-03	
COPA/TPA 02-12-03	
COPA/TPA 08-28-03	
COPA/TPA 03-18-04	
COPA/TPA 07-01-01	
SHEET	7 OF 7
FILE NO.	PL-2187

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

**DESCRIPTION OF THE APPLICATION**

The applicant, Hampstead Village LLC, is requesting an amendment to change the layout of five of the single family detached dwelling units (SFD) located on a 0.97 acre portion of the 24.14 acre development known as Evans Farm. The application property includes Tax Map Parcels 30-1 ((30)) 20 – 24. The application proposes to change the footprint of the units from a single family house with an attached garage behind the unit, to one whereby the unit footprint is extended to the rear of the lot and the garage is incorporated into the house. The setback of the house and garage from the rear property line increases from 25 feet to 29 feet.

The pending application does not propose to change the previously approved number of units (144), the number of affordable dwelling units (18), the amount or location of open space (7.48 acres), or the road network within Evans Farm. Further, the draft proffers submitted with the pending application will not change the proffered commitments accepted with the original approvals of Evans Farm pursuant to RZ 1998-DR-049 and PCA 1998-DR-049, except to note that the proffered Conceptual/Final Development Plan is changed within this 0.97 acre portion of the development and to include a house design specific to these five lots.

The draft proffers are contained in Appendix 1 and the applicant's affidavit is in Appendix 2. The statement of justification is in Appendix 3. A copy of the Clerk to the Board's letter regarding the approval of RZ 1998-DR-049 along with the accepted proffers is in Appendix 4. Appendix 5 contains a copy of the proffered combined Conceptual/Final Development Plan (CDP/FDP) for the rezoning.

**LOCATION AND CHARACTER**

Evans Farm, approved pursuant to the approval of RZ 1998-DR-049, is a residential development currently under construction. The development includes single family detached dwelling units, single family attached dwelling units and multi-family dwelling units located on private streets. A majority of the units are also located on alleys, where the garages are generally located.

The property subject to this amendment is located in the northeastern portion of Evans Farm and abuts property being developed as part of that development on three sides; the fourth side abuts the Broyhill subdivision, located to the east. The areas to the north, south and west are part of Evans Farm and are being developed with single family detached dwelling units.

## BACKGROUND

The application property (42,350 sq. ft.), along with the remainder of the land in the Evans Farm development (24.14 acres total), was rezoned to the PDH-5 District subject to proffers pursuant to the approval of RZ 1998-DR-049 on July 26, 1999. The approval allowed the development of 144 dwelling units, of which 18 were affordable dwelling units (ADUs), resulting in a density of 6.05 dwelling units per acre, (based on the bonus density allowed for the provision of ADUs). The multi-family building with the affordable dwelling units is being developed as an expansion of the Lewinsville Retirement Residence, which is located immediately west of Evans Farm.

With the approval of PCA 1998-DR-048 on October 27, 2003, the unit mix was altered to be 44 single family detached dwelling units, 68 single family attached dwelling units and 32 multi-family dwelling units. The mix was altered by converting two single family detached dwelling units and two multi-family dwelling units to four single family attached dwelling units within a 0.61 acre portion of Evans Farm that is different than the application property for the pending application. The overall number of units remained the same, 144 dwelling units, including 18 affordable dwelling units that have been added to the adjacent Lewinsville Retirement Residence. Appendix 6 contains the Clerk to the Board's letter regarding the approval of PCA 1998-DR-048 along with the portion of the CDPA/FDPA illustrating the approved changes to a 0.61 acre portion of the overall development.

## COMPREHENSIVE PLAN PROVISIONS

<b>Plan Area:</b>	II
<b>Planning District:</b>	McLean Planning District
<b>Planning Sector:</b>	Kirby Community Planning Sector - M3

The adopted Comprehensive Plan text does not include any site specific text that is applicable to the application property. The Comprehensive Plan Map shows this property to be planned for 3-4 du/ac east of Lynwood Street (14.43 acres) and 5-8 du/ac west of Lynwood Street (9.71 acres). Lynwood Street has been renamed to Evans Farm Drive.

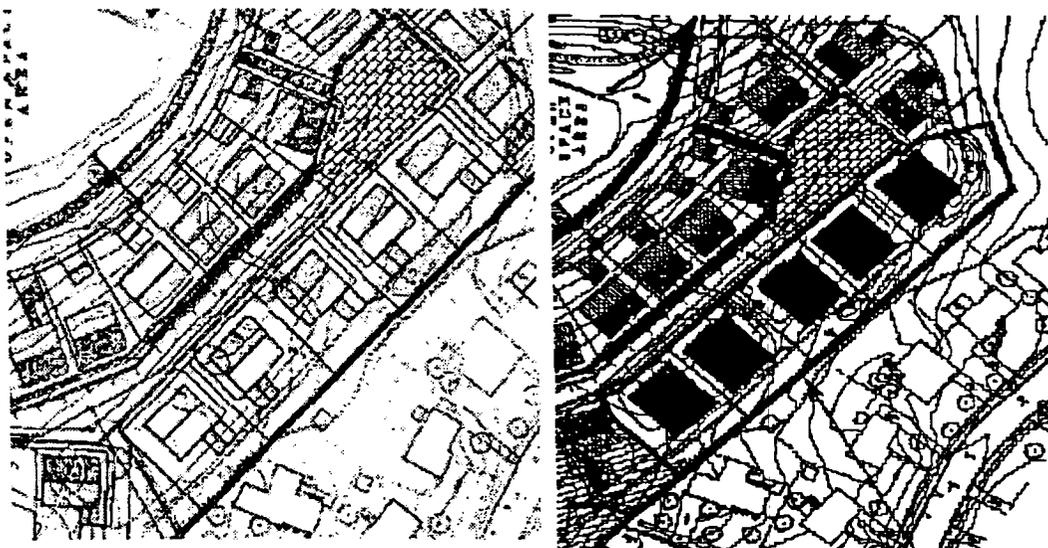
## ANALYSIS

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

Title of CDPA/FDPA:	Evans Farm
Prepared By:	Huntley, Nyce & Associates, Ltd.
Original and Revision Dates:	July 23, 1998 as revised for this application through March 18, 2004

The submitted CDPA/FDPA consists of the proffered CDP/FDP for the original rezoning, RZ 1998-DR-049, modified to show the proposed changes in layout of the five lots that are subject to the application and the changes to the 0.61 acre portion that was the subject of PCA/FDPA 1998-DR-049. The areas of Evans Farm affected by the proposed changes are highlighted on the plans. As noted above, the proposed change is to allow the house footprint to increase in size to include the garage while increasing the setback from the rear property line from 25 feet to 29 feet. The draft proffers include illustrative elevations of all sides of the proposed dwelling units.

The following is a comparison of the previously approved unit layout and the proposed unit layout in the area affected by the application.



Previous Layout

Proposed Layout

**Land Use Analysis**

Staff has concluded that the proposed changes to the layout of five of the single family detached dwelling units are in character with the previous approval and the approved density will not be affected by this proposal. Therefore, Staff has concluded that there are no land use issues associated with this proposal.

**Transportation Analysis (Appendix 7)**

There are no transportation issues associated with this proposal.

**Environmental Analysis**

There are no environmental issues associated with this proposal.

### **Public Facilities Analysis**

This application does not impact public facilities

### **Zoning Ordinance Provisions**

The proposed change to the five lots affected by these applications does not affect the manner in which Evans Farm complies with the provisions of the PDH-5 District. The draft proffers submitted with the proffered condition amendment application incorporate the previous proffers by reference while amending the previous proffers to reference the revised layout for the application property only. The proposed new layout for the application property does not affect compliance with the other proffers associated with the approval of RZ 1998-DR-049.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

These applications propose a minor layout change and a minor change to the mix of units within Evans Farm, which is under development. The overall number of units within Evans Farm as a whole remains 144 dwelling units; the amount of open space is not changing nor is the configuration of the Evans Farm changing. The draft proffers will only have effect within the 0.97 acres comprising the application property and only to the extent to proffer the new layout of the individual units shown on the proffered CDPA/FDPA. All other proffer commitments approved with the initial rezoning will be carried forward and will be applicable to this 0.97 acre site in addition to the proffers specific to this application.

### **Recommendation**

Staff recommends that PCA 1998-DR-049-2 be approved subject to the draft proffers contained in Appendix 1.

Staff further recommends that FDPA 1998-DR-049-2 be approved subject to the Board of Supervisors approval of PCA 1998-DR-049-2.

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

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

## **APPENDICES**

1. Draft Proffer Statement
2. Affidavit
3. Statement of Justification
4. Clerk to the Board's Letter regarding RZ 1998-DR-049 and Proffers
5. Reduction of the Proffered Conceptual/Final Development Plan for RZ 1998-DR-049
6. Clerk to the Board's Letter regarding PCA 1998-DR-049 and an excerpt from the Proffered CDPA/FDPA illustrating the affected area.
7. Transportation Analysis
8. Selected Excerpts from the Zoning Ordinance
9. Glossary of Terms

DRAFT

## PROFFERS

PCA/FDPA 1998-DR-049-02

DATED: \_\_\_\_\_

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and Section 16-403 of the Zoning Ordinance of Fairfax County (1978, as amended) (the "Zoning Ordinance"), the undersigned Applicant/Owner for both themselves and their successors and assigns (hereinafter "Applicant"), file for a proffer condition amendment, and final development plan amendment approval for property identified as Tax Map Reference 30-1((30)) Parcels 20-24 (the "Subject Property") and hereby agree to the following proffers, if, and only if, the Fairfax County Board of Supervisors (the "Board") approves the PCA/FDPA for the Subject Property, which is a .9764 acre portion of the property subject to the proffers for RZ 1998-DR-049 and PCA/FDPA 1998-DR-049-01. In the event said application is denied, this proffer statement shall be rendered null and void. In the event said application is approved, these proffers shall be applicable only to the .9764 acre parcel that is the subject of this application.

1. Except as modified below, the Subject Property is governed by the Proffers dated July 26, 1999 of RZ 1998-DR-049 and PCA/FDPA 1998-DR-049-01 dated October 27, 2003.

2. Proffer Number 1 of the July 26, 1999 and the October 27, 2003 proffers shall be amended as follows:

1. Development Plan

1.1 Subject to the proffers and the provisions of Section 16-402 of the Zoning Ordinance, under which minor modifications to an approved CDP/FDP are permitted, development of the Subject Property shall be in general conformance with the CDPA/FDPA, entitled "Evans Farm Dranesville District Fairfax County, Virginia CDPA/FDPA (Zoning Plat) – Lots 35 & 36 from Single Family to Townhouses" as amended by plat entitled "Evans Farm Dranesville District Fairfax County, Virginia CDPA/FDPA (Zoning Plat) – Lots 20-24 (House Type Change)", prepared by Huntley, Nyce & Associates, dated July 23, 1998, revised through March 18, 2004, consisting of seven sheets (the "Plat").

3. This application shall in no way impact the Applicant's obligations regarding tree preservation on the Subject Property pursuant to 1) proffer number 6, Tree Preservation, contained in 1998-DR-049, and 2) notes contained on sheet 6 of the Plat. Specifically, approval of this application shall in no way impact trees identified for preservation on the Subject Property's shared property line with the Broyhill Estates subdivision.

4. The rear facades of the single family detached houses to be constructed on the Subject Property shall be in general conformance with the rear elevations as shown on the attached plan labeled "Evans Farm Lots 20-24" and dated July 20, 2004.

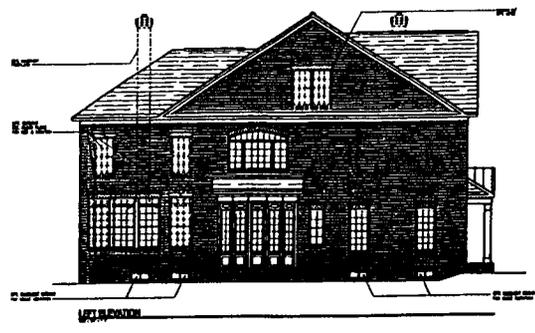
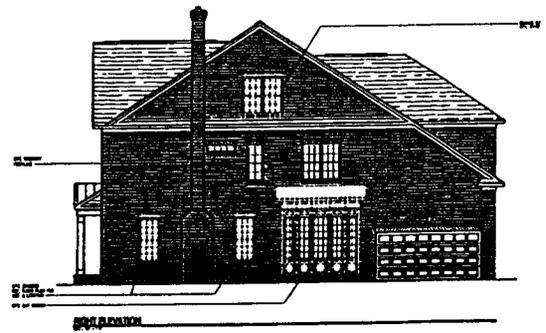
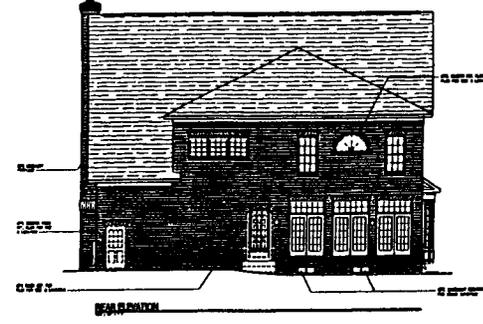
HAMPSTEAD VILLAGE LLC

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

EVANS FARM ASSOCIATION

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

H:\craftmark\p1037\bowman\lev-3-br-ick.dwg Fri Jul 30 10:52:38 2004



These elevations are preliminary in nature and subject to revision of Final Site Plan.

# EVANS FARM

LOTS 20 - 24  
(Typical Elevations)

July 20, 2004

RECEIVED  
Department of Planning & Zoning  
AUG 20 2004  
Zoning Evaluation Division

**REZONING AFFIDAVIT**

AUG 24 2004

DATE: \_\_\_\_\_  
(enter date affidavit is notarized)

I, Erika L. Byrd, Esquire, 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

83276a

in Application No.(s): PCA/FDPA 1998-DR-049-2  
(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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Hampstead Village LLC Agents: James L. Perry Jack B. Perkins	6820 Elm Street, Suite 200 McLean, VA 22101	Applicant/Title Owner of Tax Map Nos. 30-1-((30))-20, 21 22, 23, 24
McGuire Woods LLP Agents: Jonathan P. Rak Erika L. Byrd Carson L. Fifer, Jr. Gregory A. Riegler Dean H. Crowhurst Sheri L. Hoy Lisa M. Chiblow Mary B. Schukraft	1750 Tysons Boulevard, Suite 1800 McLean, VA 22102	Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent

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

\* 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: AUG 24 2004

(enter date affidavit is notarized)  
PCA/FDPA 1998-DR-049-2

83276a

for Application No. (s): \_\_\_\_\_  
(enter County-assigned application number (s))

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

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Huntley, Nyce & Associates, Ltd. Agent: Charles J. Huntley	14428 Albemarle Point Place, Suite 120 Chantilly, VA 20151	<b>Engineers/Agent</b>
Evans Farm Association Agents: James L. Perry William A. Moran Mark D. Gent	c/o Elm Street Development 6820 Elm Street, Suite 200 McLean, VA 22101	Title Owner of Tax Map No. 30-1-((30))-E1 pt.

(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

AUG 24 2004

DATE: \_\_\_\_\_  
(enter date affidavit is notarized)

83274a

for Application No. (s): PCA/FDPA 1998-DR-049-2  
(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)

Hampstead Village LLC  
6820 Elm Street, Suite 200  
McLean, VA 22101

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

Members: WEST\*GROUP MANAGEMENT LLC  
LD Management, LC

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

Gerald T. Halpin, CEO	James L. Perry, Vice President
William A. Moran, President	F. William Gue, Vice President (former)
Kathryn A. McLane, Executive Vice President	

(check if applicable)  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: AUG 24 2004

83276a

(enter date affidavit is notarized)  
PCA/FDPA 1998-DR-049-2

for Application No. (s): \_\_\_\_\_  
(enter County-assigned application number (s))

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

Huntley Nyce & Associates, Ltd.  
14428 Albemarle Point Place, Suite 120  
Chantilly, VA 20151

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

Huntley, Nyce Company

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g.

**President, Vice-President, Secretary, Treasurer, etc.)**  
Lester O. Nyce, President & Director  
Charles J. Huntley, Vice President & Director  
Robert L. Sproles, Vice President & Director

=====

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

Huntley, Nyce Company  
14428 Albemarle Point Place, Suite 120  
Chantilly, VA 20151

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

Charles J. Huntley  
Lester O. Nyce  
Robert L. Sproles  
Huntley, Nyce & Associates Ltd. Employee Stock Ownership Plan (a tax qualified retirement plan owned by a tax exempt trust)

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g.

**President, Vice-President, Secretary, Treasurer, etc.)**  
Lester O. Nyce, President & Director  
Charles J. Huntley, Chairman & Director  
Robert L. Sproles, Vice President & Director

(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: AUG 24 2004

83276a

(enter date affidavit is notarized)  
PCA/FDPA 1998-DR-049-2

for Application No. (s): \_\_\_\_\_  
(enter County-assigned application number (s))

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

WEST\*GROUP MANAGEMENT LLC  
1600 Anderson Road  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

PARK GATE GROUP LLC  
EIM, LLC (former)

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

- Gerald T. Halpin, President/CEO
- Robert A. Abt, Senior Vice President
- Thomas D. Fleury, Senior Vice President
- John D. Gerber, Senior Vice President
- Peter A. Ognibene, Senior Vice President/CFO
- William B. Rucker, Senior Vice President
- Patrick J. Shooltz, Senior Vice President
- Michael G. Basheda, Vice President
- Robert B. Bell, Jr., Vice President
- Tasso N. Flocos, Vice President
- Wayne C. Hallheimer, Vice President
- Wayne L. Hoffman, Jr., Vice President
- Margaret F. Howell, Vice President
- Malcolm J. Long, Vice President
- Eric R. Maggio, Vice President
- Simon F. Romano, Vice President
- Alice M. Starr, Vice President (former)
- Keith S. Turner, Vice President
- John C. Ulfelder, Vice President
- Bruce K. Wilber, Vice President

Rezoning Attachment to Par. 1(b)

DATE: AUG 24 2004

83276a

(enter date affidavit is notarized)  
PCA/FDPA 1998-DR-049-2

for Application No. (s): \_\_\_\_\_  
(enter County-assigned application number (s))

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

PARK GATE GROUP LLC  
1600 Anderson Road  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

WEST\*PARK ASSOCIATES L.P.  
WEST\*GATE, a Virginia Limited Partnership  
WEST\*GROUP, Inc. (less than 10%)

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

Gerald T. Halpin, Chairman of the Board/Pres./Manager	Thomas F. Nicholson, Vice President/Treas/Manager
Charles B. Ewing, Jr., Vice President/Manager	Kathryn A. MacLane, Vice President/Secty/Manager
John C. Ulfelder, Vice President/Manager	

=====

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

LD Management, LC  
6820 Elm Street, Suite 200  
McLean, VA 22101

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

Members:  
William A. Moran  
David D. Flanagan  
ESDC, Inc.

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

None

(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: AUG 24 2004

83276a

(enter date affidavit is notarized)

PCA/FDPA 1998-DR-049-2

for Application No. (s): \_\_\_\_\_  
(enter County-assigned application number (s))

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

ESDC, Inc.  
6820 Elm Street, Suite 200  
McLean, VA 22101

**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)

William A. Moran  
David D. Flanagan

=====

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

William A. Moran, CEO, David D. Flanagan, President/COO, Jeffrey P. Rice, CFO/Vice President, Catherine L. Griffin, Secretary/Treasurer, John M. Clarke, Vice President, Thomas E. Marshall, Vice President, Russell J. Dickens, Vice President, Karen R. McJunkin, Vice President, Richard D. Entsminger, Vice President, James L. Perry, Vice President, Joseph M. Jacobs, VP

=====

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

Evans Farm Association            c/o Elm Street Development  
Suite 200, 6820 Elm Street  
McLean, VA 22101

**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)

This is a non-stock corporation

=====

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

James L. Perry, Director  
William A. Moran, Director  
Mark D. Gent, Director

(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: AUG 24 2004  
(enter date affidavit is notarized)

83276a

for Application No. (s): PCA/FDPA 1998-DR-049-2  
(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)

McGuire Woods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, VA 22102

(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)

PARK GATE Equity Partners of McGuireWoods LLP

- |                               |                         |
|-------------------------------|-------------------------|
| Aaronson, Russell T. (former) | Baril, Mary Dalton      |
| Adams, Robert T. (former)     | Barnum, John W.         |
| Ames, W. Allen, Jr.           | Barr, John S.           |
| Anderson, Arthur E., II       | Bart, Hollis Gonerka    |
| Anderson, Donald D.           | Bates, John W., III     |
| Andre-Dumont, Hubert          | Becker, Scott L.        |
| Atkinson, Frank B.            | Beil, Marshall H.       |
| Aucutt, Ronald D.             | Belcher, Dennis I.      |
| Bagley, Terrence M.           | Blanco, Jim L. (former) |
| Baran, Barbara (nmi)          | Boland, J. William      |

(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 Attachment to Par. 1(c)

DATE: AUG 24 2004

832769

(enter date affidavit is notarized)

PCA/FDPA 1998-DR-049-2

for Application No. (s): \_\_\_\_\_

(enter County-assigned application number (s))

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

McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, VA 22102

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

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

Bracey, Lucius H., Jr.  
Broaddus, William G.  
Brown, Thomas C., Jr.  
Burke, John W., III  
Burkholder, Evan A.  
Burrus, Robert L., Jr.  
Busch, Stephen D.  
Cabaniss, Thomas E.  
Cairns, Scott S.  
Capwell, Jeffrey R.  
Carter, Joseph C., III  
Casey, James J.  
Cason, Aian C.  
Cogbill, John V., III  
Courson, Gardner G. (former)  
Cranfill, William T.  
Cromwell, Richard J.  
Crystal, Jules I. (former)  
Culbertson, Craig R.  
Cullen, Richard (nmi)  
Cutchins, Clifford A., IV  
Dabney, H. Slayton, Jr.  
de Cannart d'Hamale, Emmanuel  
De Ridder, Patrick A.  
Deem, William W.  
den Hartog, Grace R. (former)

Di Cioccio, Stephen J.  
Dickerman, Dorothea W.  
Dillon, Lee Ann  
DiMattia, Michael J.  
Dimitri, James C.  
Douglass, W. Birch, III  
Dudley, Waller T.  
Dyke, James Webster, Jr.  
Earl, Marshall H., Jr.  
Edwards, Elizabeth F.  
Evans, David E.  
Feller, Howard (nmi)  
Fennebresque, John C.  
Fifer, Carson Lee, Jr.  
Flemming, Michael D.  
France, Bonnie M.  
Franklin, Stanley M.  
Freedlander, Mark E.  
Freye, Gloria L.  
Fuhr, Joy C.  
Getchell, E. Duncan, Jr.  
Giannone, Sandra K.  
Gibson, Donald J., Jr.  
Gieg, William F.  
Gillece, James P., Jr.  
Glassman, Margaret M.

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

Rezoning Attachment to Par. 1(c)

DATE: AUG 24 2004

83274a

(enter date affidavit is notarized)  
PCA/FDPA 1998-DR-049-2

for Application No. (s): \_\_\_\_\_  
(enter County-assigned application number (s))

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

McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, VA 22102

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

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

- |                                 |                            |
|---------------------------------|----------------------------|
| Goldstein, Philip (nmi)         | King, Michael H.           |
| Goodall, Larry M.               | Kittrell, Steven D.        |
| Gordon, Alan B.                 | Klenk, Timothy C. (former) |
| Grandis, Leslie A.              | Kratz, Timothy H.          |
| Greenberg, Richard T.           | Krueger, Kurt J.           |
| Grimm, William K.               | La Fratta, Mark J.         |
| Hampton, Glen W. (former)       | Lawrie, Henry deVos, Jr.   |
| Harmon, Jonathan P.             | Lee, John Y.               |
| Harmon, T. Craig                | Lieberman, Richard E.      |
| Harmon, Yvette (nmi)            | Little, Nancy R.           |
| Harrington, James T.            | Long, William M.           |
| Hartsell, David L.              | Lutter, Paul A. (former)   |
| Hayden, Patrick L.              | Mack, Curtis, L.           |
| Hayes, Dion W.                  | Marshall, Gary S.          |
| Heberton, George H.             | Martin, George Keith       |
| Hodes, Scott (nmi) (former)     | Mason, Richard J.          |
| Howard, Marcia Morales (former) | Matte, James L.            |
| Isaf, Fred T.                   | McArver, R. Dennis         |
| Jackson, J. Brian               | McCallum, Steven C.        |
| Jarashow, Richard K.            | McElligott, James P.       |
| Johnston, Barbara Christie      | McElroy, Robert G.         |
| Joslin, Rodney D. (former)      | McFarland, Robert W.       |
| Kane, Richard F.                | McGee, Gary C.             |
| Katsantonis, Joanne (nmi)       | McIntyre, Charles Wm.      |
| Keefe, Kenneth M., Jr.          | McMenamin, Joseph P.       |
| Kidder, Jacquelyn F.            | Melson, David E.           |
| King, Donald E.                 | Menges, Charles L.         |
| King, William H. Jr.            | Menson, Richard L.         |

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

Rezoning Attachment to Par. 1(c)

DATE: AUG 24 2004

83276a

for Application No. (s): \_\_\_\_\_  
(enter date affidavit is notarized)  
PCA/FDPA 1998-DR-049-2  
(enter County-assigned application number (s))

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

McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, VA 22102

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

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

- |                           |                           |
|---------------------------|---------------------------|
| Michels, John J., Jr.     | Riopelle, Brian C.        |
| Milton, Christine R.      | Robertson, David W.       |
| Mulroy, Thomas R.         | Robinson, Stephen W.      |
| Murphy, Sean F.           | Rogers, Marvin L.         |
| Newman, William A.        | Rohman, Thomas P.         |
| Nizio, Francis (nmi)      | Rosen, Gregg M.           |
| Nunn, Daniel B., Jr.      | Russell, Deborah M.       |
| Oakey, David N.           | Rust, Dana L.             |
| O'Grady, Clive R. G.      | Sable, Robert G.          |
| O'Grady, John B.          | Samuels, Lawrence R.      |
| Oostdyk, Scott C.         | Satterwhite, Rodney A.    |
| Padgett, John D.          | Schill, Gilbert E., Jr.   |
| Page, Rosewell, III (nmi) | Schoeneberger, Keith P.   |
| Pankey, David H.          | Sellers, Jane Whitt       |
| Pellegrini, John B.       | Senica, John L.           |
| Pelton, Russell M.        | Serritella, William D.    |
| Pickens, B. Andrew, Jr.   | Shelley, Patrick M.       |
| Pollard John O.           | Skinner, Halcyon E.       |
| Price, James H., III      | Slaughter, Alexander H.   |
| Pristave, Robert J.       | Slone, Daniel K.          |
| Pusateri, David P.        | Smith, James C., III      |
| Rak, Jonathan P.          | Smith, R. Gordon          |
| Rappaport, Richard J.     | Smith, Stephen R (former) |
| Richardson, David L.      | Spahn, Thomas E.          |
| Rifken, Lawrence E.       | Spitz, Joel H.            |
| Riley, James B., Jr.      | Stallings, Thomas J.      |

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

Rezoning Attachment to Par. 1(c)

DATE: AUG 24 2004

83276a

(enter date affidavit is notarized)  
PCA/FDPA 1998-DR-049-2

for Application No. (s): \_\_\_\_\_  
(enter County-assigned application number (s))

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

McGuire Woods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, VA 22102

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

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

Starkman, Gary L.  
Steen, Bruce M.  
Sterling, David F. (former)  
Stone, Jacquelyn E.  
Strickland, William J.  
Stroud, Robert E. (former)  
Summers, W. Dennis  
Swartz, Charles R.  
Tashjian-Brown, Eva S.  
Tetzlaff, Theodore R.  
Thornhill, James A.  
Toohey, James K.  
Valeta, Peter J.  
Van der Mersch, Xavier G.  
Vick, Howard C., Jr.  
Waddell, William R.  
Walker, Howard W.  
Walker, J. Tracy, IV  
Walsh, James H.  
Wangard, Robert E.  
Watts, Stephen H., II  
Wells, David M.  
Whittemore, Ann Marie  
Williams, Stephen E. (former)  
Williams, Steven R.  
Williamson, Mark D.  
Wilsker, Richard A.  
Wilson, Ernest G.  
Wood, R. Craig  
Word, Thomas S., Jr.

Young, Kevin J.  
Younger, W. Carter  
Yorke, John B. (former)  
Zirkle, Warren E.

These are the only equity partners in the above-referenced firm

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

Rezoning Attachment to Par. 1(c)

DATE: AUG 24 2004

83276a

(enter date affidavit is notarized)  
PCA/FDPA 1998-DR-049-2

for Application No. (s): \_\_\_\_\_  
(enter County-assigned application number (s))

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

WEST\*PARK ASSOCIATES L.P.  
1600 Anderson Road  
McLean, VA 22102

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

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

General Partners: (\*) owns less than 10% of WEST\*PARK ASSOCIATES L.P.

- Gerald T. Halpin
- Charles B. Ewing, Jr.
- Thomas F. Nicholson
- \*Eagle Management Corporation
- \*Southfork Corporation
- \*The Seeley Family Corporation
- \*Fairfax Road Corporation

Limited Partners: (\*) owns less than 10% of WEST\*PARK ASSOCIATES L.P.

- The Martha U. Seeley Family Trust f/b/o John N. Seeley, Margaret R. Seeley, Julie A. Seeley
- Howard Ulfelder Irrevocable Trust f/b/o Howard (nmi) Ulfelder, Jr.
- Howard Ulfelder Irrevocable Trust f/b/o John C. Ulfelder
- Howard Ulfelder Irrevocable Trust f/b/o Thomas H. Ulfelder
- The Maple Family Trust f/b/o Ruth Ulfelder Covo
- The Black Oak Trust f/b/o Joanne (nmi) Covo
- The White Oak Trust f/b/o Marilyn Covo Schmidt
- Rudolph G. Seeley and Martha U. Seeley Irrevocable Trust u/d/d 12/15/70 f/b/o Julie Ann Seeley
- Rudolph G. Seeley and Martha U. Seeley Irrevocable Trust u/d/d 12/15/70 f/b/o John Nicholas Seeley
- Rudolph G. Seeley and Martha U. Seeley Irrevocable Trust u/d/d 12/14/70 f/b/o Margaret Ruth Seeley
- Sidney Ulfelder Irrevocable Trusts u/d/d 12/15/70 f/b/o Barbara Ulfelder Smith
- Sidney Ulfelder Irrevocable Trusts u/d/d 12/15/70 f/b/o Sandra Ulfelder Wallick
- \*The 1985 Group
- \*Westequities Associates Limited Partnership
- \*WEST\*GROUP, Inc.
- \*WEST\*GROUP PROPERTIES LLC (former)
- \*WEST\*GROUP MANAGEMENT LLC (former)

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

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

DATE: AUG 24 2004

83276a

for Application No. (s): \_\_\_\_\_  
(enter date affidavit is notarized)  
PCA/FDPA 1998-DR-049-2  
(enter County-assigned application number (s))

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

WEST\*GATE, a Virginia Limited Partnership  
1600 Anderson Road  
McLean, VA 22102

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

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

General Partner: (\*owns less than 10% of WEST\*GATE, a Virginia Limited Partnership)

\*Westgate Virginia, Inc.

Limited Partners: (\*owns less than 10% of WEST\*GATE, a Virginia Limited Partnership)

\*Westequities Associates Limited Partnership

Howard (nmi)Ulfelder, Jr.

Howard Ulfelder Irrevocable Trust f/b/o Howard (nmi) Ulfelder, Jr.

Howard Ulfelder Irrevocable Trust f/b/o John C. Ulfelder

Howard Ulfelder Irrevocable Trust f/b/o Thomas H. Ulfelder

Howard Ulfelder 1983 Irrevocable Trust f/b/o Howard (nmi) Ulfelder, Jr., Susanna (nmi) Ulfelder, Jennifer (nmi) Ulfelder, Steven (nmi)

Ulfelder, David (nmi) Ulfelder and Abigal (nmi) Ulfelder

Howard Ulfelder 1983 Irrevocable Trust f/b/o John C. Ulfelder, Susan (nmi) Ulfelder, William (nmi)  
Ulfelder and John (nmi) Ulfelder, Jr.

Howard Ulfelder 1983 Irrevocable Trust f/b/o Thomas H. Ulfelder, Jean (nmi) Ulfelder, Emily (nmi)  
Ulfelder, Alex (nmi) Ulfelder, James (nmi) Ulfelder and Sarah (nmi) Ulfelder

The Maple Family Trust f/b/o Ruth (nmi) Covo

The Black Oak Trust f/b/o Joanne (nmi) Covo

The White Oak Trust f/b/o Marilyn (nmi) Covo

The Estate of Martha U. Seeley, Julie A. Seeley, Executor

Kristen (nmi) Covo

Peter Paul Covo

Nathaniel (nmi) Schmidt

Matthew (nmi) Schmidt

Sidney Ulfelder Irrevocable Trust f/b/o Sandra (nmi) Wallick

Sidney Ulfelder Irrevocable Trust f/b/o Barbara (nmi) Smith

Sidney Ulfelder Family Trust f/b/o Sandra (nmi) Wallick

Sidney Ulfelder Family Trust f/b/o Barbara (nmi) Smith

The Martha U. Seeley Family Trust f/b/o Martha U. Seeley, John N. Seeley, Margaret R. Seeley, and  
Julie A. Seeley

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

Rezoning Attachment to Par. 1(c)

DATE: AUG 24 2004

83276a

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(enter County-assigned application number (s))

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

WEST\*GATE, a Virginia Limited Partnership  
1600 Anderson Road  
McLean, VA 22102

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

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

Limited Partners (continued): (\*owns less than 10% of WEST\*GATE, a Virginia Limited Partnership)

- The Rudolph Seeley and Martha U. Seeley Irrevocable Trust f/b/o John N. Seeley
- The Rudolph Seeley and Martha U. Seeley Irrevocable Trust f/b/o Margaret R. Seeley
- The Rudolph Seeley and Martha U. Seeley Irrevocable Trust f/b/o Julie A. Seeley
- Thomas H. Ulfelder
- John C. Ulfelder
- John N. Seeley
- Julie Ann Seeley
- Margaret R. Seeley
- Gerald T. Halpin
- Helen R. Halpin
- John N. Grover
- Lester Weil, Trustee (former) w/d/t 5/29/76 f/b/o Lester L. Weil and Ruth S. Weil
- Thomas F. Nicholson and Sheridan Nicholson Irr. Trust
- Charles B. Ewing, Jr.
- Emily W. Myatt
- The Raymond Friedman Trust f/b/o Myra (nmi) Friedman
- Myra (nmi) Friedman
- J. Norma and Barbara Rossen Family Trust f/b/o Joel Norman Rossen, Jonathan C. Rossen, C. David Rossen, and Rebecca A. Davis
- George C. Pierce
- \*Enfield Associates
- Kurt and/or Susan Berlin (nmi)
- Harriet D. McLucas
- Bruce Mark Olcott
- Miriam B. and Harold M. Landau
- John B. Phillips \*Weil Children Limited, a California Limited
- Ruth E. Wachtel Partnership, Arthur S. Weil, General Partner
- Janet L. Wachtel
- Alan L. Wachtel

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

Rezoning Attachment to Par. 1(c)

DATE: AUG 24 2004

(enter date affidavit is notarized)

83276a

for Application No. (s): PC/FDPA 1998-DR-049-2

(enter County-assigned application number (s))

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

WEST\*GATE, a Virginia Limited Partnership  
1600 Anderson Road  
McLean, VA 22102

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

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

Limited Partners (continued): (\*owns less than 10% of WEST\*GATE, a Virginia Limited Partnership)

- Estate of Lena Gitter; (former) Rebecca L. Gitter, Personal Representative
- Eleanor M. Celler, Jennifer (nmi) Rollo, Jonathan (nmi) Glitter
- Jerome Niederman Trust (former) f/b/o Jacqueline (nmi) Niederman, Michael (nmi) Niederman and Mark (nmi) Niederman
- The Jerome Neiderman Residuary Trust (beneficiaries unknown)
- The Jerome Neiderman Marital Trust (beneficiaries unknown)
- Cheryl N. Lilienstein
- Richard (nmi) Niederman
- Robert (nmi) Niederman
- Peter T. Halpin
- John (nmi) Phillips
- Frances Gay Phillips
- Betty (nmi) Saliga
- Charles (nmi) Phillips
- Estate of Henry Phillips, Mildred (nmi) Phillips Administrator
- Ethel H. Ulfelder Rev. Trust f/b/o Howard (nmi) Ulfelder, Jr.
- Ethel H. Ulfelder Rev. Trust f/b/o John C. Ulfelder
- Ethel H. Ulfelder Rev. Trust f/b/o Thomas C. Ulfelder
- Jacques (nmi) Wachtel
- Jacob (nmi) and Dorothy (nmi) Entel, Joint Tenants with Right of Survivorship
- Keith E. Rumbel
- Helen (nmi) Rumbel
- R.O. Webster
- The Elliot Mitchell Trust f/b/o Mildred (nmi) Mitchell
- Roger A. Golde
- Joseph Philipson Trust f/b/o Stella (nmi) Philipson, Jean (nmi) Philipson, David (nmi) Philipson, Alice (nmi) Philipson, Robert (nmi) Philipson, Stephanie (nmi) Raugust and Hiromi (nmi) Idehar
- Niederman Family Trust f/b/o Richard (nmi) Niederman and Robert (nmi) Niederman
- Charles G. Lubar
- Nancy L. Sommers
- Joan L. Alvarez

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

REZONING AFFIDAVIT

DATE: AUG 24 2004  
(enter date affidavit is notarized)

832742

for Application No. (s): PCA/FDPA 1998-DR-049-2  
(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: AUG 24 2004  
(enter date affidavit is notarized)

83276a

for Application No. (s): PCA/FDPA 1998-DR-049-2  
(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 \$200 or more, with any of those listed in Par. 1 above.

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

James L. Perry donated in excess of \$200 to J. DuBois. William A. Moran donated in excess of \$200 to Joan DuBois. ESDC, Inc. contributed in excess of \$200 to Friends of Michael Frey.

(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

Applicant's Authorized Agent

Erika L. Byrd, Esquire, Agent for Applicant

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

Subscribed and sworn to before me this 24th day of AUGUST 2004, in the State/Comm. of FAIRFAX, County/City of FAIRFAX.

Patricia W. Young  
Notary Public

My commission expires: DECEMBER 31, 2006

Rezoning Attachment to Par. 3

DATE: AUG 24 2004  
(enter date affidavit is notarized)

83276a

for Application No. (s): PCA/FDPA 1998-DR-049-2  
(enter County-assigned application number (s))

Kathryn A. MacLane contributed in excess of \$200 to the following persons:

- (1) Kauffman for Supervisor;
- (2) Elaine McConnell for Supervisor;
- (3) the Friends of Michael Frey;
- (4) to Penny Gross for Supervisor;
- (5) Connolly for Supervisor; and
- (6) Sharon Bulova.

Gerald T. Halpin and Helen R. Halpin contributed in excess of \$200 to Kauffman for Supervisor.

G. T. Halpin contributed in excess of \$200 to the following persons:

- (1) Hyland for Supervisor;
- (2) Linda Smyth; and
- (3) Gerald Connolly

Gerald T. Halpin contributed in excess of \$200 to the Hyland for Supervisor.

John C. Ulfelder contributed in excess of \$200 to the following persons:

- (1) Gerald Connolly;
- (2) Linda Smyth;
- (3) Cathy Hudgins; and
- (4) Joan DuBois.

Eagle Management Corporation contributed in excess of \$200 to the following persons:

- (1) Kauffman for Supervisor; and
- (2) Gerald Hyland

Charles B. Ewing, Jr., contributed in excess of \$200 to the following persons:

- (1) Joan DuBois; and
- (2) Elaine McConnell.

Thomas F. Nicholson donated in excess of \$200 to Gerald Connolly.

David D. Flanagan donated in excess of \$200 to Joan DuBois.

Jeffrey P. Rice donated in excess of \$200 to Joan DuBois.

Wayne Hoffman contributed in excess of \$200 to Gerald Connolly.

(check if applicable)

There are more disclosures to be listed for Par. 3, and Par. 3 is continued further on a "Rezoning Attachment to Par. 3" form.

McGuireWoods LLP  
1750 Tysons Boulevard  
Suite 1800  
McLean, VA 22102-4215  
Phone: 703.712.5000  
Fax: 703.712.5050  
www.mcguirewoods.com

APPENDIX 3

Erika L. Byrd  
Direct: 703.712.5480

McGUIREWOODS

ebyrd@mcguirewoods.com  
Direct Fax: 703.712.5288

April 9, 2004

RECEIVED  
Department of Planning & Zoning

APR 12 2004

Zoning Evaluation Division

Barbara Byron  
Division Director  
Fairfax County Zoning Evaluation Division  
12055 Government Center Parkway  
Suite 800  
Fairfax, Virginia 22035

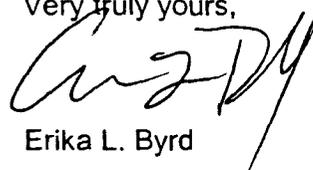
**Re: Amendment to RZ 1998-DR-049, The Evans Farm Project (the "Approval")  
STATEMENT OF JUSTIFICATION**

Dear Ms. Byron:

Please allow this letter to serve as a Statement of Justification for an amendment to the Approval including the CDP/FDP. As you are aware, the owner/applicant desires to modify the CDP/FDP Approval in the very limited area (less than 1 acre) within the Approval shown on the CDPA/FDPA. All aspects of the Approval shall remain intact but for a small number of single family home lot dimensions. The change to the plans involves the enlargement of total lot area for the five affected lots and modifies the footprint for the five single family detached houses to accommodate changes in market demand. This proposed change does not increase the total number of units nor does it decrease the amount of open space. The applicant is not proposing any change to the existing proffered commitments or to any other aspects of the Approval. This proposed change will not change the character or design of the project. The proposed minor amendment is in conformance with the adopted comprehensive plan and conforms with the provisions of all applicable ordinances, regulations and adopted standards.

The proposed change is of such a minor and insignificant nature that, on behalf of the applicant/owner, I respectfully request your favorable review of the application. Please call me if you have any questions or require additional information.

Very truly yours,



Erika L. Byrd

ELB/ep

cc: Joan DuBois, Fairfax County Board of Supervisors, Dranesville District  
Nancy Hopkins, Fairfax County Planning Commissioner  
Susan Turner, Co-Chair of Planning & Zoning Committee, McLean Citizens Association  
Jack Perkins, Project Manager, Elm Street Development  
Jonathan P. Rak, Esquire, McGuireWoods LLP



# FAIRFAX COUNTY

APPENDIX 4

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

August 18, 1999

Telephone: 703-324-3151  
FAX: 703-324-3926  
TTY: 703-324-3903

Jonathan P. Rak, Esquire  
Wilkes, Artis, Hedrick and Lane, Ctd.  
11320 Random Hills Road - Suite 600  
Fairfax, Virginia 22030-6042

RE: Rezoning Application  
Number RZ 1998-DR-049

Dear Mr. Rak:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on July 26, 1999, granting Rezoning Application Number RZ 1998-DR-049 in the name of Ralph B. Evans, to rezone certain property in the Dranesville District from the R-3 District to the PDH-5 District, subject to the proffers dated July 26, 1999, on subject parcel 30-1 ((1)) 37, 38, 38B, 39, 41, 42, 42B and 92, consisting of approximately 24.14 acres.

The Board also approved the Conceptual Development Plan; the Planning Commission having previously recommended approval of Final Development Plan FDP 1998-DR-049 on June 24, 1999, subject to the Board's approval of RZ 1998-DR-049.

**The Board also:**

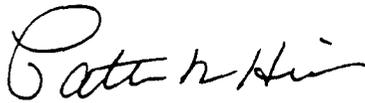
- **Waived the limitation on the length of private streets.**
- **Waived the service drive requirement on Dolly Madison Boulevard.**
- **Modified the transitional screening and barrier requirements adjacent to Lot 60.**
- **Modification of the transitional screening and barriers internal to the property.**

RZ 1998-DR-049  
August 18, 1999

- 2 -

- **Approved a variance to allow that \$955 per unit be used for implementation of trails in the Pimmit Run area.**
- **Directed that the Department of Public Works and Environmental Services allow the existing Enterprise Avenue to remain a stub street without a cul-de-sac and with pedestrian only access to Evans Farm Property.**

Sincerely,



Patti M. Hicks  
Deputy Clerk to the Board of Supervisors  
NV/ns

cc: Chairman Katherine K. Hanley  
Supervisor-Dranesville District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Michael R. Congleton, Deputy Zoning Administrator  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Fred R. Beales, Supervisor Base Property, Mapping/Overlay  
Robert Moore, Trnsprt'n. Planning Div., Dept. of Transportation  
Ellen Gallagher, Project Planning Section, Dept. of Transportation  
Michelle Brickner, Deputy Director, DPW&ES  
DPW&ES - Bonds & Agreements  
Frank Edwards, Department of Highways - VDOT  
Land Acqu. & Planning Div., Park Authority  
District Planning Commissioner  
Thomas Dorman, Director, Facilities Mgmt. Div., DPW&ES  
Barbara J. Lippa, Exceutive Director, Planning Commission

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 26<sup>th</sup> day of July, 1999, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROPOSAL NUMBER RZ 1998-DR-049

WHEREAS, Ralph B. Evans filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the R-3 District to the PDH-5 District, and

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

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

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

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

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

GIVEN under my hand this 26<sup>th</sup> day of July, 1999.



Patti M. Hicks

Deputy Clerk to the Board of Supervisors

**PROFFERS**  
**RZ 1998-DR-049**  
**DATED: JULY 26, 1999**

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950 as amended, the undersigned Applicant/Owner for both themselves and their successors and assigns (hereinafter "Applicant"), file for a zoning map amendment and final development plan approval for property identified as Tax Map Reference 30-1((1)) 37, 38, 38B, 39, 41, 42, 42B and 92 (Subject Property) and hereby agree to the following proffers, provided the Fairfax County Board of Supervisors (the Board) approves the rezoning of the Subject Property to the PDH-5 zoning district:

1. Development Plan

1.1 Development of the Subject Property shall be in substantial conformance with the CDP/FDP, prepared by Huntley, Nyce, & Associates, dated July 23, 1998, revised through May 3, 1999, consisting of seven sheets.

1.2 Pursuant to paragraph 4 of Section 16-403 of the Ordinance, minor modifications of the CDP/FDP may be permitted as determined by the Zoning Administrator. The Applicant may revise the width or depth of lots and units shown on the CDP/FDP without requiring approval of an amendment to the CDP/FDP, provided that such changes are in conformance with the Ordinance, are in substantial conformance with the CDP/FDP, and do not increase the total number of units, decrease the amount of open space, except as provided in paragraph 5.2, below, decrease the ratio of parking spaces per unit, or move any residential unit more than five feet closer to any exterior property boundary.

2. Transportation

2.1 The Applicant shall construct public street and entrance improvements on Dolley Madison Boulevard (Route 123) as approved by VDOT and DPWES and shown conceptually on the attached CDP/FDP; these improvements shall include right and left hand turn lanes and acceleration lanes at the project's entrances. The Applicant shall also dedicate in fee simple to the Board the land area 35 feet from the centerline of Chain Bridge Road (Route 3547) for right-of-way purposes at the time of final site plan/subdivision plan approval or upon demand by the Board, whichever comes first. The Applicant shall construct or bond for construction frontage improvements, as approved by VDOT and DPWES within the dedicated right-of-way along Chain Bridge Road at the time of final site plan/ subdivision plan approval.

2.2 At the time of the approval of a final site plan/subdivision plan for a first phase of development, the Applicant shall provide a monetary contribution for the entire cost of the installation of a traffic signal on Chain Bridge Road (Route 3547) at a location between Westmoreland Street and Great Falls Road. The amount of such contribution shall be approved by DPWES. After the issuance of the final residential use permit within the project and prior to the final bond release, the Applicant will conduct a warrant study for such traffic signal and

submit the study to VDOT and DPWES. If traffic warrants are not met to justify the installation of subject traffic signal at the time of bond release, the contribution shall become available for use by Fairfax County for traffic improvements in the McLean area.

### 3. Affordable Dwelling Unit Program

3.1 The Applicant shall comply with the Affordable Dwelling Unit (ADU) program as set forth in Part 8 of Article 2 of the Fairfax County Zoning Ordinance. The number of ADUs to be provided may be reduced by the Applicant based on the adoption of a future amendment to the provisions of the ADU Ordinance. Subject to agreement between the parties, the ADU requirement may be met through construction of elderly housing units by the Lewinsville Retirement Residence on land sold to the Lewinsville Retirement Residence by the Applicant for One Dollar (\$1.00) as shown in Alternative 1 or 2 on the CDP/FDP. If the above agreement does not take place, the affordable dwelling unit requirement shall be satisfied with the provision of multi-family dwelling units which shall be distributed in at least two of the three multi-family buildings shown on the CDP/FDP unless the ADUs are made a part of the Lewinsville Retirement Residence as shown in Alternatives 1 and 2 on the FDP, in which case, the ADUs may be in one building. The Applicant will not pursue a modification to the requirements of the ADU program that would allow a monetary contribution to the Fairfax County Housing Trust Fund in lieu of providing the required ADUs.

### 4. Erosion and Sediment Control and Stormwater Management

4.1 In order to minimize siltation in the pond on the Evans Mill Pond property, the applicant shall provide additional erosion and sediment control measures over and above those required by the Public Facilities Manual (PFM) subject to the approval of the Director of DPWES. These enhancements may include the location of additional sediment control measures at one or more of the following locations: around the existing pond on the Property, between the pond and the pipe located under Route 123, and between the pipe under Route 123 and the stormwater management pond located on the Evans Mill Pond property. Prior to commencement of any land disturbing activities on the Property, Applicant shall conduct a bathymetric survey on the eastern portion of the Evans Mill Pond stormwater management pond. Following completion of land disturbing activities, the Applicant shall conduct a second bathymetric survey. If siltation in the Evans Mill Pond stormwater management pond exceeds normal deposition of sediments without construction activity, as determined by DPWES, the Applicant will, at its expense, remove the siltation prior to the release of the Applicant's Conservation Bond.

4.2 The Applicant shall provide on-site stormwater management and Best Management Practices (BMPs) in accord with the requirements of the Public Facilities Manual and the Chesapeake Bay Preservation Ordinance. The farm pond existing on the Subject Property shall be modified to accommodate these facilities as required by DPWES, subject to the following: The Applicant may drain and reconstruct the farm pond and/or enlarge the area of the pond, provided such enlargement shall not conflict with the tree save designations shown on the CDP/FDP and provided that, to the maximum extent possible, the character of the existing

pond shall be retained subject to the approval of the Director of DPWES after consultation with the Urban Forestry Branch of DPWES. Appropriate materials will be planted to supplement the existing vegetation around the pond in compliance with the "Interim Policy Regarding Tree Preservation and Planting In and Around Stormwater Management Ponds" adopted by the Board on March 8, 1999. These materials shall be in addition to those shown on the CDP/FDP.

4.3 In order to enhance water quality in the existing farm pond, the applicant shall provide additional water-quality protection measures over and above those required by the PFM subject to the approval of the Director of DPWES. These measures may include, but are not limited to one of the following: installation of forebays, creation of a shallow shelf planted with wetland species under the permanent pool of the pond, use of mechanical separators in the storm drainage system, and/or creation of water falling situations to increase oxygen in the water.

## 5. Streets and Parking

5.1 The Applicant shall construct private streets in conformance with the Public Facilities Manual, except that the following minimum road widths may be allowed as listed on the CDP/FDP subject to the approval of the Director of DPWES: 18-foot wide travelways; 14-foot wide pavement in alleys; and eight-foot wide parallel parking lanes. Walkways shall be provided in the general locations depicted on the CDP/FDP. Private streets and alleys will be maintained by the homeowners' association.

5.2 The Applicant may increase the number of parking spaces above the number shown on the CDP/FDP, provided that the addition of parking spaces do not 1) decrease the total percentage of open space provided within the project below 31 percent; 2) adversely affect any tree save or open space areas; or 3) reduce the total number of trees to be planted and provided that the additional parking spaces are in substantial conformance with the CDP/FDP.

5.3 The Applicant will use best efforts to obtain the right-of-way necessary from lots 65, 66, and 135 on Enterprise Avenue to construct a permanent cul-de-sac to VDOT standards at the existing terminus of Enterprise Avenue. If the necessary right-of-way can be obtained, the Applicant will, at its expense, construct the cul-de-sac.

5.4 Should Tax Map Parcel 30-3((1))-60 be subdivided for residential use, then access to the private streets on the Subject Property will be allowed only if the entire parcel becomes subject to a recorded declaration that requires a per unit pro rata contribution for private street maintenance and that imposes the same architectural standards as those restricting the Property in these proffers. In addition, the Applicant will provide the owner of the above-referenced lot with access to the private streets for the existing single family residence only, provided that the owner of the lot submits a written request for access to the Applicant, prior to the Applicant's submission of a site plan/subdivision plan to the County DPWES. The Applicant shall provide a written notice to the owner of the above-referenced parcel offering such access at least 30 days prior to the first submission of the site plan/subdivision plan. This notice shall include a reasonable deadline (not less than 30 days) for the owner of the above-

referenced parcel to request access. A copy of the notice shall be included with the first submission of the site plan/subdivision plan.

5.5 The land adjacent to Lewinsville Presbyterian Church (the "Church") shall be used as a parking lot for Lewinsville Retirement Residence, as shown on the CDP/FDP. If the Applicant is unable to reach agreement with the Church or Lewinsville Retirement Residence, if access to the parking area cannot be obtained across Tax Map No. 30-3-001-60, or if Lewinsville Retirement Residence is unable to obtain the necessary approvals for the parking lot, the land shall be used as open space.

5.6 Although the streets within the project will be private, all pedestrian areas within the project shall remain open to the general public during daylight hours at a minimum and any other times as determined by the homeowners' association. The pedestrian areas shall be encumbered by a pedestrian access easement, subject to reasonable rules and restrictions.

5.7 The Applicant shall provide trash receptacles at the two bus stops on Chain Bridge Road which shall be maintained and emptied by the homeowners' association.

## 6. Tree Preservation

6.1 For the purpose of maximizing tree preservation, the Applicant shall prepare a tree preservation and transplantation plan. The tree preservation and transplantation plan for the entire property shall be reviewed by the Urban Forestry Branch of DPWES as part of the submission of the first site plan or subdivision plan, and prior to the demolition of any existing structures or any construction activities on the Subject Property. This plan shall provide for the preservation of specific trees as shown on the CDP/FDP. The Urban Forestry Branch may require modifications to the grading plan to the extent said modifications do not alter the number of dwelling units shown on the CDP/FDP, reduce the size of the units, or require the installation of retaining walls greater than two feet in height.

A. The tree preservation plan shall include a tree survey prepared by an arborist certified by the International Society of Arboriculture, showing the locations, size, species and approximate dripline of all the existing trees as shown on the CDP/FDP. The tree preservation plan shall include a condition analysis performed by a certified arborist, using the methods described in the latest edition of the "Guide for Plant Appraisal," published by the International Society of Arboriculture. This information shall be provided on the tree preservation plan.

B. After completion of the tree survey and condition analysis, the certified arborist shall consult with the Applicant's design engineer to determine the appropriate placement for homes on the lots in order to maximize tree preservation. The limits of clearing and grading will be determined at this time to minimize tree root disturbance. The tree preservation plan shall be submitted with, and become a part of, the site plan or subdivision plan and the overlot grading plans, whichever is appropriate. The placement of all utilities, both public and private, shall be considered in light of the submission of the tree preservation plan.

6.2 Tree healthcare measures shall be a part of the tree preservation plan. Specific tree preservation activities such as root pruning, vertical and horizontal mulching, mycorrhizae treatment and crown maintenance shall be required where existing trees will be heavily impacted by construction activities.

6.3 The location of trees identified as candidates for transplanting shall be noted on the tree preservation plan and will be coordinated with the Urban Forestry Branch. Trees identified for transplanting shall be moved prior to the commencement of any clearing or demolition activities. If necessary, the transplanting may occur after the initial stages of clearing and grading, if this is appropriate as determined by the Urban Forestry Branch, but must commence immediately thereafter. Transplanted trees and shrubs may be substituted for landscaping shown on the development plan. The tree preservation plan must also contain a description of how the transplanted trees will be cared for both during storage, if applicable, and after final planting.

6.4 All trees shown to be preserved on the tree preservation plan shall be protected by fencing a minimum of four feet in height during construction. The tree protection fencing shall be made clearly visible to all construction personnel. The fencing shall be installed prior to any work being conducted on the site, including the demolition of any existing structures. The tree preservation plan may call for special tree protection measures where individual trees or groups of trees will be impacted on more than two sides. The certified arborist shall monitor the installation of the tree protection fencing and verify in writing that it has been installed prior to the demolition of any existing structures. In addition, the certified arborist shall monitor the construction work and tree preservation efforts in order to ensure that the commitments made on the tree preservation plan are fulfilled.

6.5 The demolition of existing structures shall be conducted in such a manner as to minimize the impact on individual trees and groups of trees to be preserved.

## 7. Architecture and Landscaping

7.1 The illustrative architectural drawings attached hereto as Exhibit A are provided to show the design intent of the proposed single-family, townhouse and multi-family buildings. The front elevations shall be generally consistent in character and quality with the illustrations. Specific features, such as the exact location and size of windows, doors, shutters and roofline are subject to modification with final engineering and architectural design. The applicant may also substitute different elevations provided that the new elevations are generally consistent in terms of character and quality with the illustrations as determined by the Director of DPWES.

7.2 The side and rear elevations of the single-family, townhouse, and multi-family buildings shall be constructed primarily with the same material as the front elevations and shall generally be consistent with the quality and character of the illustrations.

7.3 The typical foundation planting plans shown on the CDP/FDP are illustrative in nature. The final foundation planting plans shall be generally consistent in character and quality with the typical illustrations.

7.4 Street trees shall be planted in the general locations shown on the CDP/FDP. Trees to be planted in tree wells as shown on the CDP/FDP will be provided with the minimum planting areas established in the Public Facilities Manual. Design of tree wells shall be approved by the Urban Forestry Branch.

7.5 The Applicant shall construct a brick wall, generally six feet in height, along the eastern boundary of the Property as shown on the CDP/FDP.

7.6 The Applicant shall provide landscaping adjacent to the Lewinsville Square townhouses as shown on the CDP/FDP.

## 8. Open Space and Recreation

8.1 Two of the existing structures identified on the CDP/FDP as the Millhouse and Stonehouse shall be preserved, provided that alterations may be made for accessibility, safety, and structural integrity. The Stonehouse may, at the Applicant's discretion, be converted to meeting room or office for an on-site community manager.

8.2 All open space areas, including the existing farm pond, Millhouse, and Stonehouse shown on the CDP/FDP shall be dedicated and conveyed to the homeowners' association.

8.3 The existing farm pond and Millhouse shall be accessible to both the residents of the Subject Property and the general public during daylight hours at a minimum and any other times as determined by the homeowners' association. This area will be encumbered by a public access easement, subject to reasonable rules and restrictions.

8.4 The Applicant shall make a monetary contribution to the Fairfax County Park Authority of \$955.00 per dwelling unit for recreation improvements within the McLean area prior to the issuance of a building permit for each unit. If the Board approves a variance pursuant to Section 16-401(8)(B), these funds shall be designated for the acquisition and construction of trails in the McLean area and shall be contributed to the Board of Supervisors.

8.5 Prior to the issuance of a residential use permit for the 50<sup>th</sup> dwelling unit, the Applicant shall design and construct the following improvements to Lewinsville Park, subject to the approval of the Fairfax County Park Authority:

A. Improve the gravel area west of the existing parking lot to provide a paved parking lot of approximately 48 spaces. Applicant improvements shall be limited to clearing, grading, paving section, curb stops, bollards, and stabilization of disturbed area.

B. Improve the existing playground adjacent to the garden plots. Applicant improvements shall be limited to removing the existing retaining wall, replacing the existing benches and picnic tables, relocating the asphalt trail, grading associated with these improvements, modifications to the playground border and surface associated with these improvements, and the stabilization of all disturbed areas.

8.6 The Applicant shall grant a public access trail easement for the trail along Dolley Madison Boulevard for those portions located on the Subject Property.

8.7 Applicant shall restore areas disturbed for placement of utilities, if different from that shown on the CDP/FDP, as determined by DPWES.

8.8 Prior to the issuance of a residential use permit for the 25<sup>th</sup> dwelling unit, the Applicant shall contribute \$100,000 to the McLean Revitalization Corporation for streetscape amenities, such as streetlights, in the McLean Community Business Center.

9. Noise Reduction

9.1 Applicant shall use building materials with characteristics to achieve a minimum average interior noise level of 45 dBA Ldn for all units (if any) located within the projected 65-70 dBA Ldn highway noise impact area for Dolley Madison Boulevard (Route 123) and Chain Bridge Road (Route 3547).

1. All units located between the 65-70 dBA Ldn highway noise impact contours (For Dolley Madison Boulevard: 65 dBA Ldn - 250 feet from centerline; 70 dBA Ldn - 120 feet from centerline and for Chain Bridge Road 65 dBA Ldn - 125 feet from centerline; 70 dBA Ldn - 60 feet from centerline) may achieve the average interior noise levels using the following acoustical techniques:

- A. Exterior walls shall have a laboratory STC rating of a least 39.
- B. Doors and windows shall have a laboratory STC rating of at least 28. If windows constitute more than twenty percent (20%) of any facade, they shall have the same laboratory STC as walls.
- C. Measures to seal and caulk between exterior wall surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

2. As an alternative, the Applicant may submit to the Department of Planning and Zoning (DPZ) and DPWES an acoustical engineering study which will specify those building materials to be used to ensure that building interior sound levels will not be in excess of 45 dBA Ldn for all of those residential units delineated on the CDP/FDP within the above-referenced areas. The study methodology shall be acceptable to DPZ.

3. In order to reduce exterior noise levels in affected rear and/or side yards to 65 dBA Ldn or less, one or more noise barrier shall be provided. Barrier(s) shall be of a height sufficient to break all lines of sight between a line eight feet above the centerline of the highway and a plane six feet above the ground in the affected outdoor recreation areas. The barrier(s) shall be architecturally solid from the ground up and shall contain no gaps. The Applicant may use gates between garage units as sound mitigation, provided that gates are flush with a step on the interior of the lot and the gates swing out towards an alley. A berm, architecturally solid wall, or berm and wall combination may be used to provide the required level of noise mitigation. The Applicant may incorporate privacy fencing within the noise barrier, provided that such fencing will meet the above guidelines.

#### 10. Energy Efficiency

10.1 All homes on the Subject Property shall meet the thermal guidelines of the Virginia Power Energy Saver Program for energy-efficient homes or its equivalent, as determined by DPWES for either electric or gas energy systems, as applicable.

#### 11. Use of Garages

11.1 Garages will be used only for the purposes that will not interfere with the intended purpose of a garage, which is the parking of vehicles and the location of certain utilities. A restrictive covenant to that effect running to the homeowners' association and Fairfax County, approved by the County Attorney, shall be recorded among the land records of the Fairfax County in conjunction with or prior to the Deed of Dedication and Subdivision. Prior to entering into any contract of sale, prospective purchasers of homes shall be notified in writing of this covenant.

#### 12. Construction

12.1 Construction access from Enterprise Avenue shall be prohibited; except that construction access from Enterprise Avenue shall be allowed for the construction of utility lines and pedestrian trails that connect to Enterprise Avenue, the construction of a wall between the Property and Broyhill Estates, and any improvements to Enterprise Avenue required by VDOT.

12.2 The Applicant shall provide rodent control through extermination in and around all existing structures prior to their demolition.

#### 13. Homeowners' Association and Disclosures

13.1 The Applicant shall form a homeowners' association for the Subject Property, as approved by the County Attorney. In the event one of the multi-family dwelling buildings is consolidated into the Lewinsville Retirement Residence as shown on Alternative 1 or Alternative 2 of Sheet 3 of the Final Development Plan, that portion of the Subject Property may be exempted from assessments, architectural controls, or other restrictions of the association documents.

13.2 Prior to entering into any contract of sale, prospective purchasers of homes within the Subject Property shall be notified in writing of 1) future homeowners' association responsibility for the maintenance of the private streets and alleys, stormwater management and BMP facilities and adjacent open space area, and the Millhouse and Stonehouse structures; 2) accessibility of the pond, Millhouse, and pedestrian areas for the general public, as set forth herein; 3) potential access for Parcel 60 as specified in paragraph 5.4, above; and 4) the requirement of the homeowner's association to maintain the trail around the pond and the trash receptacles at the bus stops along Chain Bridge Road. The Applicant shall require that purchasers acknowledge receipt of this information in writing. A covenant, setting forth the maintenance responsibility of the private streets, trash receptacles, stormwater management and BMP facilities, and accessibility of the farm pond, Millhouse, Stonehouse, and pedestrian areas for the general public, by the homeowners' association shall be recorded among the land records of Fairfax County. Each deed of conveyance shall expressly contain these disclosures.

SIGNATURE PAGES FOLLOW

TITLE OWNER  
PARCEL 30-1-((1))-38B

EVANS FARM INN CORP.

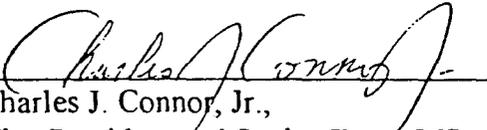
By:   
Ralph B. Evans,  
President

TITLE OWNER

PARCELS 30-1-((1))-37, 38,39, 41, 42, and 92

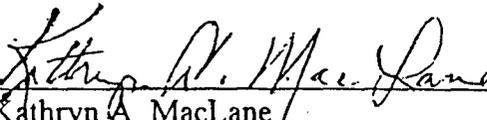
EVANS SOUTH LIMITED PARTNERSHIP

By: FIRST VIRGINIA BANK, TRUSTEE

By:   
Charles J. Connor, Jr.,  
Vice President and Senior Trust Officer

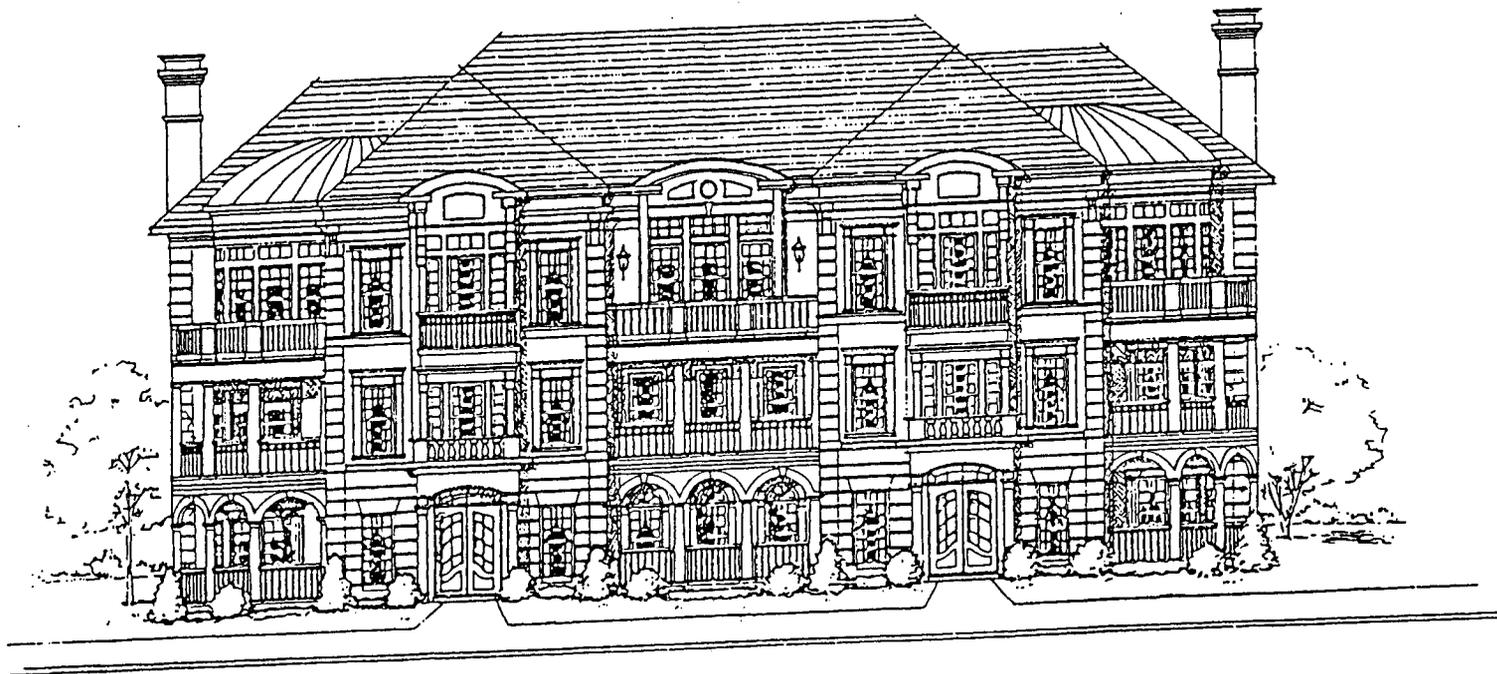
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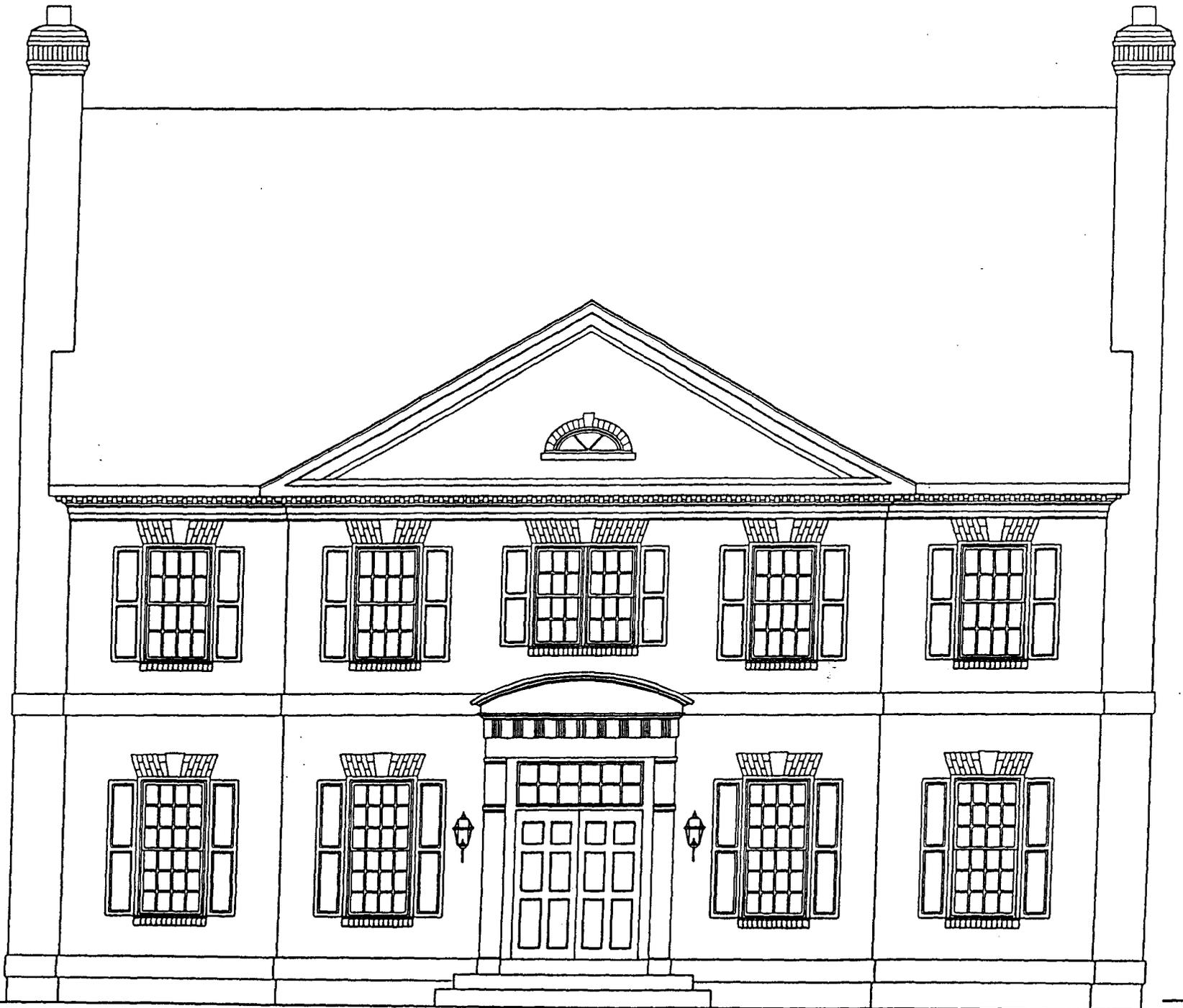
WEST\*GROUP MANAGEMENT LLC

BY:   
Kathryn A. MacLane,  
Executive Vice President

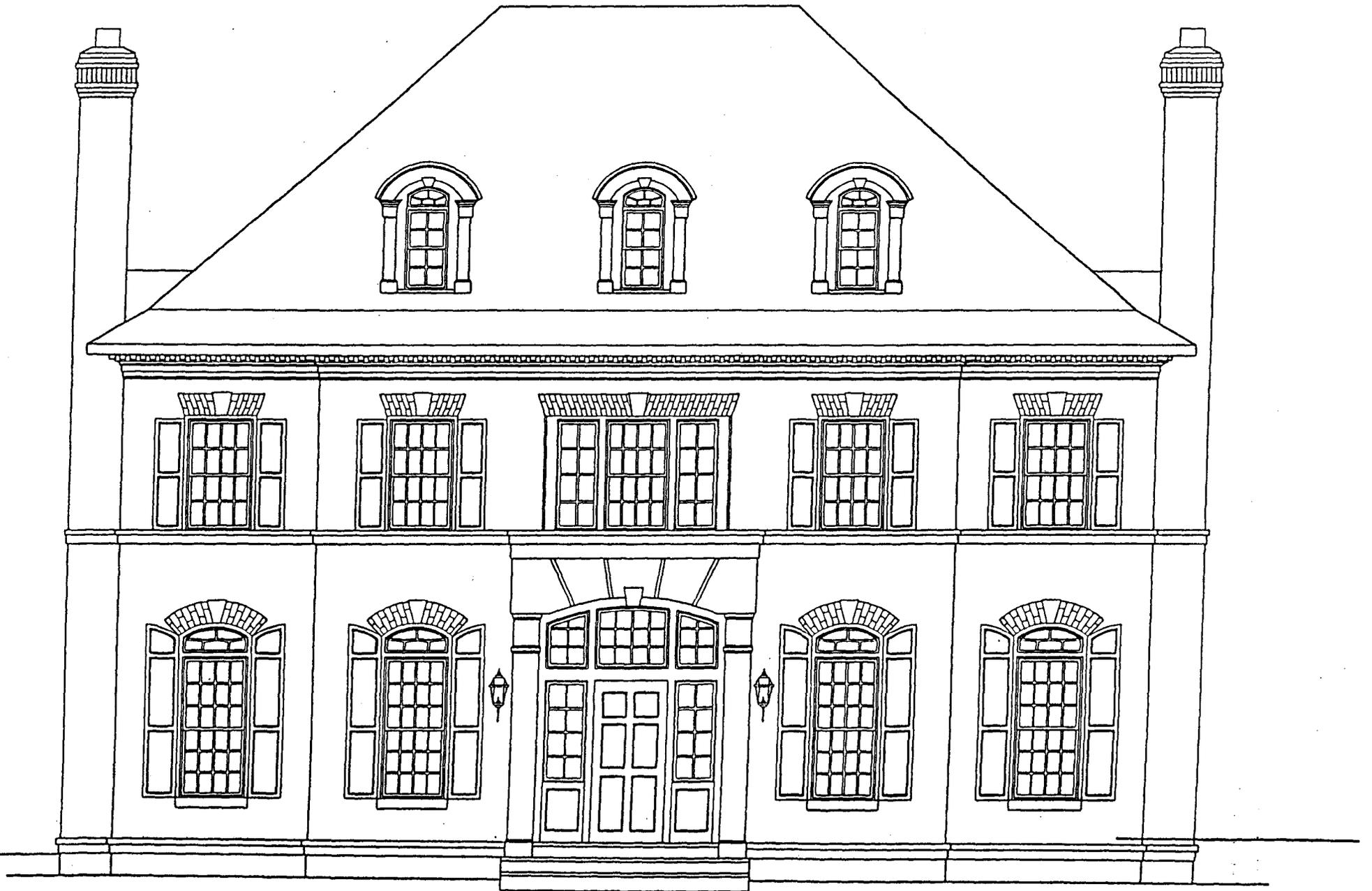
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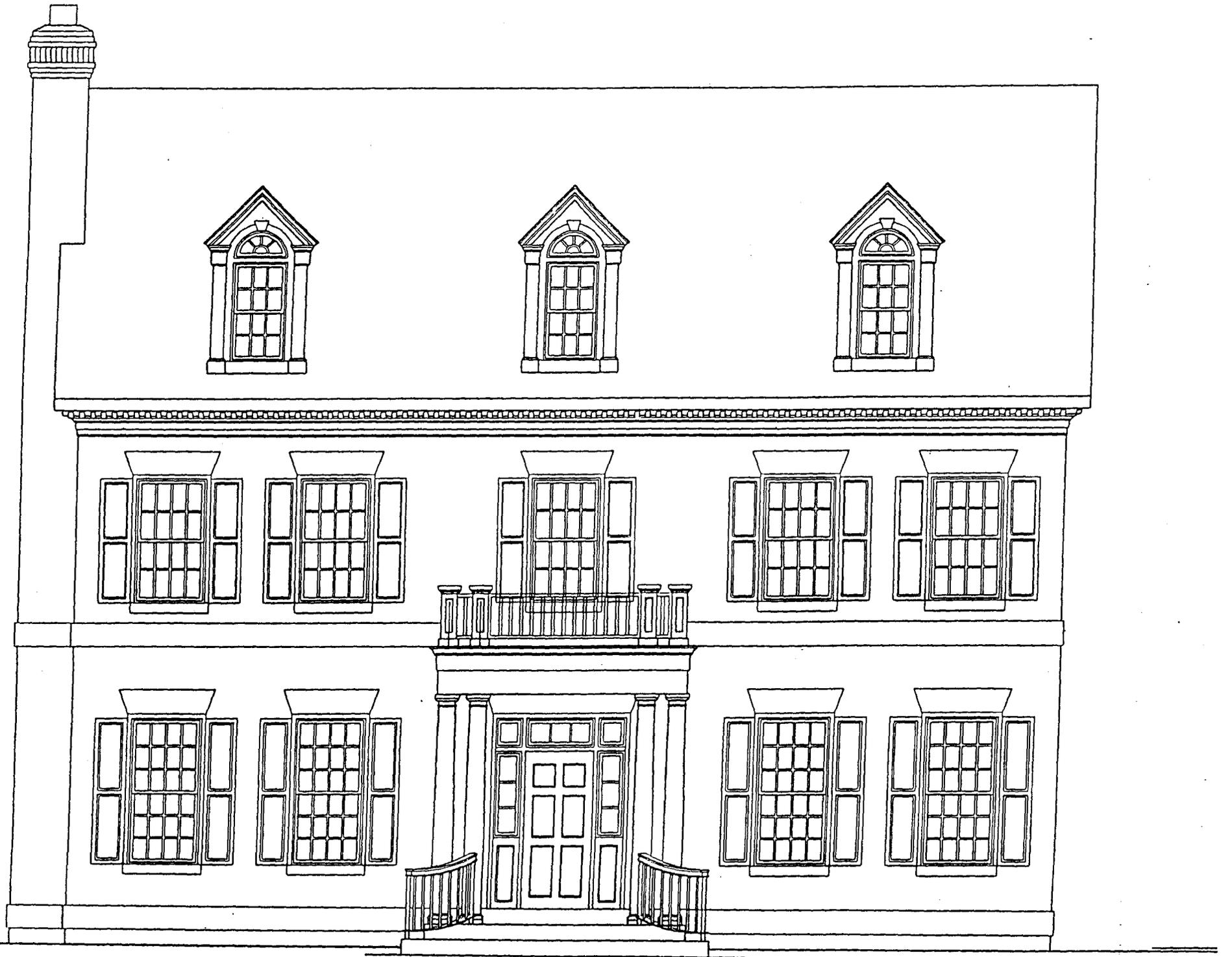










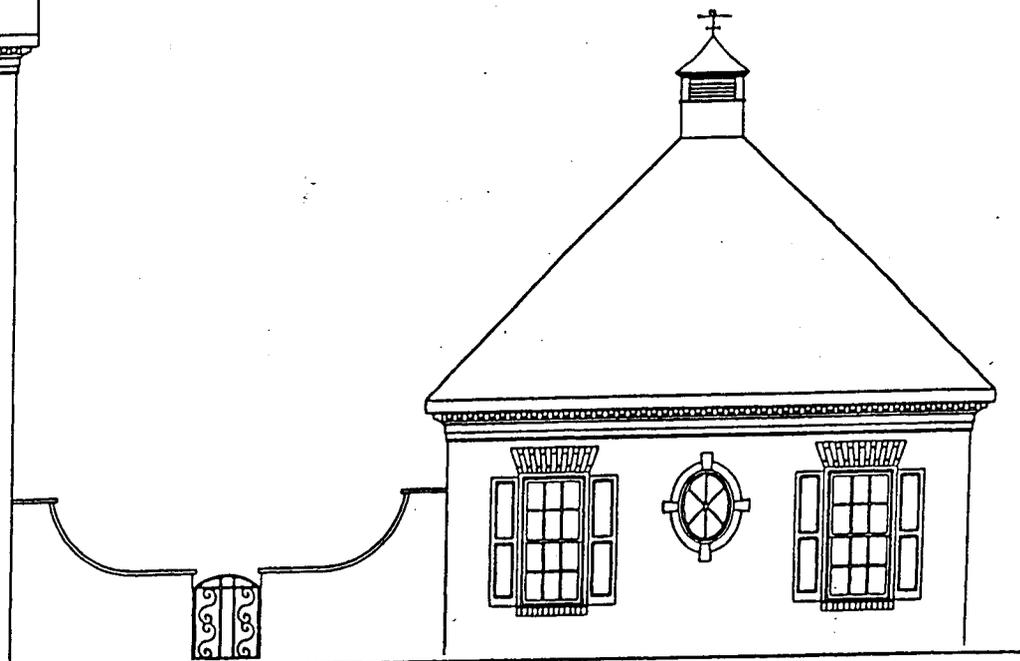
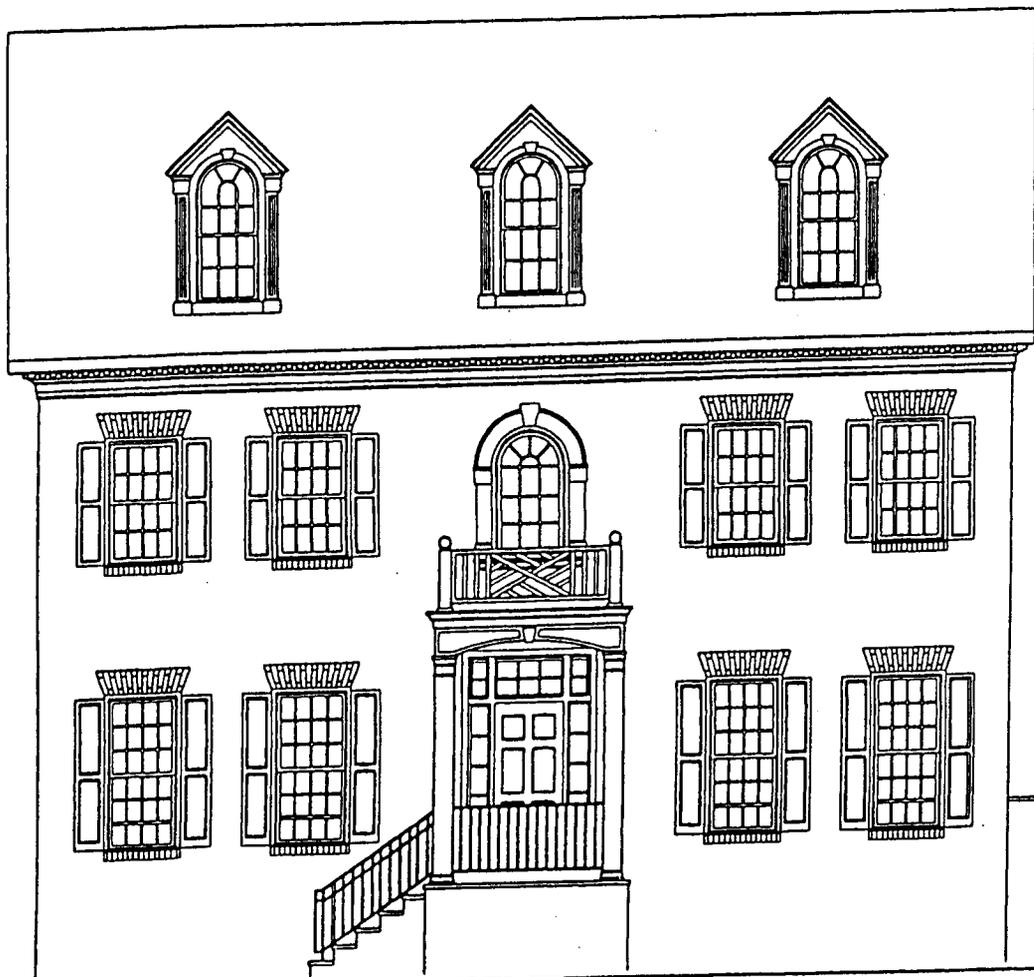


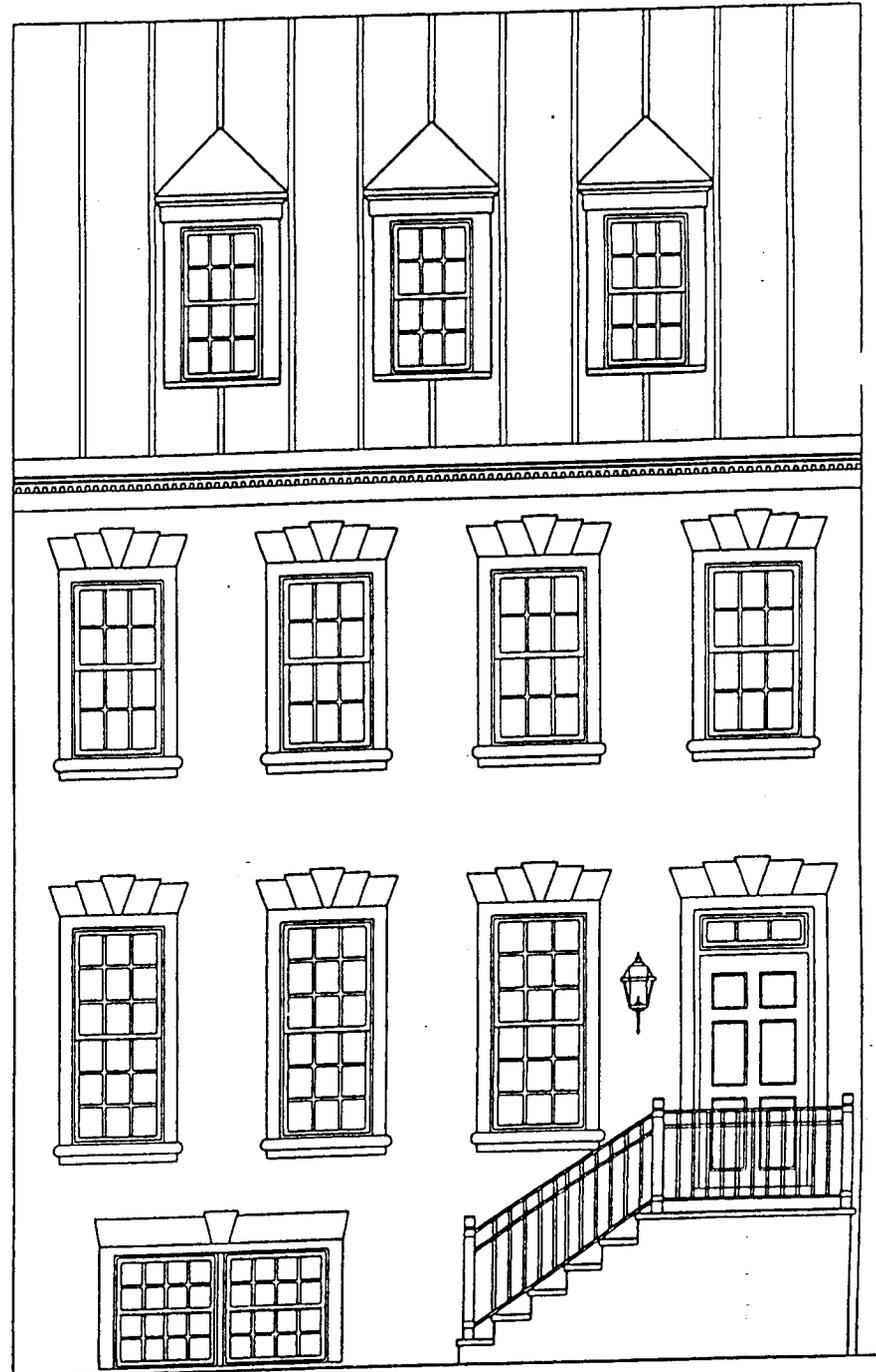
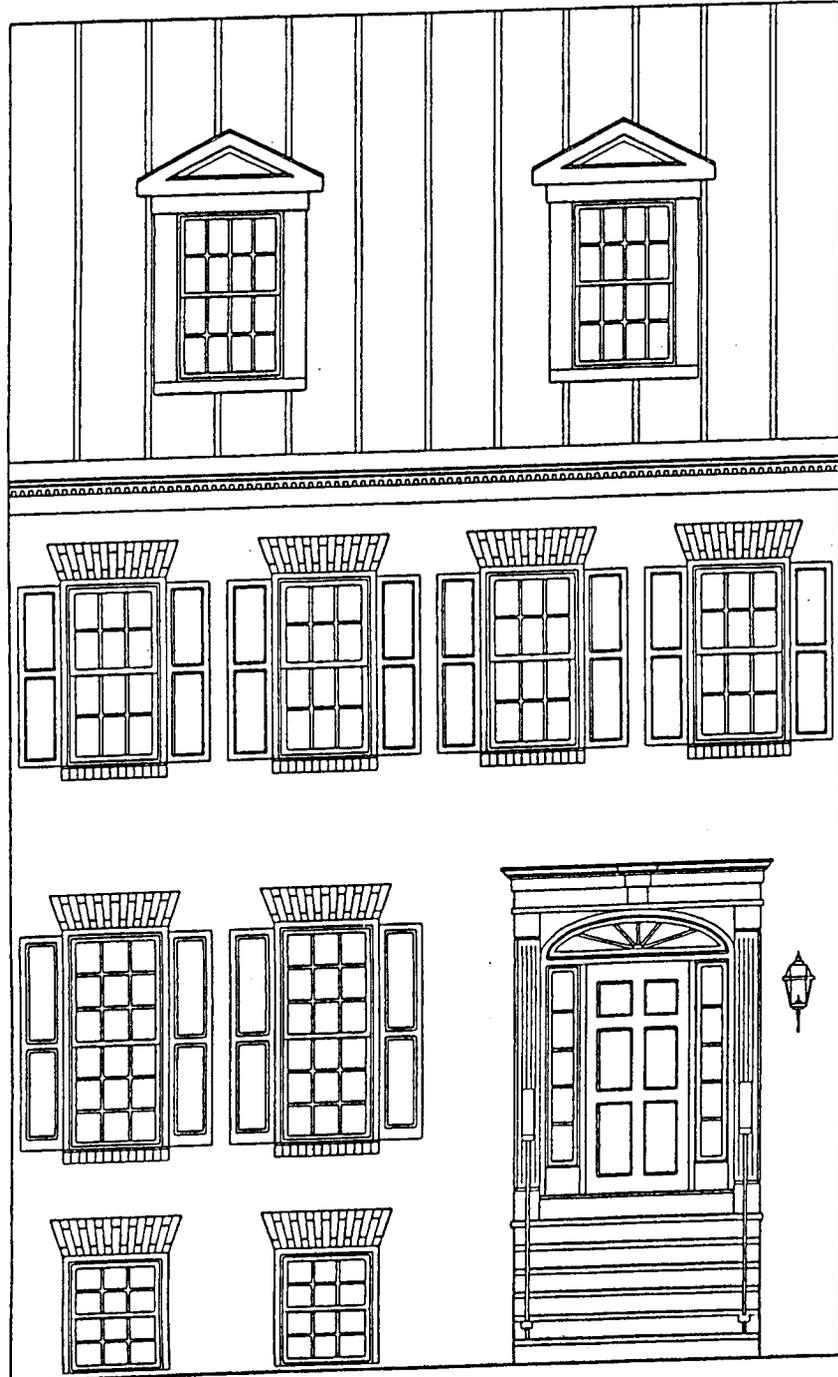


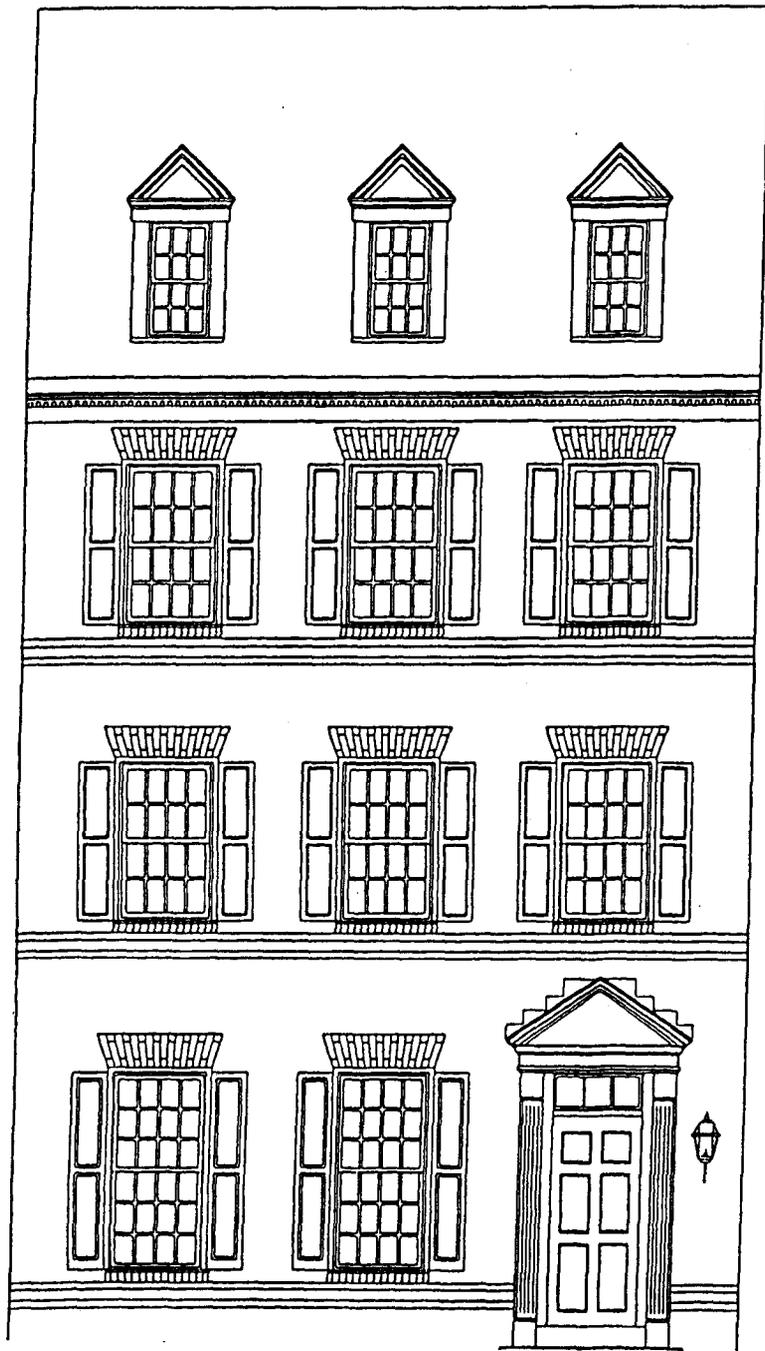








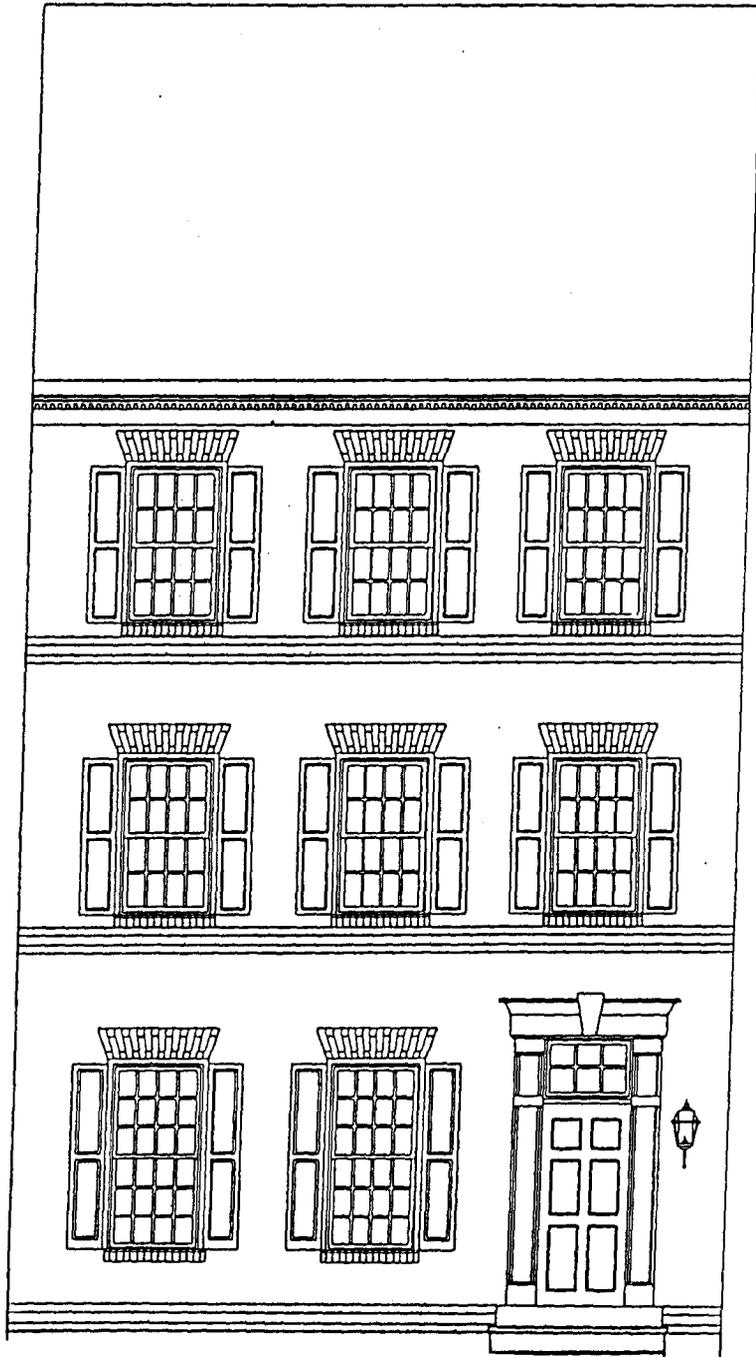


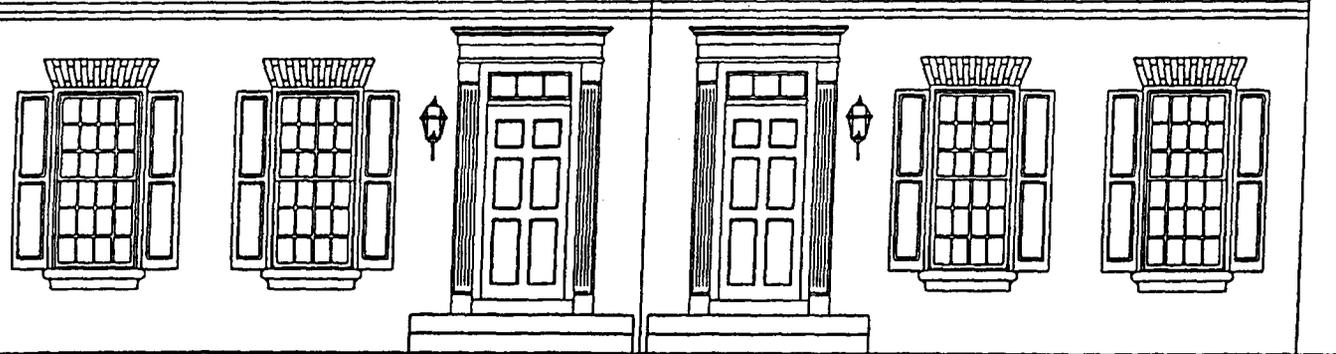
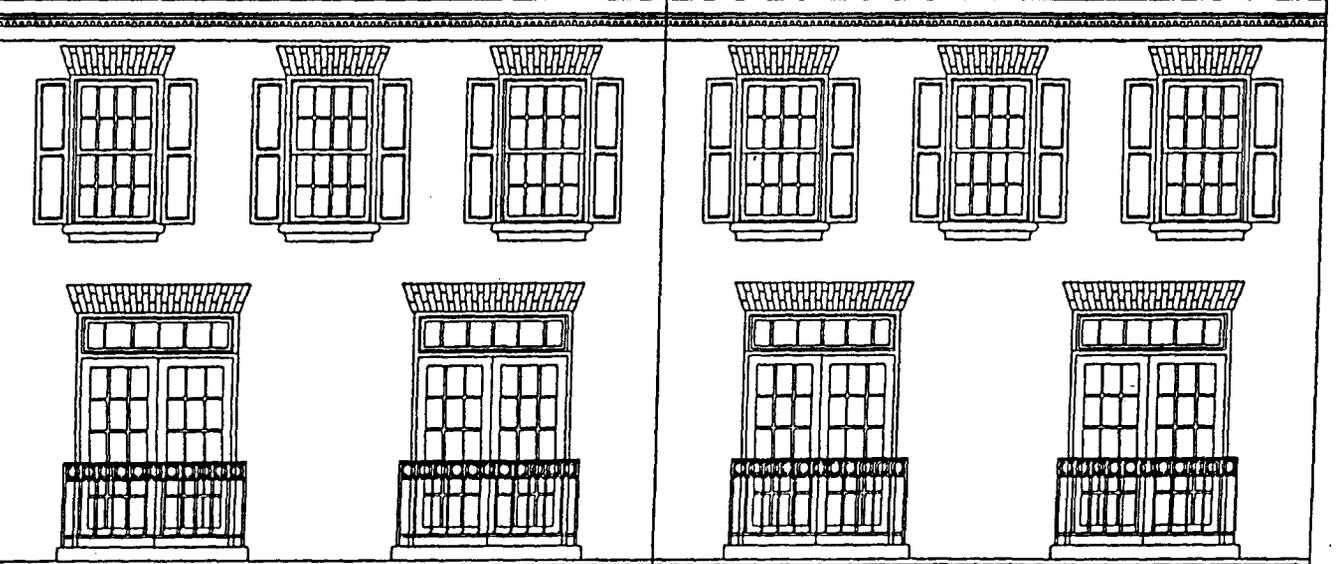
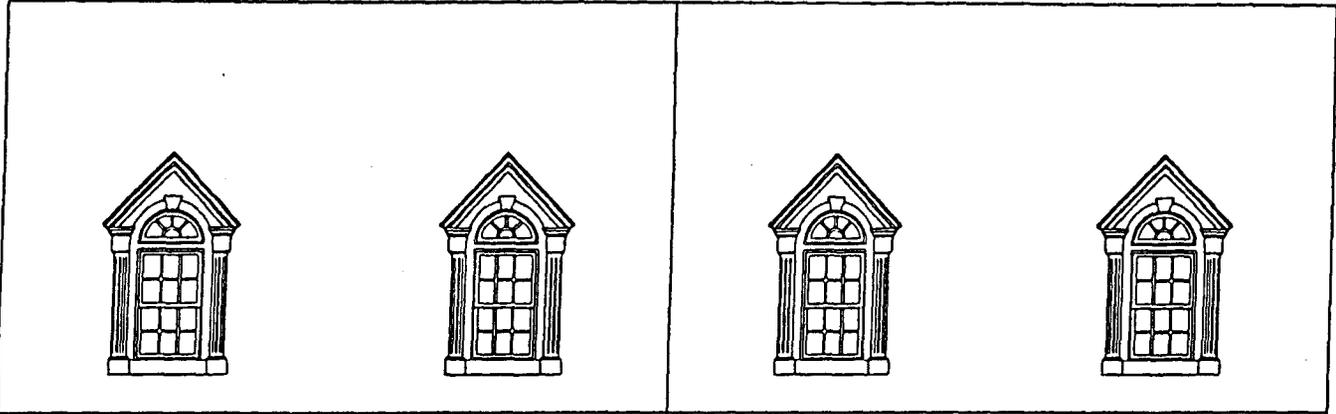


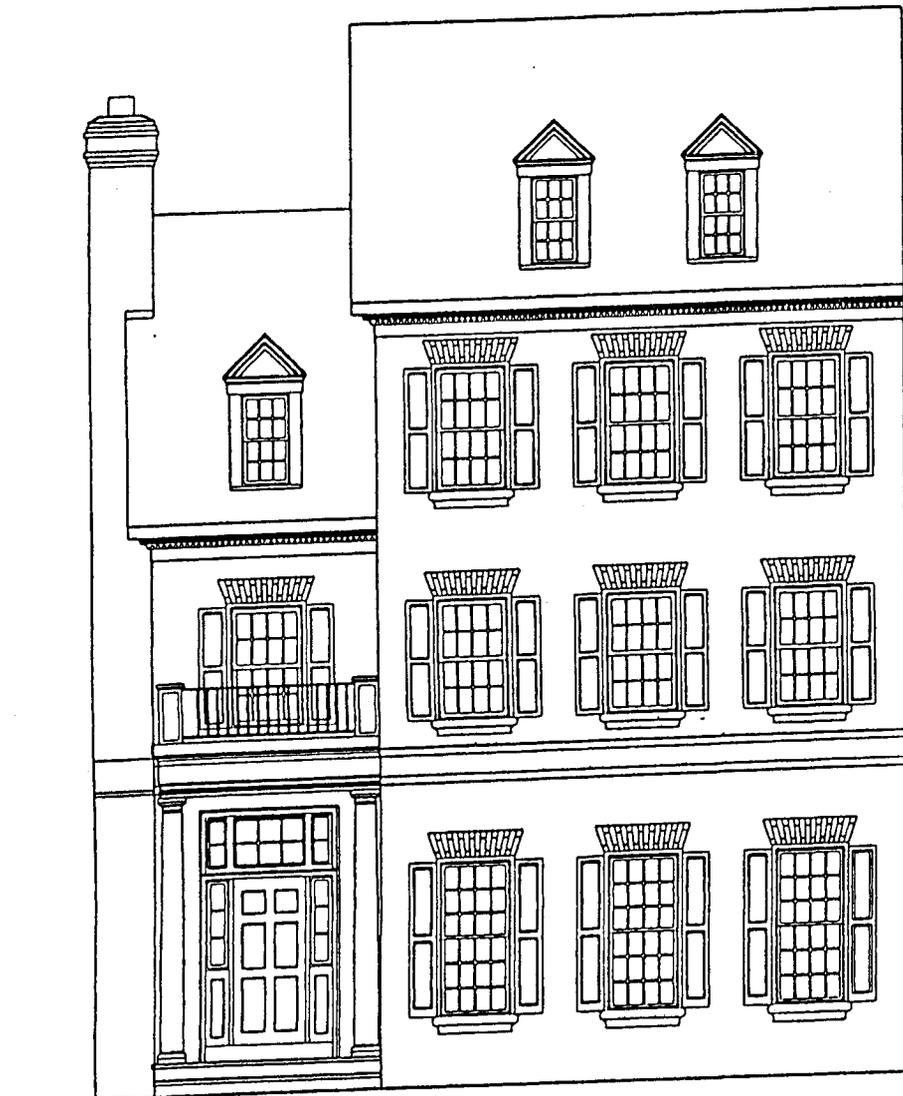
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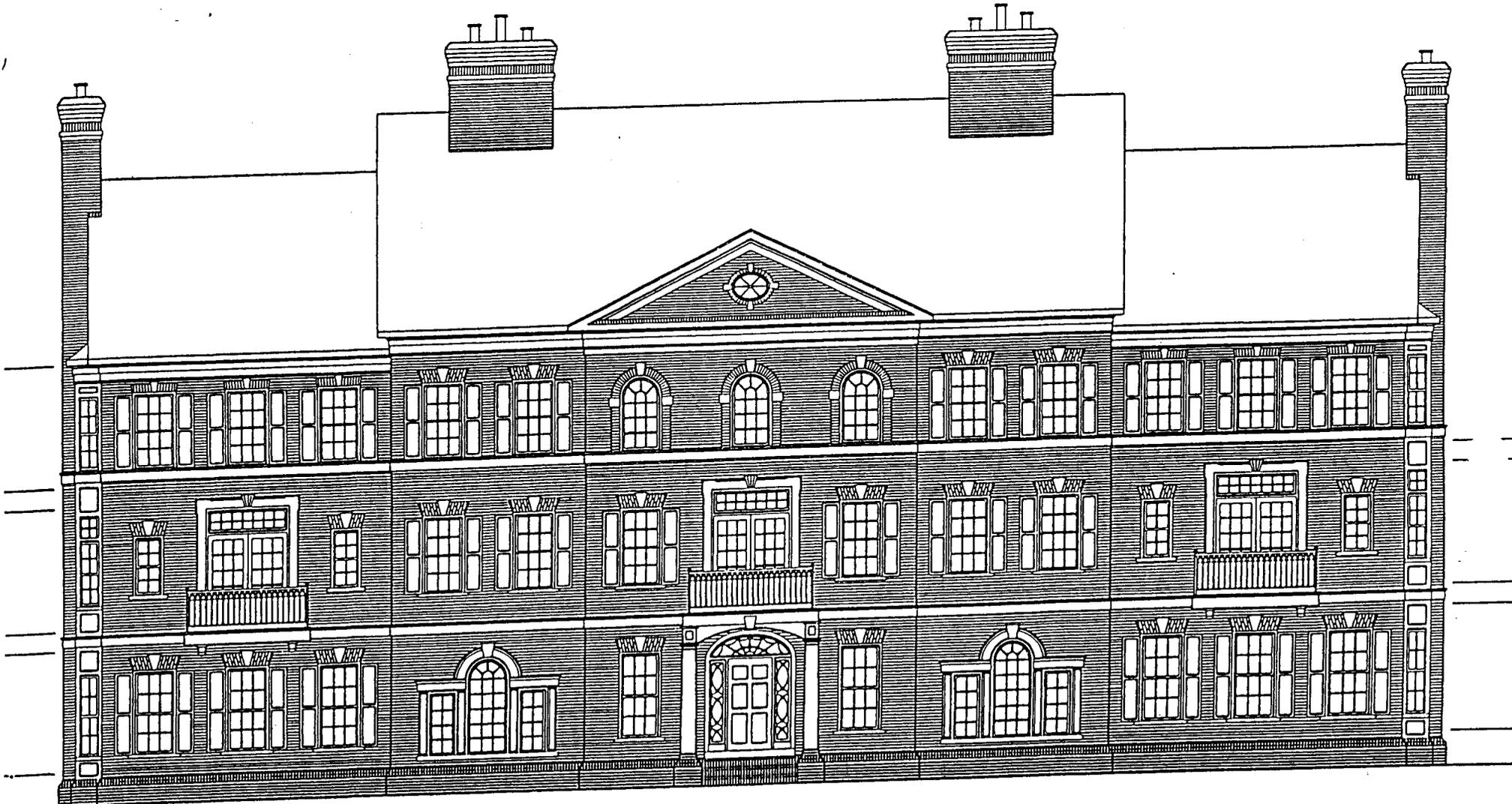
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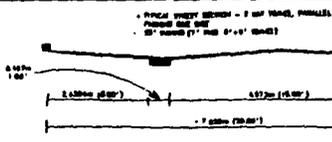


ELEVATION #2A



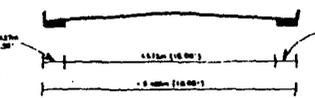
1/4" = 1'-0"





TYPICAL STREET SECTION

NO SCALE



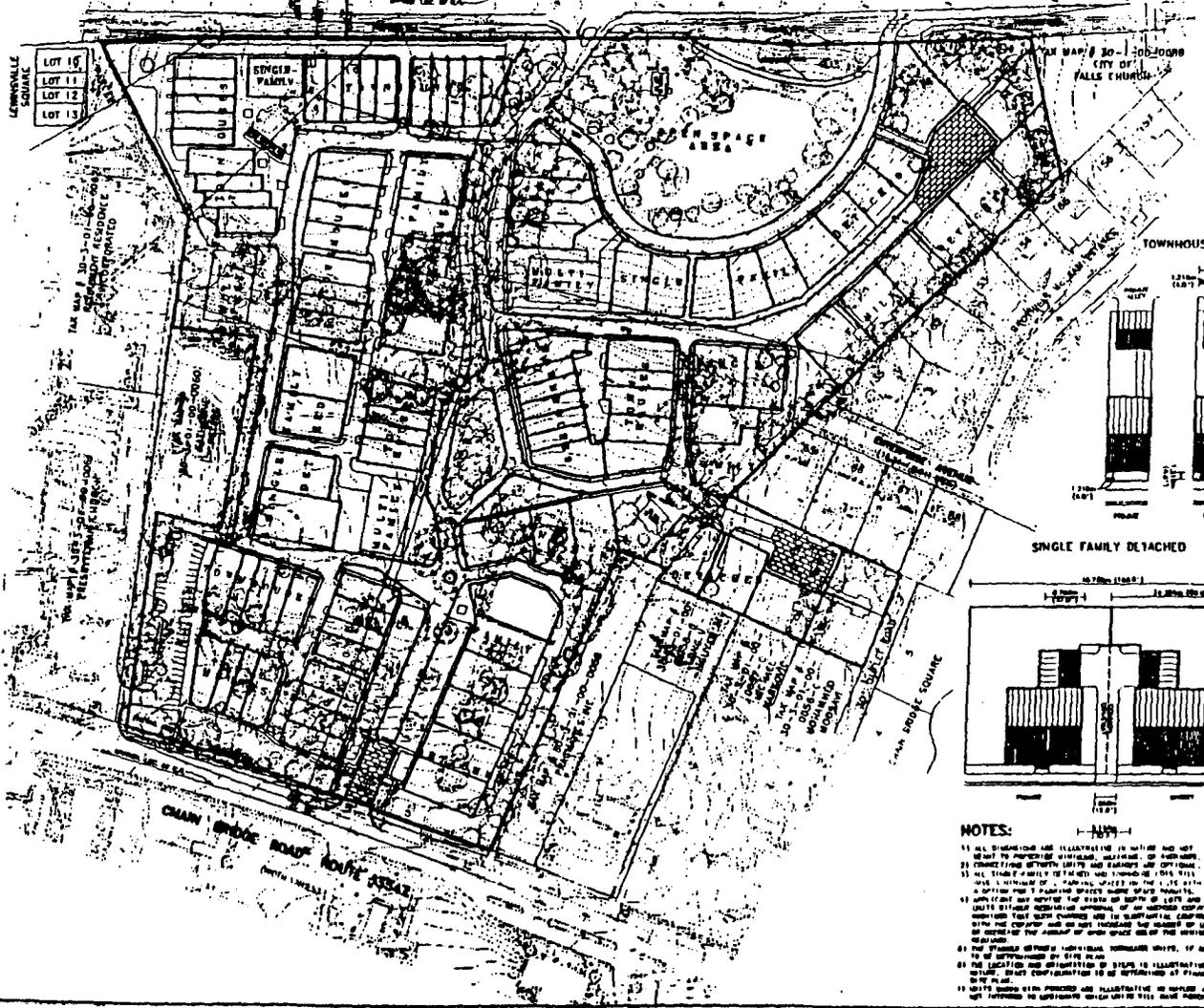
- 11 SEE TOP FOR APPROXIMATE LOCATION OF STOPSIGNS AND PEDESTRIAN SIGNALS
- 12 DRIVEWAY SHALL BE CONSTRUCTED TO BE WITHIN THE DRIVEWAY SETBACK

TAX MAP # 30-1-001-33  
FAIRFAX COUNTY  
BOARD OF SUPERVISORS  
R-3

TAX MAP # 30-1-001-42A  
LAWLEY SCHOOL INC.  
R-3

TAX MAP # 30-1-0025-02  
EVANS MILL FARM OWNERS ASSOCIATION  
R-8

DOLLEY MADISON BOULEVARD  
ROUTE #123



SITE TABULATION:

EXISTING ZONING: R-3  
PROPOSED ZONING: R-8  
EXISTING AREA: 8.7 AC. (24,144 SQ. FT.)  
PROPOSED AREA: 12.1 AC. (33,264 SQ. FT.)  
NET LOT AREA: 40,000 SQ. FT.  
NET LOT WIDTH: 100 FT.  
NET LOT DEPTH: 400 FT.  
TOTAL AREA: 40,000 SQ. FT.

NUMBER OF UNITS:	
SINGLE-FAMILY DETACHED:	12
TOWNHOUSES:	12
TOTAL:	24

NUMBER OF SPACES:	
DRIVEWAYS:	12
PARKING SPACES:	12
TOTAL:	24

NUMBER OF SPACES:	
DRIVEWAYS:	12
PARKING SPACES:	12
TOTAL:	24

NUMBER OF SPACES:	
DRIVEWAYS:	12
PARKING SPACES:	12
TOTAL:	24

NUMBER OF SPACES:	
DRIVEWAYS:	12
PARKING SPACES:	12
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DRIVEWAYS:	12
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TOTAL:	24

NUMBER OF SPACES:	
DRIVEWAYS:	12
PARKING SPACES:	12
TOTAL:	24

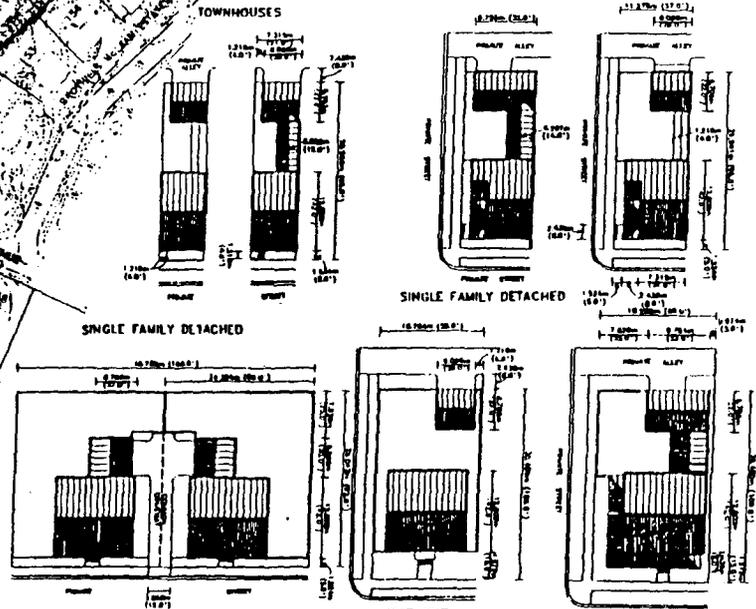
NUMBER OF SPACES:	
DRIVEWAYS:	12
PARKING SPACES:	12
TOTAL:	24

NUMBER OF SPACES:	
DRIVEWAYS:	12
PARKING SPACES:	12
TOTAL:	24

NUMBER OF SPACES:	
DRIVEWAYS:	12
PARKING SPACES:	12
TOTAL:	24

NUMBER OF SPACES:	
DRIVEWAYS:	12
PARKING SPACES:	12
TOTAL:	24

- NOTES:
- 11 ALL DIMENSIONS AND PLACEMENTS IN THIS PLAN ARE FOR INFORMATION ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
  - 12 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
  - 13 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
  - 14 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
  - 15 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
  - 16 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
  - 17 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
  - 18 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
  - 19 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
  - 20 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.



TYPICAL LOT CONFIGURATION

NO SCALE

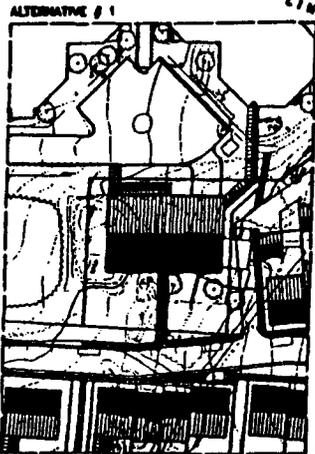
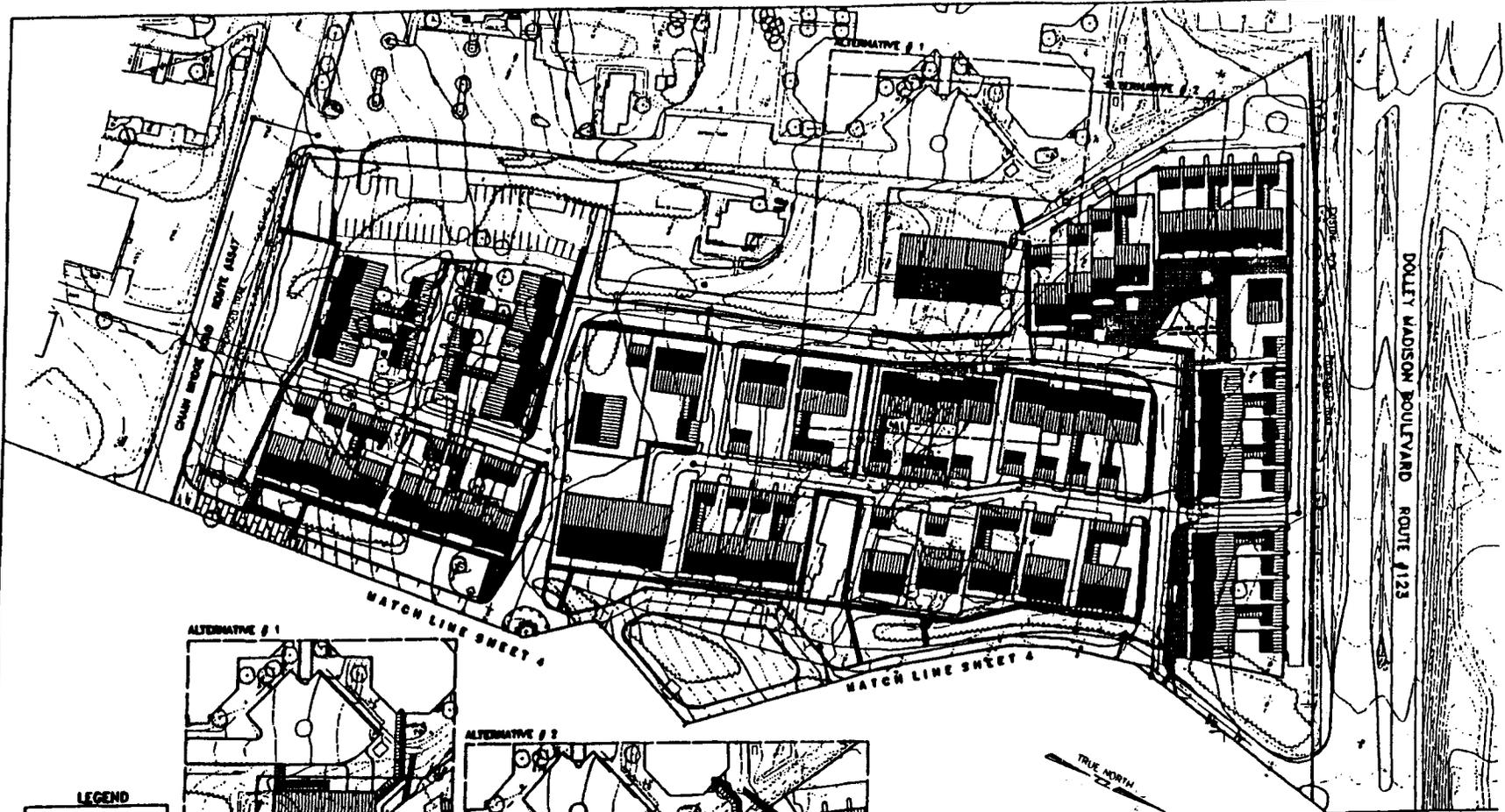
LAND PLANNING  
BY  
DUANY PLATER-ZYBERK & COMPANY  
ARCHITECTS AND TOWN PLANNERS

huntley, lyce & Associates, L.P.  
ARCHITECTS AND TOWN PLANNERS  
1000 WEST 10TH AVENUE, SUITE 1000  
DENVER, CO 80202  
PHONE: 303-733-1100  
FAX: 303-733-1101

CONCEPTUAL DEVELOPMENT PLAN (CDP)  
EVANS FARM  
DRAKESVILLE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

EVANS FARM  
DRAKESVILLE DISTRICT  
FAIRFAX COUNTY, VIRGINIA  
CONCEPTUAL DEVELOPMENT PLAN (CDP)

SCALE: 1" = 100'  
DATE: 07-23-00  
REVISIONS:  
NO. DATE  
1 07-23-00  
2 08-11-00  
3 08-11-00  
4 08-11-00  
5 08-11-00  
SHEET 2 OF 7  
DATE: 07-23-00



**LEGEND**

[Hatched Box]	SPECIAL PARKING AREAS
[Dotted Box]	WALKWAYS
[Solid Black Box]	WALLS

**FDP NOTES**

1. EXISTING AND PROPOSED UTILITIES ARE SHOWN FOR INFORMATION ONLY. THE LOCATION AND DEPTH OF UTILITIES ARE NOT GUARANTEED AND SHOULD BE VERIFIED BY THE CONTRACTOR.
2. CONSTRUCTION OF THE PROPOSED BUILDINGS WILL BE IN ACCORDANCE WITH THE LOCAL ZONING ORDINANCES AND ALL APPLICABLE REGULATIONS.
3. THE PROPOSED BUILDINGS WILL BE CONSTRUCTED IN ACCORDANCE WITH THE LOCAL ZONING ORDINANCES AND ALL APPLICABLE REGULATIONS.
4. THE PROPOSED BUILDINGS WILL BE CONSTRUCTED IN ACCORDANCE WITH THE LOCAL ZONING ORDINANCES AND ALL APPLICABLE REGULATIONS.
5. EXACT LOCATION OF SPECIAL PARKING AREAS, WALKWAYS, AND WALLS TO BE DETERMINED AT FINAL SITE PLAN. ADDITIONAL WALLS OR SPECIAL PARKING AREAS MAY BE PROVIDED AT FINAL SITE PLAN.
6. CONSTRUCTION DETAILS OF BUILDING LOT BOUNDARIES TO BE DETERMINED AT FINAL SITE PLAN.

Huntley, Nyce & Associates, LTD  
 ARCHITECTS  
 1000 N. 10TH ST., SUITE 100  
 LEVANSVILLE, TN 37042  
 (615) 962-1111



**EVANS FARM**  
 LEVANSVILLE DISTRICT  
 FARRIS COUNTY, VIRGINIA

CONCEPTUAL DEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN (FDP)

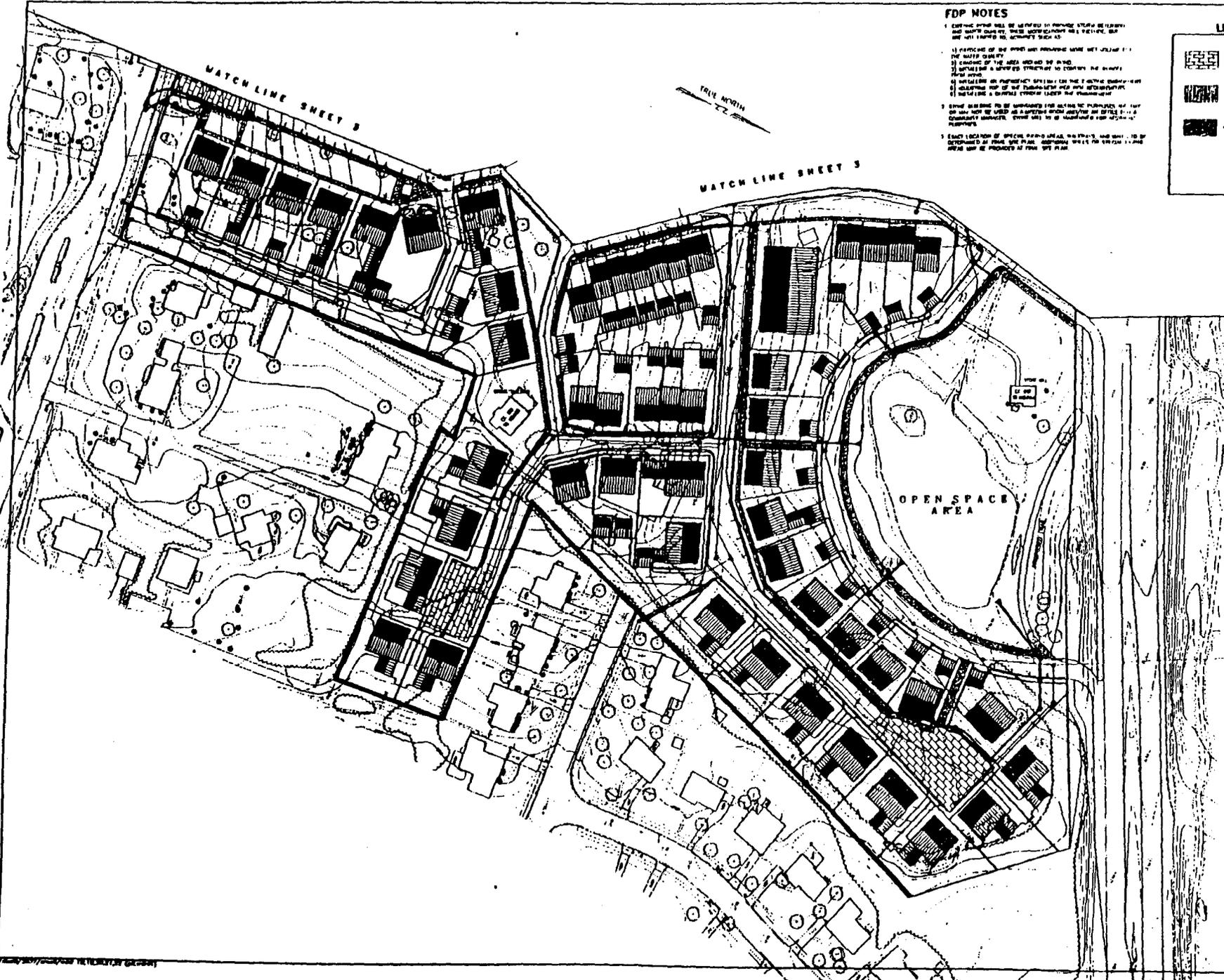
SCALE: 1" = 50'

DATE: 12-03-08

REVISIONS:

NO.	DATE	DESCRIPTION
1	12-03-08	ISSUED FOR PERMITTING

SHEET  
 3 OF 7  
 PLS SEE  
 PL 2037



- FDP NOTES**
1. CONCEPTUAL PLAN IS SUBJECT TO CHANGE WITHOUT NOTICE AND WITHOUT LIABILITY. THIS DEVELOPMENT IS TENTATIVE AND WILL BE SUBJECT TO APPROVAL BY THE LOCAL GOVERNMENT.
  2. PORTIONS OF THIS PLAN ARE BASED UPON THE LATEST AVAILABLE DATA AND FIELD SURVEY.
  3. CONCEPT OF THIS PLAN SHOULD BE USED AS A GENERAL GUIDE ONLY. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.
  4. ALL UTILITIES AND SERVICES SHALL BE PROVIDED BY THE LOCAL GOVERNMENT OR THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING THE SAME.
  5. THIS PLAN IS NOT TO BE USED AS A BASIS FOR ANY OTHER DEVELOPMENT OR AS A BASIS FOR ANY OTHER LEGAL ACTION.
  6. EXACT LOCATION OF SPECIAL PROGRAMS, SERVICES, AND FACILITIES TO BE PROVIDED AT THIS SITE SHALL BE DETERMINED AT THE TIME THE FINAL DEVELOPMENT PLAN IS SUBMITTED TO THE LOCAL GOVERNMENT FOR APPROVAL.

**LEGEND**

- [Symbol] OPEN SPACE AREA
- [Symbol] PARKING LOT
- [Symbol] DRIVEWAY
- [Symbol] DRIVE

**Munter, Ivce & Associates, Inc.**  
 ARCHITECTS  
 1000 N. 10TH ST., SUITE 100  
 FAYETTEVILLE, NC 28404  
 PHONE: 704/338-1111  
 FAX: 704/338-1112



**EVANS FARM**  
 JAMESVILLE DISTRICT  
 HANCOCK COUNTY, VIRGINIA

**CONCEPTUAL DEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN (FDP)**

**SCALE: 1" = 80'**

**DATE: 11/11/88**

**BY: J. IVCE**

**REVISIONS:**

NO. 1	DATE	DESCRIPTION
1	11/11/88	ISSUED FOR PERMITTING

**1987**

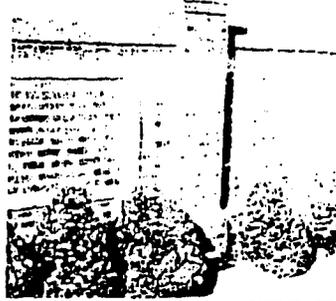
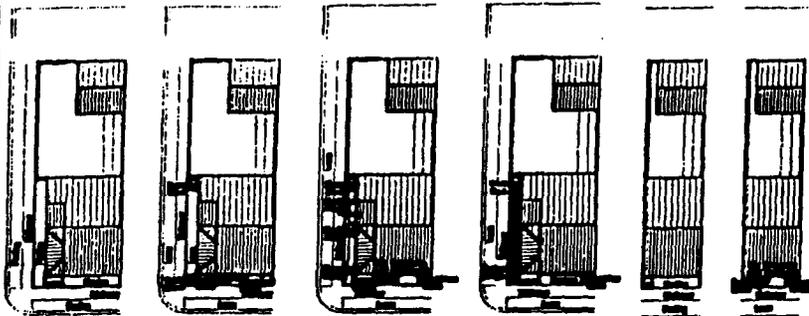
**PL 407**

**PL-7337**

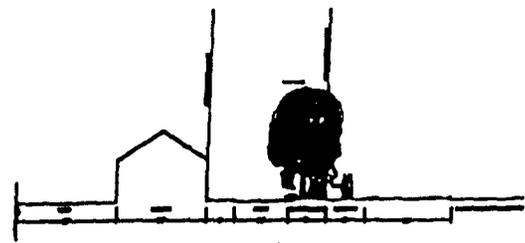




**TOWNHOUSE UNITS**



**WALL DETAIL - ALONG EAST PROPERTY LINE**

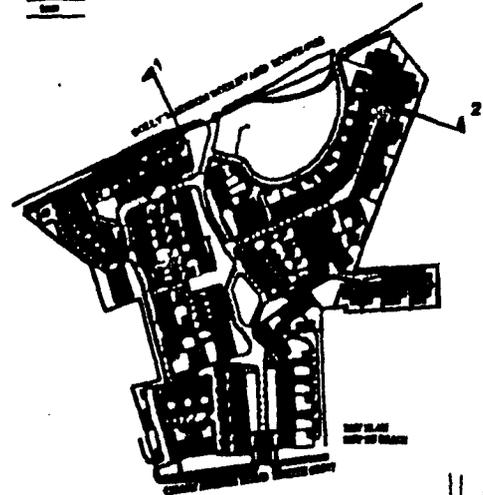
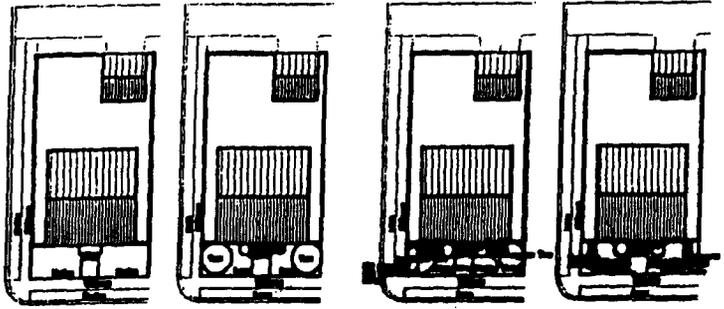


**SECTION 1  
1/8" = 1' SCALE**

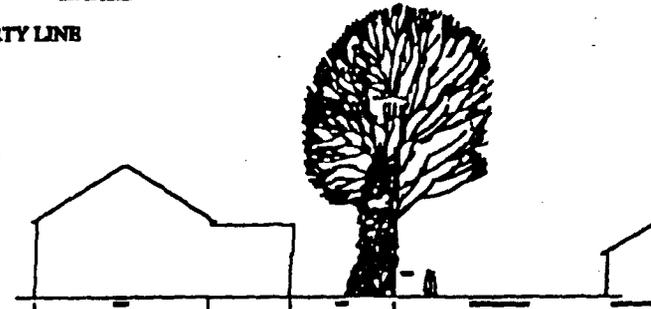
**SHOW WALL, LIVING ROOM, AND TO BE REMOVED AT THE END**

**TYPICAL FOUNDATION PLANTING  
AND ELEVATION OF WALLS, ROOF  
AND TERRACE PLANTING AND TO BE  
REMOVED AT THE END**

**TYPICAL FOUNDATION PLANTING PLANS**



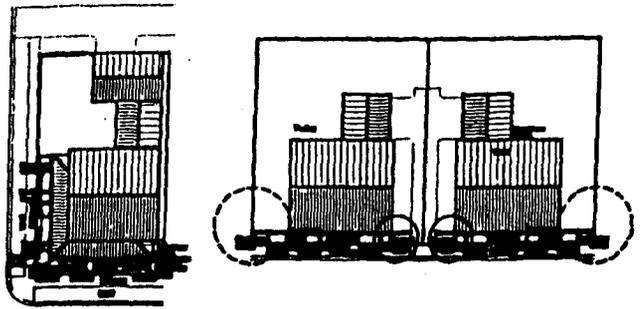
**1/8" = 1' SCALE**



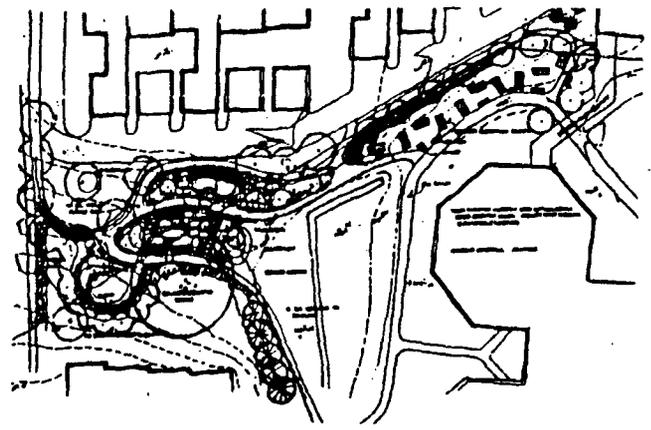
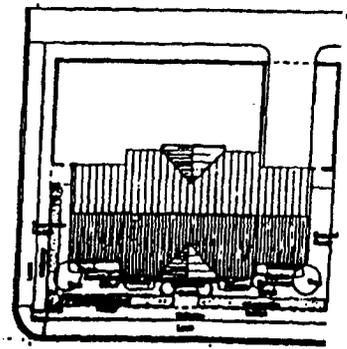
**SECTION 2  
1/8" = 1' SCALE**

**SHOW WALL, LIVING ROOM, AND TO BE REMOVED AT THE END**

**SINGLE FAMILY DETACHED UNITS**



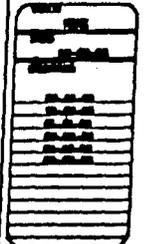
**MULTI-FAMILY UNITS**



**LANDSCAPE DETAIL - NW CORNER OF SITE**



**EVANS FARM**  
 ARCHITECTS  
 1000 N. 10TH ST.  
 PHOENIX, ARIZONA





# FAIRFAX COUNTY

APPENDIX 6

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

Tel: 703-324-3151 • Fax: 703-324-3926 • TTY: 703-324-3903

V I R G I N I A

[www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm](http://www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm)

Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)

November 4, 2003

Erika L. Byrd  
McGuire Woods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, Virginia 22102

RE: Proffered Condition Amendment PCA 1998-DR-049

Dear Ms. Byrd:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on October 27, 2003, approving Proffered Condition Amendment PCA 1998-DR-049 in the name of Hamstead Village LLC, to amend proffers for RZ 1998-DR-049 previously approved for residential development to permit change in unit type within a portion of RZ 1998-DR-049 at an overall density of 6.05 dwelling units per acre including bonus density for the provision of Affordable Dwelling Units, located on the south side of Farm Mill Drive, north of Farm Meadow Court, Tax Map 30-1 ((30)) 35, 36, pt. E1 and D, subject to the proffers dated July 25, 2003, consisting of approximately 26,400 square feet of land zoned PDH-5, located in Dranesville District.

The Board also approved modification of the transitional yard and barrier requirements as shown on the proffered Conceptual Development Plan Amendment/Final Development Plan Amendment.

Sincerely,

Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ds

PCA 1998-DR-049  
November 4, 2003  
Page 2

cc: Chairman Katherine K. Hanley  
Supervisor Mendelsohn, Dranesville District  
Janet Coldsmith, Director, Real Estate Division, Department of Tax Administration  
Michael R. Congleton, Deputy Zoning Administrator, Dept. of Planning and Zoning  
Barbara A. Byron, Director, Zoning Evaluation Division, DPZ  
Thomas Conry, Department Manager, GIS, Mapping/Overlay  
Angela K. Rodeheaver, Section Chief, Transportation Planning Division, DOT  
Charles Strunk, Project Planning Section, DOT  
Michelle Brickner, Director, Office of Site Development Services, DPWES  
Plans & Document Control, OSDS, DPWES  
Department of Highways, VDOT  
Land Acquisition and Planning Division, Park Authority  
Lee District Planning Commissioner  
James Patteson, Director, Facilities Management Division, DPWES  
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 27<sup>th</sup> day of October, 2003, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROFFERED CONDITION AMENDMENT PCA 1998-DR-049

WHEREAS, Hampstead Village, LLC filed in the proper form an application to amend the proffers for RZ 1998-DR-049 hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. § 15.2-2303(a), and

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

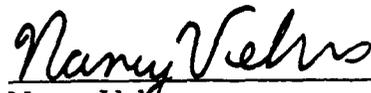
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

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

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., § 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

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

GIVEN under my hand this 27th day of October, 2003.



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Nancy Vefts

Clerk to the Board of Supervisors

PROFFERS  
PCA/FDPA 1998-DR-049  
DATED: July 25, 2003

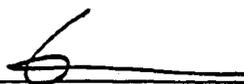
Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and Section 16-403 of the Zoning Ordinance of Fairfax County (1978, as amended) (the "Zoning Ordinance"), the undersigned Applicant/Owner for both themselves and their successors and assigns (hereinafter "Applicant"), file for a proffer condition amendment, and final development plan amendment approval for property identified as Tax Map Reference 30-1((30)) D, E-1 (pt), 35 and 36 (the "Subject Property") and hereby agree to the following proffers, if, and only if, the Fairfax County Board of Supervisors (the "Board") approves the PCA/FDPA for the Subject Property, which is a 26,400 square foot portion of the property subject to the proffers for RZ 1998-DR-049. In the event said application is denied, this proffer statement shall be rendered null and void. In the event said application is approved, these proffers shall be applicable only to the 26,400 square feet that is the subject of this application.

1. Except as modified below, the Subject Property is governed by the Proffers dated July 26, 1999 of RZ 1998-DR-049.
2. Proffer Number 1 of the July 26, 1999 proffers shall be amended as follows:

1. Development Plan

1.1 Subject to the proffers and the provisions of Section 16-402 of the Zoning Ordinance, under which minor modifications to an approved CDP/FDP are permitted, development of the Subject Property shall be in general conformance with the CDPA/FDPA, entitled "Evans Farm Dranesville District Fairfax County, Virginia CDPA/FDPA (Zoning Plat) - Lots 35 & 36 from Single Family to Townhouses", prepared by Huntley, Nyce & Associates, dated July 23, 1998, revised through March 4, 2003, consisting of seven sheets (the "Plat").

HAMPSTEAD VILLAGE LLC

By:   
Name: William A. Moran  
Title: President

EVANS FARM ASSOCIATION

  
Name: William A. Moran  
Title: Director



## FAIRFAX COUNTY VIRGINIA

## MEMORANDUM

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

**FROM:** Angela Kadar Rodeheaver, Chief *AKR*  
Site Analysis Section, DOT *by CAA*

**FILE:** 3-4 (RZ 1998-DR-049-2)

**SUBJECT:** Transportation Impact

**REFERENCE:** RZ/FDPA 1998-DR-049-2 Hampstead Village LLC  
Traffic Zone: 1460  
Land Identification Map: 30-1 ((30)) 20-24

**DATE:** August 17, 2004

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plans made available to this office dated July 23, 1998, and revised through March 18, 2004. The subject application is a request to modify the total lot area for the five affected lots and the footprint for the five single-family detached houses thereon.

There are no transportation issues.

AKR/LAH/lah

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

## SELECTED EXCERPTS FROM THE ZONING ORDINANCE

## ARTICLE 6

## PLANNED DEVELOPMENT DISTRICT REGULATIONS

## PART 1 6-100 PDH PLANNED DEVELOPMENT HOUSING DISTRICT

## 6-101 Purpose and Intent

The PDH District is established to encourage innovative and creative design and to facilitate use of the most advantageous construction techniques in the development of land for residential and other selected secondary uses. The 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.

To these ends, rezoning to and development under this district will be permitted only in accordance with a development plan prepared and approved in accordance with the provisions of Article 16.

## ARTICLE 16

## DEVELOPMENT PLANS

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

## 16-101 General Standards

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

1. The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.
2. The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.

3. The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.
4. The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.
5. The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.
6. The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

#### **16-102**

#### **Design Standards**

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

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

## 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 in the zoning district if the site were developed as a conventional subdivision. See 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	PD	Planning Division
ADU	Affordable Dwelling Unit	PDC	Planned Development Commercial
ARB	Architectural Review Board	PDH	Planned Development Housing
BMP	Best Management Practices	PFM	Public Facilities Manual
BOS	Board of Supervisors	PRC	Planned Residential Community
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	SP	Special Permit
DP	Development Plan	TDM	Transportation Demand Management
DPWES	Department of Public Works and Environmental Services	TMA	Transportation Management Association
DPZ	Department of Planning and Zoning	TSA	Transit Station Area
DU/AC	Dwelling Units Per Acre	TSM	Transportation System Management
EQC	Environmental Quality Corridor	UP & DD	Utilities Planning and Design Division, DPWES
FAR	Floor Area Ratio	VC	Variance
FDP	Final Development Plan	VDOT	Virginia Dept. of Transportation
GDP	Generalized Development Plan	VPD	Vehicles Per Day
GFA	Gross Floor Area	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	ZAD	Zoning Administration Division, DPZ
Non-RUP	Non-Residential Use Permit	ZED	Zoning Evaluation Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZPRB	Zoning Permit Review Branch
PCA	Proffered Condition Amendment		