



FAIRFAX COUNTY

APPLICATION FILED: December 11, 1998
PLANNING COMMISSION: June 23, 1999
BOARD OF SUPERVISORS: July 12, 1999
@ 4:00 PM

V I R G I N I A

June 9, 1999

STAFF REPORT

APPLICATION RZ 1998-BR-072

BRADDOCK DISTRICT

APPLICANT:	Batal Builders Incorporated
PRESENT ZONING:	R-1
REQUESTED ZONING:	R-3, conventional
PARCEL:	68-4 ((1)) 36
ACREAGE:	2.74 acres
DENSITY:	2.2 du/ac
PLAN MAP:	Residential, 2-3 du/ac
PROPOSAL:	Rezone 2.74 acres from R-1 to R-3 for the development of six (6) single family detached lots.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 1998-BR-072 subject to the execution of proffers consistent with those contained in Appendix 1.

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.

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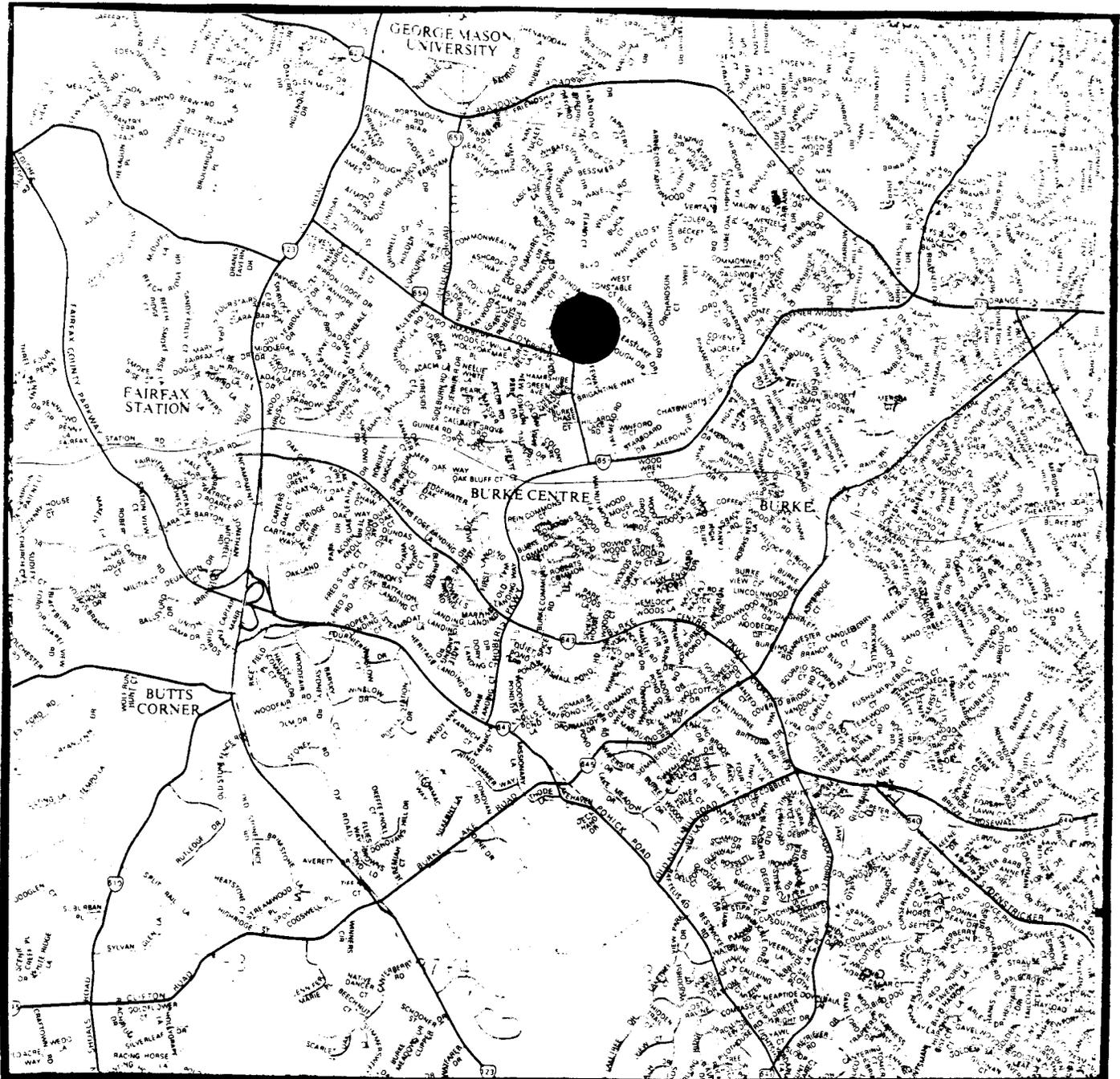
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334.



REZONING APPLICATION

RZ 1998-BR-072

BATAL BUILDERS INCORPORATED
TO REZONE: 2.74 ACRES OF LAND; DISTRICT - BRADDOCK
PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE R-3 DISTRICT
TO PERMIT RESIDENTIAL DEVELOPMENT
LOCATED: NORTH SIDE OF ZION DRIVE AT TERMINUS OF
WINDSOR HILLS DRIVE
ZONING: R-1
TO: R-3
OVERLAY DISTRICT(S):
MAP REF 068-4- /01/ /0036-



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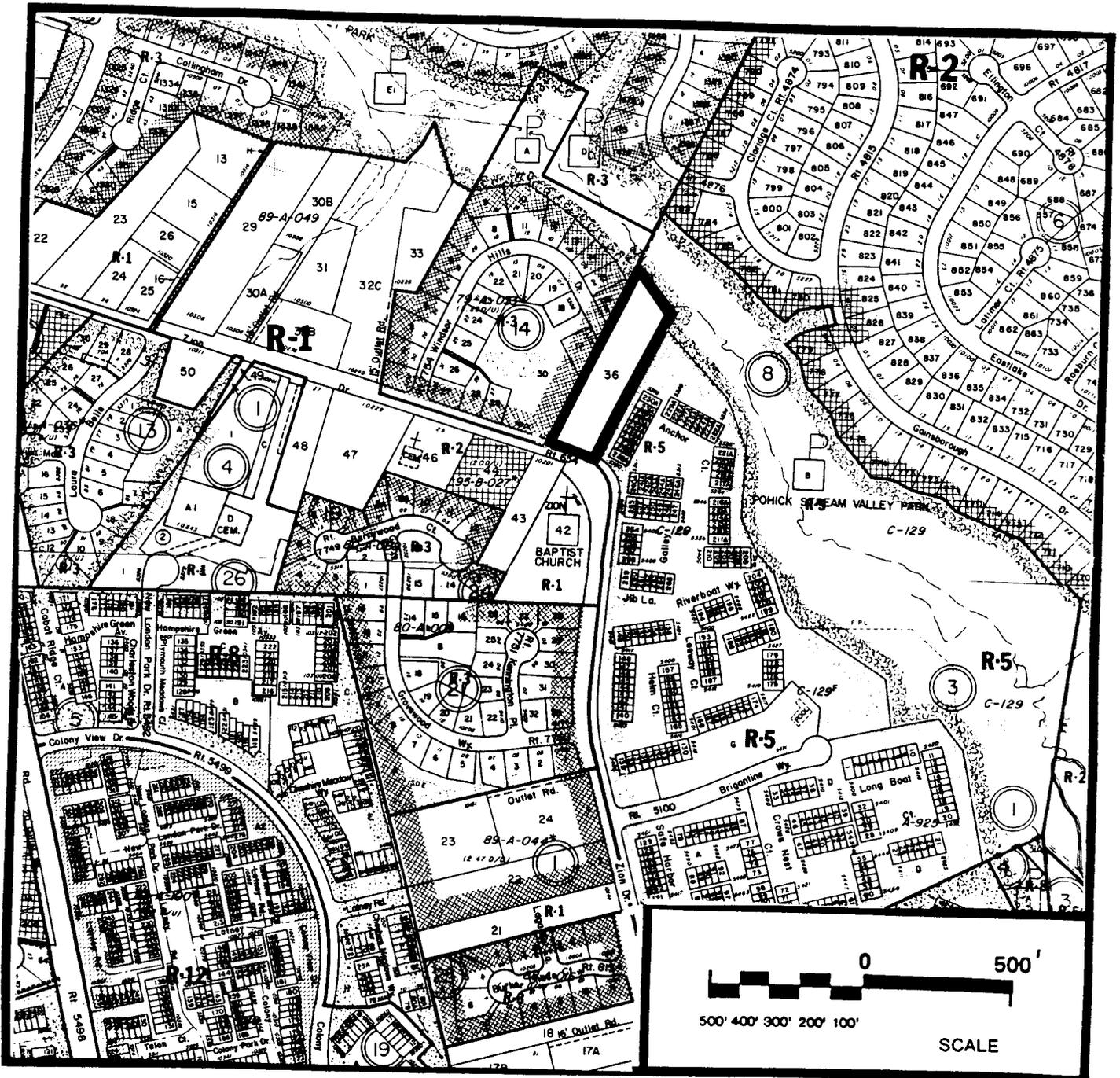
LOCATED: NORTH SIDE OF ZION DRIVE AT TERMINUS OF
WINDSOR HILLS DRIVE

ZONING: R-1
TO: R-3

OVERLAY DISTRICT(S):

068-4- /01/ /0036-

MAP REF





WINDSOR HILLS
OR 1804 100 1188

WINDSOR HILLS DRIVE
ROUTE 775A
(50' WIDE)

BOUNDARY OF
GLEN COVE
SEE SP. 1
PAGE 20-44

TREES IN THIS AREA WILL
BE SAVED IF SWM WAIVER
IS GRANTED

OPEN SPACE
23,200 ± S.F.
(2,155 S.M.)

TREE SAVE
AREA

CONCRETE APRON
TO BE MAINTAINED
AS FIRE ACCESS LANE

12' DRIVEWAY

HOUSE TYPE AND LOCATION
MAY CHANGE ON SUBDIVISION PLAN

LOT 10

LOT 11

LOT 6

LOT 5

LOT 4

LOT 3

LOT 1

LOT 2

BOUNDARY OF
GLEN COVE
SEE SP. 1
PAGE 20-44



VICINITY MAP
SCALE: 1" = 2,000' (1:24,000)

SITE TABULATION:

EXISTING ZONE:	R-1
PROPOSED ZONE:	R-3
GROSS SITE AREA (G.S.A.):	2,742 AC. ± or 119,442 S.F. (1,1096 HA. ± or 11096.5 S.M. ±)
ALLOWABLE DENSITY:	3 DU/AC
PROPOSED DENSITY:	2.2 DU/AC (5.4 DU/HA) ±
PROPOSED NO. OF UNITS:	6
MINIMUM LOT SIZE:	10,500 S.F. (975 S.M.)
AVERAGE LOT SIZE:	11,500 S.F. ± (1,068 S.M.)
YARD SETBACKS:	Front Yard: 30' (9.14 M ±) Side Yard: 12' (3.6576 M ±) Rear Yard: 25' (7.62 M ±)
REQUIRED OPEN SPACE:	NONE
PROPOSED OPEN SPACE:	23,200 SF ± (2155 S.M. ±) 19%
PARKING REQUIRED (2 SP/DU):	12 SP
PARKING PROVIDED:	12 SP

LANDSCAPE LEGEND:

-  LARGE DECIDUOUS TREE
-  SMALL OR COMPACT DECIDUOUS TREE
-  MEDIUM OR LARGE EVERGREEN TREE
-  EXISTING TREE TO REMAIN
-  EXISTING TREELINE
-  PROPOSED TREELINE (TO BE ADJUSTED AT SWM POND IF SWM WAIVER IS DENIED)
-  PROPOSED LANDSCAPED BERM

CURVE	RADIUS	LENGTH	AREA	CHORD	BEARING	DELTA
1	361.03' (1243.879 m)	85.39' (255.392 m)	43.67' (133.267 m)	188.8' (574.603 m)	S 89°17'27" E	12°44'59"

BC Consultants
Planners • Engineers • Surveyors • Landscape Architects
12700 Fair Lakes Circle, Suite 100, Fairfax, VA 22033
(703)449-8100 (703)449-8106 (Fax)
Bccon@bccon.com

GENERALIZED DEVELOPMENT PLAN

ZION DRIVE PROPERTY

FAIRFAX COUNTY, VIRGINIA

DESIGNED BY: BLV	DATE: OCTOBER 1998
DRAFTED BY: CAD	SCALE: HOR. 1" = 30'
CHECKED BY: JHS	VERT. 1" = 10'
PROJECT NO. 98021.11	SHEET 1 OF 2
FILE NO. 98021.11	CAD NAME: PWR02P8.DWG

METRIC EQUIVALENT 1:360

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

DESCRIPTION OF THE APPLICATION

Proposal: Rezone 2.74 acres from R-1 to R-3, conventional, for the development of six (6) single family detached homes.

The applicant will be requesting a waiver of stormwater management. If this waiver is not granted, only five (5) lots will be developed.

Location: North side of Zion Drive at the terminus of Windsor Hills Drive.

Proposed Density: 2.2 du/ac

LOCATION AND CHARACTER

The 2.74 acre application property is located on the north side of Zion Drive at the terminus of Windsor Hills Drive. The cul-de-sac for Windsor Hills Drive is constructed on the subject property, which is currently developed with a single family dwelling with access directly onto Zion Drive. The site slopes from the south (Zion Drive) to the north (the Pohick Stream Valley). The southern portion of the site is open and grassy, with a few mature trees associated with the existing dwelling. The northern portion of the site is characterized by bottomland forest primarily consisting of medium-aged tulip poplar and red maple. The existing house is to be removed.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Density
North	Pohick Stream Valley Park Single family detached dwellings	FR-15 Pohick Park	1R22 2.0 du/ac
South	Single family detached dwellings @ 2.0 du/ac, Church	R-11 11.1 du/ac	1R22 2.0 du/ac
East	Residential townhouses	FR-15 Pohick Park	4R55 4.5 du/ac
West	Single family detached dwellings @ 2.29 du/ac	FR-15 Pohick Park	1R23 2.3 du/ac

COMPREHENSIVE PLAN PROVISIONS (Appendix 4)

Plan Area: Pohick Planning District, Area III

Planning Sector: Main Branch Community Planning Sector (P2)

Plan Map: Residential at 1-2 du/ac

Plan Text:

On page 185 in the 1991 Area I Plan, as amended through June 26, 1995, in the LAND USE RECOMMENDATIONS section of the D in the B Planning District, the Comprehensive Plan states:

"Zion Drive/Guinea Road Area

In general, this area should be planned for single-family residential uses that are compatible with existing development. The residential densities should be generally distributed as follows:

1. The area north and south of the segment of Zion Drive between Ox Road and the western boundary of the Glen Cove subdivision should be generally developed at a density of 1-2 dwelling units per acre. With substantial land consolidation that benefits circulation and limits access, single-family detached housing at a density of 2-3 dwelling units per acre may be considered."

ANALYSIS**Generalized Development Plat (Copy at front of staff report)**

Title of GDP: "Zion Drive Property"

Prepared By: BC Consultants

Original and Revision Dates: October 1998, as revised through May 25, 1999

Housing Type, Layout, and Density: The Generalized Development Plan (GDP) consists of two sheets. Sheet one illustrates the proposed residential development of the 2.74 acre site with a total of 6 single family detached lots at a maximum density of 2.2 du/ac as a conventional subdivision. If the requested waiver of on-site stormwater detention is not granted, proposed Lot 6 will not be built and a stormwater management pond will be constructed in that area.

Site Access and Interior Streets: Although Lots 1 and 2 have frontage on Zion Drive, access to all of the proposed lots is via the cul-de-sac of Windsor Hills Drive. The GDP shows Lots 1-4 sharing a common driveway that branches to each of these homes. The driveway lies in an access easement, not in physical pipestems. The proposed cul-de-sac is designed to VDOT minimum standards; to address fire marshal concerns, two of the driveway entrances are designed as concrete aprons to serve as fire access lanes. The GDP shows right-of-way for Zion Drive dedicated to 45 feet from the centerline. An existing asphalt trail is shown within the right-of-way.

Other Features: In addition to the 6 single family detached dwelling unit lots, there is a 23,200 square foot outlot in the northern portion of the property which contains the Environmental Quality Corridor (EQC) and the Resource Protection Area (RPA). This area is depicted as open space. Proffer commitments indicate that this area will be given to the Fairfax County Park Authority or, if the FCPA chooses not to accept the land, to a homeowner's association. As mentioned, proposed Lot 6 is designated as either a house or—if a waiver of the SWM pond is not granted by DPWES—the area is proposed to remain as the SWM pond.

Landscape and Design Features: The limits of clearing and grading depicted on the GDP are delineated to preserve several existing trees along the perimeter of the property and around the existing house. In addition to these areas, tree save areas are proposed on those portions of private lots abutting existing houses in Windsor Hills and Glen Cove. Additional trees are depicted along the cul-de-sac bulb and the Zion Drive frontage as well as a wooden fence along Zion Drive. Because the Zion Drive frontage is considered the "front yard" of those proposed houses, the fence will be no higher than four feet. A landscaped berm is proposed as a design feature along the cul-de-sac bulb next to the proposed driveway serving Lots 1-4.

Transportation Analysis (Appendix 5)

Issue: Frontage Improvements

The Department of Transportation memo recommends that the applicant commit to either construct or escrow funds for others to construct frontage improvements along Zion Drive. The contribution for frontage improvements would move the County closer to being able to straighten out the dangerous curve in Zion Drive.

Resolution:

The applicant has not addressed this issue. Proffered rezonings next to, (Windsor Hills) and across the street from, the application property either constructed or escrowed funds for frontage improvements. Staff feels that the applicant should escrow funds for the construction of frontage improvements on Zion Drive as this particular portion is heavily traveled and in poor condition. This issue is not resolved.

Environmental and Urban Forestry Analyses (Appendices 6 and 9)*Issue: Resource Protection Area (RPA)*

The GDP depicts an RPA line which does not align with the RPA line shown on the County maps.

Resolution:

The applicant has filed an RPA Delineation Study for this property with the Special Projects Branch of DPWES. Although the review of the study has not been finalized at this point, County staff has determined that the RPA boundary on this site is determined by the delineation of wetlands. The applicant's submissions for the RPA Study include an approval letter from the Core of Engineers for the wetlands delineation; the items the applicant must address before the RPA study is approved will not change the RPA line as it has been delineated by the applicant. This issue is therefore resolved. A memo from the Special Projects Branch and a letter from the Corps of Engineers verifying the wetlands delineation are included as Appendices 7 and 8, respectively.

Issue: Tree Cover

The proposed limits of clearing and grading as originally shown did not include the mature, healthy trees situated around the existing house or the line of eastern red cedars on the eastern property boundary towards Zion Drive. The Urban Forester's report also recommended that the applicant provide a tree survey for the subject property.

Resolution:

In response, the applicant has amended the GDP to include these trees within the limits of clearing and grading and has committed to additional street and landscape trees. Proffers that address tree protection during construction have been provided. In staff's evaluation, this issue has been addressed.

Public Facilities Analyses**Fairfax County Park Authority (Appendices 10 and 11)***Recreational Facilities*

The proposed development is projected to add 20 persons to the current population of the Braddock District. The GDP does not show any recreational amenities to be provided by the developer. Residents of this development will

need outdoor facilities including picnic, playground/tot lot, tennis, multi-use court and athletic fields. The proportional development cost to provide recreational facilities for the residents of this development while maintaining the current level of service is estimated to be \$4,020. The applicant has not offered to contribute funds to the Fairfax County Park Authority for recreational facilities.

The FCPA has requested the dedication of the EQC area (23,200 square feet) along the northern portion of the property to help complete the Pohick Stream Valley Park as per the County's Comprehensive Plan. The applicant has proffered to dedicate this area to the Board of Supervisors for park purposes.

Cultural Resources

Heritage Branch staff has located several Native American artifacts along the floodplain in the northern portion of the property. These materials likely reflect the presence of an Archaic Period (ca. 8500 BC - 1000 BC) archaeological site in the vicinity. Staff recommends that no clearing or grading be done in this area and that the FCPA acquire this portion of the site. As noted, the applicant has proffered to dedicate the open space, including the site where the artifacts were found, to the Board of Supervisors, therefore this issue is resolved.

Fairfax County Public Schools (Appendix 12)

The proposed development would be served by the Oakview Elementary, Robinson Intermediate, and Robinson High Schools. Staff projections indicate that the anticipated student increase caused by this rezoning would not adversely impact the capacities of these schools. It should be noted that the 1998 enrollment at Robinson Intermediate School exceeded capacity, but that future projections for the school are expected to fall at capacity by the next (1999-2000) school year.

Fire and Rescue (Appendix 13)

The subject property is serviced by the Fairfax County Fire and Rescue Department Station #14, Burke. The requested rezoning currently meets fire protection guidelines, as determined by the Fire and Rescue Department.

Sanitary Sewer Analysis (Appendix 14)

The subject property is located within the Pohick Creek watershed and would be sewered into the Lower Potomac Treatment Plant. An existing 8 inch line located in an easement and on the property is adequate to serve the proposed use.

Fairfax County Water Authority (Appendix 15)

The analysis states that the application is located within the franchise area of Fairfax County Water Authority. Adequate water service is available at the site.

Utilities Planning and Design, DPWES (Appendix 16)

No conflicts were noted by the Utilities Planning and Design Division of DPWES.

Land Use Analysis (Appendix 4)*Issue: Plan Text*

The Plan text indicates that this property is appropriate for residential development at a density of 1-2 du/ac with an option for 2-3 du/ac “[w]ith substantial land consolidation that benefits circulation and limits access.” The development proposal is for a density of 2.2 du/ac.

Resolution:

Although this application does not consolidate lots, it does consolidate the access for this development with the existing cul-de-sac for Windsor Hills. This fulfills the intent of the Plan text by providing a development that “benefits circulation and consolidates access.” In addition, the subject property lies between an existing single family residential development developed at the 2-3 du/ac range, and a townhouse development developed at the 4-5 du/ac range. Therefore, in this case the application of the Plan language would permit development in the density range of 2-3 du/ac.

Residential Density Criteria

The applicant proposes a density of 2.2 du/ac which is above the base of the recommended density range of 2-3 du/ac. In order to receive favorable consideration for any rezoning request above the recommended base density, fulfillment of at least one-half (50%) of the relevant development criteria is desirable.

1. Provide a development plan, enforceable by the County, in which the natural, man-made and cultural features result in a high quality site design that achieves, at a minimum, the following objectives: it complements the existing and planned neighborhood scale, character and materials as demonstrated in architectural renderings and elevations (if requested); it establishes logical and functional relationships on- and off -site; it provides appropriate buffers and transitional areas; it provides appropriate berms,

buffers, barriers, and construction and other techniques for noise attenuation to mitigate impacts of aircraft, railroad, highway and other obtrusive noise; it incorporates site design and/or construction techniques to achieve energy conservation; it protects and enhances the natural features of the site; it includes appropriate landscaping and provides for safe, efficient and coordinated pedestrian, vehicular and bicycle circulation.
(HALF CREDIT)

In order to fit six houses on this parcel, which only measures 190 feet wide, the applicant has had to lay the lots out in an awkward manner. Some of the lot lines are gerrymandered to meet the frontage and yard requirements. Three of the lots are placed so that they must share a common driveway to access the cul-de-sac (the GDP shows four houses accessing the common drive to reduce impervious surface, which is desirable). Because this is not a cluster plan and Zion Drive is not an arterial road, Lots 1 and 2 have their legal "front" yard on Zion Drive although they are oriented towards the Windsor Hills cul-de-sac. This may create difficulties for those homeowners in the future if they should decide to install pools or other such structures which are not allowed to encroach into the front yard. The GDP does show, however, landscaping, berming, and tree save areas designed to ameliorate some of the awkwardness. Because of this, and because the applicant's plan proposes a development of a scale and character which complement the existing neighborhood; provides for the preservation of trees along the property boundaries abutting existing houses; and provides for additional street trees and landscaping along both the cul-de-sac and the Zion Drive frontage, half credit is given for this criterion.

2. Provide public facilities (other than parks) such as schools, fire stations, and libraries, beyond those necessary to serve the proposed development to alleviate the impact of the proposed development on the community.
(NOT APPLICABLE)
3. Provide for the phasing of development to coincide with planned and programmed provision of public facility construction to reduce impacts of proposed development on the community. **(NOT APPLICABLE)**
4. Contribute to the development of specific transportation improvements that offset adverse impacts resulting from the development of the site. Contributions must be beyond ordinance requirements in order to receive credit under this criterion. **(NO CREDIT)**

The applicant has not committed to construct, or escrow funds for, the frontage improvements along Zion Drive as requested by the Department of Transportation. Provision for frontage improvements would result in full credit for this criterion.

5. Dedicate parkland suitable for active recreation and/or provide developed recreation areas and/or facilities in an amount and type determined by application of adopted Park facility standards and which accomplish a public purpose. **(FULL CREDIT)**

The Park Authority has requested that the applicant dedicate the EQC area on the northern end of the property to the County for the Pohick Stream Valley Park and to protect archaeological resources which have been found on the site. The applicant has committed to do so.

6. Provide usable and accessible open space area and other passive recreational facilities in excess of County ordinance requirements than those defined in the County's Environmental Quality Corridor policy. **(NOT APPLICABLE)**
7. Enhance, preserve or restore natural environmental resources on-site (through, for example, EQC preservation, wetlands preservation and protection, limits of clearing and grading and tree preservation) and/or reduce adverse off -site environmental impacts (through, for example, regional stormwater management). Contributions to preservation of and enhancement to environmental resources must be in excess of ordinance requirements. **(FULL CREDIT)**

The applicant has committed to preserve the EQC by dedicating that portion of the site to the Park Authority. In addition, the applicant has adjusted the limits of clearing and grading to show and include some specimen trees called out by the Urban Forester.

8. Contribute to the County's low and moderate income housing goals. This shall be accomplished by providing either 12.5% of the total number of units to the Fairfax County Redevelopment Housing Authority, land adequate for an equal number of units or a contribution to the Fairfax County Housing Trust Fund in accordance with a formula established by the Board of Supervisors in consultation with the Fairfax County Redevelopment and Housing Authority. **(NO CREDIT)**

Since the application is for six (6) dwelling units, it is not subject to the Affordable Dwelling Unit Ordinance. However, Appendix 9 of the Land Use Element of the Board of Supervisors adopted Policy Plan contains Criteria for Assignment of Appropriate Development Density/Intensity that are used in the rezoning process to determine appropriate residential and non-residential density/intensity in excess of the low end of the density range recommended in the Comprehensive Plan. The Plan specifies that applicants should not achieve a density above 60% of the base limit of the Plan absent a contribution of land or units for affordable housing. Alternatively, this can be achieved by providing a contribution to the Housing Trust Fund. An appropriate contribution, as adopted

by the Board, requires a contribution in an amount equivalent to 1% of the sales price of each of the proposed units. The proposed density of 2.19 du/ac does not exceed 60% of the base limit of the Plan range but is above the base of 2 du/ac. Therefore, a contribution equal to one-half percent (.5%) of the projected sales price of the proposed units, at a minimum, is appropriate. The applicant has not addressed this criterion.

- 9. Preserve, protect and/or restore structural, historic or scenic resources which are of architectural and/or cultural significance to the County's heritage. **(FULL CREDIT)**

The heritage resources branch of the Park Authority noted that archaeological artifacts have been found on the site which indicate the presence of an Archaic Period archaeological site in the vicinity. The applicant has agreed to dedicate the land area which includes the site these artifacts were found to the Board of Supervisors.

- 10. Integrate land assembly and/or development plans to achieve Plan objectives. **(HALF CREDIT)**

Since the development plan and proffers provided achieve the Plan objective of limiting access to Zion Drive, half credit is awarded.

SUMMARY: The applicant has satisfied 4 of the 7 applicable criteria. Staff believes that the proposed development satisfies sufficient applicable criteria to merit favorable consideration of the requested density.

ZONING ORDINANCE PROVISIONS

Bulk Standards (R-3)		
Standard	Required	Provided
Minimum Lot Area	10,500 sq. ft.	11,100 sq. ft.
Average Lot Area	11,500 sq. ft.	13,600 sq. ft.
Lot Width	Interior lot, 80 ft.	Interior lots, 80 ft.
Building Height	35 ft.	35 ft.
Front Yard	30 ft.	30 ft.
Side Yard	12 ft.	12 ft.
Rear Yard	25 ft.	25 ft.
Open Space	None Required	19%
Parking Parking Spaces	12 (2 spaces per unit)	12 (2 spaces per unit)

In summary, the development proposal meet all of the applicable zoning ordinance provisions.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The application requests approval to rezone 2.74 acres from the R-1 District to the R-3 District in order to develop six (6) single family detached units at a density of 2.19 dwelling units per acre.

Staff believes that the applicant has provided a design that conforms with the Comprehensive Plan recommendations for residential density in the vicinity and is in conformance with all applicable Zoning Ordinance provisions.

Recommendations

Staff recommends approval of RZ 1998-BR-072 subject to the execution of proffers consistent with those contained in Appendix 1.

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

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

APPENDICES

1. Draft Proffers
2. Affidavit
3. Statement of Justification
4. Plan Citations and Land Use Analysis
5. Transportation Analysis
6. Environmental Analysis
7. Special Projects Branch RPA Study Memo
8. Core of Engineers Wetlands Verification Letter
9. Urban Forestry Analysis
10. Park Authority Analysis
11. Schools Analysis
12. Fire and Rescue Analysis
13. Sanitary Sewer Analysis
14. Water Service Analysis
15. Glossary

PROFFERS
RZ 98-BR-072
BATAL BUILDERS, INCORPORATED
JUNE 8, 1999

Pursuant to Section 15.2-2303 (a) of the 1950 Code of Virginia, as amended, and Section 18-204 of the Fairfax County Zoning Ordinance, the undersigned, as the applicant in the above-referenced Rezoning Application and the owners of the Property (the "Applicant") which is the subject matter thereof, being approximately 2.742 acres identified as Tax Map 68-4 ((1)) 36, hereby proffer for themselves and their successors and assigns that the development of the Property will be subject to the following terms and conditions should the same be rezoned to R-3:

PROFFERED PLAN

1. The Property shall be developed in substantial conformance with the Generalized Development Plan (the GDP) revised to May 25, 1999, prepared by BC Consultants. The Applicant does not intend by this proffer to waive the right to make minor engineering modifications permitted and rendered necessary by the subdivision ordinance, the zoning ordinance, or by the Public Facilities Manual, as determined by the Zoning Administrator and/or Department of Public Works and Environmental Services (DPW&ES)

LIMITS OF CLEARING AND GRADING

2. (a) At the time of subdivision plan review, the applicant shall designate on the subdivision plan the limits of clearing and grading, generally consistent with that shown GDP, to be observed during construction.

(b) The GDP designates individual trees to be preserved on the lots. Prior to subdivision plat approval, a replacement value shall be assigned to said trees. At the time of subdivision plat approval, the Applicant will post, in increments, as defined below, a letter of credit payable to the County of Fairfax in such an amount assigned as replacement value by the Urban Forestry Branch to ensure replacement of the designated trees. The calculated replacement values shall be reviewed and approved by the Urban Forestry Branch prior to posting or letter of credit. The terms of the letter of credit shall be subject to approval by the County Attorney. The replacement value of each designated tree shall be determined according to the methods contained in the latest edition of the Valuation of Landscape Trees, Shrubs and Other Plants published by the International Society of Arboriculture. The total amount of incremental letter of credit will not exceed the sum of such assigned values or Ten Thousand Dollars (\$10,000.00), whichever is greater. If the letter of credit is called by Fairfax County for tree

replacement, then a letter of credit of equal value will be posted within thirty (30) days of request by Fairfax County. The total dollar value of the letters of credit shall not exceed the total established replacement value of the designated trees.

(c) During construction, the Urban Forester or an independent arborist shall periodically inspect the project and determine if any of the designated individual trees are dead or dying due to acts of negligence by the Applicant. The Applicant may then draw funds from the letter of credit in order to remove and replace such dead or dying trees according the assigned value as defined in the Valuation of Landscape Trees, Shrubs and Other Plants of such dead or dying trees.

(d) Any funds received by Fairfax County pursuant to this proffer shall be utilized solely to replace trees to be saved on the application property.

(e) The letter of credit will be released simultaneously when the Conservation Deposit for the subdivision is released, or sooner at the discretion of Fairfax County.

LANDSCAPING

3. The landscaping shown on the GDP and described in the "Landscape Legend" will be installed and located generally as shown on the GDP.

SIDEWALKS

4. Sidewalks as shown on the GDP shall be provided.

OPEN SPACE/PARKLAND

5. The open space shown on the GDP will be conveyed to a homeowners' association formed as approved by the County Attorney and will be permanent passive open space for the development. The HOA covenants shall require that trees in this area shall not be disturbed, except for removal of dead, diseased or dying trees, as approved by the Urban Forestry Branch of DPW&ES. ALTERNATIVELY, the open space area shall, if requested by Fairfax County, be conveyed to the Fairfax County Board of Supervisors, in fee simple, for park purposes.

STORM WATER MANAGEMENT

6. If Applicant is not granted an on-site storm water detention waiver, the area shown on the GDP as "S.W.M. Pond" will be utilized for on-site

storm water management. If the waiver is granted, the area shown shall be developed as a lot as shown on the GDP.

EXISTING DWELLING

7. The removal of any existing dwelling shown on the GDP and the construction of a new dwelling on the lot shall be permitted and shall not require a zoning interpretation or PCA.

PUBLIC STREET DEDICATION

8. Dedication of right-of-way on Zion Drive, for improvement by others, as shown on the GDP, shall be provided to the Board of Supervisors in fee simple, together with any necessary ancillary temporary construction easements, at the time of record plat approval, or upon sooner demand, if requested by the Board.

DENSITY CREDIT

9. Advance density credit shall be reserved as may be permitted by the Fairfax County Zoning Ordinance for all eligible dedications to public use described herein or as may be lawfully required by Fairfax County and/or VDOT at time of subdivision plan review and approval.

NO DRIVEWAYS TO ZION DRIVE

10. No driveways to Zion Drive shall be permitted.

COMMON DRIVEWAY

11. The common driveway serving Lots 1, 2, 3, and 4, as shown on the GDP, shall be constructed to Fairfax County Public Facilities Manual pavement design standards for private streets [Section 7-0502.B(1)] and, in addition:

- A. Each purchaser of any of said lots shall be advised in writing prior to contract execution that the lot is served by a private (not publicly-maintained) driveway.
- B. Each lot shall be subject to a binding covenant requiring each lot owner(s) to contribute pro-rata to the maintenance and repair of the common driveway, including snow removal.
- C. If an HOA is formed, the provisions of A. and B. above shall be part of the HOA documents and disclosures.

CONSTRUCTION ENTRANCE

12. Subject to VDOT approval, the sole construction entrance for the development of the Property shall be from Zion Drive.

BINDING EFFECT

13. These proffers will be binding upon the Applicant and their successors and assigns.

SIGNATURE PAGE FOLLOWS

Applicant

BATAL BUILDERS, INCORPORATED

Robert J. Batal

Owners:

J. Michael Connor
J. MICHAEL CONNOR

Michele H. Connor
MICHELE H. CONNOR

batsheadsprofs

DATE: JUNE 4, 1999
 (enter date affidavit is notarized)

I, H. Kendrick Sanders, 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 98-244a

in Application No(s): RZ 1998-BR-072
 (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 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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Batal Builders Inc. A/K/A Batal Builders, Incorporated	P.O. Box 7069 Fairfax Station, VA 22039	Applicant/Contract Purchaser
John Batal	P.O. Box 7069 Fairfax Station, VA 22039	Agent
J. Michael Connor	10204 Zion Drive Fairfax, VA 22032	Owner 68-4((1))36
Michele H. Connor	10204 Zion Drive Fairfax, VA 22032	Owner 68-4((1))36
Law Offices of H. Kendrick Sanders, P.L.C.	3905 Railroad Avenue Suite 200N Fairfax, VA 22030	Attorney/Agent
H. Kendrick Sanders	3905 Railroad Avenue Fairfax, VA 22030	Attorney/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).

NOTE: This form is also for Final Development Plans not submitted in conjunction with Conceptual Development Plans.

DATE: JUNE 4, 1999
(enter date affidavit is notarized)

97-244a

for Application No(s): RZ 1998-BR-072
(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 herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Batal Builders, Inc. A/K/A Batal Builders, Incorporated
P.O. Box 7069
Fairfax Station, Va. 22039

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 & last name)
Robert J. Batal
Irene Batal

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Robert J. Batal--President/Director
Irene Batal--Secretary/Treasurer/Director

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

** All listings which include partnerships or corporations 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 the stock. 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.

DATE: JUNE 4, 1999
(enter date affidavit is notarized)

98-244a

for Application No(s): RZ 1998-BR-072
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Law Offices of H. Kendrick Sanders, P.L.C.

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
H. Kendrick Sanders

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

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

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

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

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

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

DATE: JUNE 4, 1999

(enter date affidavit is notarized)

98-244a

for Application No(s): RZ 1998-BR-072

(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or 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 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.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or 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.)

NONE

(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 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:

H. Kendrick Sanders

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

H. Kendrick Sanders Agent
(type or print first name, middle initial, last name & title of signee)

Subscribed and sworn to before me this 4th day of June, 1999, in the state of VIRGINIA.

My commission expires: 7-30-00

[Signature]
Notary Public

LAW OFFICES OF H. KENDRICK SANDERS
ATTORNEYS AND COUNSELLORS AT LAW
3905 RAILROAD AVENUE, SUITE 200 NORTH
FAIRFAX, VIRGINIA 22030

THOMAS R. KNAUSS
OF COUNSEL

TEL: 703-591-3500
FAX: 703-273-3709

November 23, 1998

STATEMENT OF JUSTIFICATION
BATAL BUILDERS
ZION DRIVE PROPERTY

The application property is located in the Main Branch Community Planning Sector (P2) of the Pohick Planning District. The property is recommended for development at 2-3 dwelling units per acre.

The Generalized Development Plan ("GDP") for the application proposes the development of 6 single family homes on 2.742 acres, resulting in a density of 2.2 homes per acre. Other communities in the planning sector are developed at similar or higher density, including adjacent Windsor Hills. The proposed development will be entirely compatible with development in the area.

The homes will be developed on a cul-de-sac extended from existing Windsor Hills Drive. Entrances to Zion Drive are avoided. While open space is not required in the R-3 zone, the application proposes 22,000 square feet (18% of the site) of permanent open space to protect the EQC at the rear of the property.

RECEIVED
DEPARTMENT OF PLANNING AND ZONING

NOV 25 1998

ZONING EVALUATION DIVISION


H. Kendrick Sanders
Attorney for applicant

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

FROM: Bruce G. Douglas, Chief *SEM for Bruce Douglas*
Environment & Development Review Branch, DPZ

SUBJECT: LAND USE ANALYSIS: RZ 1998-BR-072
Batal - Zion Drive

DATE: 22 March 1999

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of this application. The proposed use, intensity and site design are evaluated in terms of the relevant Plan recommendations and policies.

DESCRIPTION OF THE APPLICATION:

Date of Development Plan: December 11, 1998.
Request: Rezoning from R-1 to R-3 for six single-family detached lots.
DU/AC: 2.2.
Land Area: 2.7 acres.

CHARACTER OF THE SURROUNDING AREA:

The property is on Zion Drive next to the Glen Cove townhouse subdivision to the east zoned R-5 and planned for 4-5 dwelling units per acre.. The Windsor Hills single-family detached subdivision, zoned R-3, is located west of the property and is planned for residential use at a density of 1-2 dwelling units per acre with an option for 2-3 dwelling units per acre, as is the subject property. The density of Windsor Hills is 2.2 dwelling units per acre. The average lot size, with one exception, is about 9,500 square feet. One lot is about ten acres and abuts the subject property so that there are only two average sized lots in this subdivision that abut the subject property. Lot 44 on the south side of Zion Drive opposite the subject property is one acre, and zoned R-2 with one old single-family dwelling. Lot 43 on the south side of Zion Drive opposite the subject property is one acre zoned R-1 and is vacant. The Zion Baptist Church is on lot 42 and 46 on the south side of Zion Drive opposite the subject property. All these single lots are planned for 1-2 dwelling units per acre with an option for 2-3 dwelling units per acre.

COMPREHENSIVE PLAN CITATIONS AND ANALYSIS:

Plan Text:

On page 185 in the 1991 Area I Plan, as amended through June 26, 1995, in the LAND USE RECOMMENDATIONS section of the D in the B Planning District, the Comprehensive Plan states:

“Zion Drive/Guinea Road Area

In general, this area should be planned for single-family residential uses that are compatible with existing development. The residential densities should be generally distributed as follows:

1. The area north and south of the segment of Zion Drive between Ox Road and the western boundary of the Glen Cove subdivision should be generally developed at a density of 1-2 dwelling units per acre. With substantial land consolidation that benefits circulation and limits access, single-family detached housing at a density of 2-3 dwelling units per acre may be considered.”

Plan Map:

The Comprehensive Plan map shows that the property is planned for residential use at a density of 1-2 dwelling units per acre.

Analysis:

The application proposes a subdivision of six lots which will yield a density of 2.2 dwelling units per acre. The Plan text limits densities to 1-2 du/ac, except where there is consolidation. Although this application does not consolidate lots, it does consolidate the access for this development with the existing cul-de-sac for Windsor Hills, which fulfills the intent of the Plan’s consolidation language by providing a development plan that “benefits circulation and limits access...”. In addition, the subject property is physically located between an existing single family detached subdivision that is developed within the 2-3 du/ac density range, and a single family attached community developed under the 4-5 du/ac plan density range. Therefore, the application of the Plan text that permits a density of 2-3 du/ac is appropriate.

BGD:SEM

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section, DOT 

FILE: 3-4 (RZ 98-BR-072)

SUBJECT: Transportation Impact

REFERENCE: RZ 98-BR-072; Batal Builders Inc.
Traffic Zone: 1591
Tax Map: 68-4 ((1)) 36

DATE: May 25, 1998

The following comments reflect the analyses of the Department of Transportation. These comments are based on the generalized development plan dated October 1998, with revisions to May 25, 1999, and draft proffers dated May 25, 1999.

The applicant is seeking approval to rezone the subject parcel from the R-1 to the R-3 category and to redevelop the site with six single family residences. The remaining transportation issue is the failure to address the recommendation to provide for frontage improvements along the Zion Drive frontage of the site. It is *strongly* recommended that the applicant commit to construct or escrow funds equal to the cost of frontage improvements along the Zion Drive frontage, as deemed appropriate by DPW&ES at time of site plan review.

Based on data published by the Institute of Transportation Engineers, the use is anticipated to generate approximately 60 vehicle trips per day and six trips during the p.m. peak hour of adjacent street traffic.

AKR/CAA

cc: Michelle Brickner, Director, Design Review Division, Department of Public Works and Environmental Services

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

FROM: *Bruce G. Douglas*
Bruce G. Douglas, Chief
Environment and Development Review Branch, DPZ

SUBJECT: ENVIRONMENTAL ASSESSMENT for: RZ 1998-BR-072
Batal Builders/Zion Drive

DATE: 22 March 1999

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the revised development plan dated December 10, 1998. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

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

On pages 86 through 87 of the 1990 Policy Plan as amended on February 10, 1997, under the heading "Water Quality", the Comprehensive Plan states:

"Objective 2: Prevent and reduce pollution of surface and groundwater resources.

Policy a. Implement a best management practices (BMP) program for Fairfax County, and ensure that new development and redevelopment complies with the County's best management practice (BMP) requirements.

Policy c. In order to reduce stormwater runoff volumes and increase groundwater recharge, minimize the amount of impervious surface created as a result of development consistent with planned land uses.

Development proposals should implement best management practices to reduce runoff pollution.”

On page 87 of the 1990 Policy Plan as amended on February 10, 1997, under the heading “Water Quality” the Comprehensive Plan states:

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

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

On page 90 of the 1990 Policy Plan under the heading “Environmental Hazards”, the Comprehensive Plan states:

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

Policy a: Limit densities on slippage soils, and cluster development away from slopes and potential problem areas.

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

On pages 91 to 93 of the 1990 Policy Plan, the Comprehensive Plan states the following:

"Objective 9: Identify, protect and enhance an integrated network of ecologically valuable land and surface waters for present and future residents of Fairfax County.

Policy a. For ecological resource conservation, identify, protect and restore an Environmental Quality Corridor system (EQC). . . . Lands may be included within the EQC system if they can achieve any of the following purposes:

- Habitat Quality: The land has a desirable or scarce habitat type, or one could be readily restored, or the land hosts a species of special interest.
- "Connectedness": This segment of open space could become a part of a

corridor to facilitate the movement of wildlife.

- Aesthetics: This land could become part of a green belt separating land uses, providing passive recreational opportunities to people.
- Pollution Reduction Capabilities: Preservation of this land would result in significant reductions to nonpoint source water pollution, and/or, micro climate control, and/or reductions in noise.

The core of the EQC system will be the County's stream valleys. Additions to the stream valleys should be selected to augment the habitats and buffers provided by the stream valleys, and to add representative elements of the landscapes that are not represented within stream valleys. The stream valley component of the EQC system shall include the following elements . . . :

- All 100 year flood plains as defined by the Zoning Ordinance;
- All areas of 15% or greater slopes adjacent to the flood plain, or if no flood plain is present, 15% or greater slopes that begin within 50 feet of the stream channel;
- All wetlands connected to the stream valleys; and
- All the land within a corridor defined by a boundary line which is fifty (50) feet plus four (4) additional feet for percent (%) of slope measured perpendicular to the stream bank. ...Modifications to the boundaries so delineated may be appropriate if the area designated does not benefit habitat quality, connectedness, aesthetics, or pollution reduction as described above. In addition, some intrusions that serve a public purpose such as unavoidable public infrastructure easements and rights of way are appropriate. Such intrusions should be minimized and occur perpendicular to the corridor's alignment, if practical.

Preservation should be achieved through dedication to the Fairfax County Park Authority, if such dedication is in the public interest. Otherwise, EQC land should remain in private ownership in separate undeveloped lots with appropriate commitments for preservation.”

On page 93 of the 1990 Policy Plan as amended on February 10, 1997, under the heading “Environmental Resources”, the Comprehensive Plan states:

“The retention of environmental amenities on developed and developing sites is also important. The most visible of these amenities is the County’s tree cover. It is possible to design new development in a manner that preserves some of the existing vegetation in landscape plans. It is also possible to restore lost vegetation through replanting. An aggressive urban forestry program could retain and restore meaningful amounts of the County’s tree cover.

**Objective 11: Conserve and restore tree cover on developed and developing sites.
Provide tree cover on sites where it is absent prior to development.**

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

ENVIRONMENTAL ANALYSIS:

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the County’s remaining natural amenities.

Resource Protection Area

Issue:

The subject property is a 2.74 acre tract which falls within the Pohick Creek Watershed of Fairfax County, specifically, and within the County’s Chesapeake Bay Watershed, generally. The subject site is characterized by the existence of Resource Protection Area and floodplain situated on the northern boundary of the subject site. The RPA feature is a continuation of the Pohick Stream Valley Park. The development proposal depicts a Resource Protection Area delineation which does not align with the RPA boundary which is shown on the Fairfax County Chesapeake Bay Preservation Area maps.

Resolution:

It recommended that the applicant demonstrate a corrected Resource Protection Area delineation on the development proposal. Development is not permitted in the Resource Protection Area. Proposed lots 5 and 6 encroach significantly into the RPA as shown on the County’s RPA map. It is recommended that the applicant reconfigure the development proposal to accommodate another type of stormwater management facility as well as consider eliminating lot 5 to

accommodate the correct RPA delineation.

Environmental Quality Corridor

Issue:

The Generalized Development Plan depicts the Environmental Quality Corridor delineation and the Resource Protection Area delineation as being one and the same. In fact the two delineations are not identical in this situation. The delineation depicted on the GDP is an accurate depiction of the EQC boundary. The EQC delineation incorporates the stream and any adjacent wetlands, floodplain features and steep slopes. While steep slopes are not an applicable characteristic on the subject property, the stream, adjacent wetlands and floodplain are EQC features. The Resource Protection Area delineation also includes a one hundred foot buffer on either side of the stream valley system. Consequently, in relationship to this particular property, the RPA delineation and the EQC delineation are not aligned exactly the same.

Soil Constraints

Issue:

The Soil Survey for Fairfax County identifies the following soils on the subject property: Glenville (10B+), Mixed Alluvial (1A) and Meadowville (20D). Mixed Alluvial, a hydric soil, is identified in the area where the Resource Protection Area is situated. Hydric soil is one parameter which is evaluated when delineating jurisdictional wetlands.

Resolution:

The soils which characterize the subject site may pose limitations for development. It is suggested that the applicant submit a geotechnical study to DPW&ES to ensure that possible soil constraints are addressed in the early stages of the development.

TRAILS PLAN:

The Trails Plan Map depicts a pedestrian trail on the north side Zion Drive and a stream valley trail and bicycle trail along Pohick Stream Valley Park. At the time of Site Plan review, the Director, Department of Public Works and Environmental Services will determine what trail requirements may apply to the subject property.

BGD:MAW

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Michael R. Tucker
BC Consultants

DATE: May 24, 1999

FROM: *JAF* John A. Friedman, P.E., Chief
Water Quality Section
Special Projects Branch

SUBJECT: RPA Boundary Delineation Study for Zion Drive Property; Plan # 9988-PA-01-1; Tax Map: 68-4 ((1)) parcel 36

REVIEW COMMENTS

- 1) Incorporate routine wetland determination data forms for sampled points and show locations of sampled points on plan view along with transects.
- 2) Check floodplain limits and elevations for Kings Park West Addition floodplain study for applicability to this plan. It is more recent than the cited Kings Park West Sec. 11 study and appears to have higher floodplain elevations. It should not affect the plotted RPA line but may affect the basement elevations for the proposed houses.
- 3) Fix tax map reference on cover sheet.
- 4) Identify parcel on plan sheet.

Tracy,

The wetland determines the RPA boundary for this site. Since we have an approval letter from the COE for the wetland delineation, the above comments will not result in a change to the RPA boundary shown on the 1st submission of the study.

John F.



Project Number: 98-B160

Waterway: Sideburn Branch

RECEIVED
SEP 25 1998

1. Property Owner:

Batal Builders
P.O. Box 7069
Fairfax Station, Virginia 22039
Attn: Mr. John Batal

2. Authorized Agent:

Wetland Studies and Solutions, Inc.
14088-M Sullyfield Circle
Chantilly, Virginia 20151
Attn: Mr. Craig Turner

3. Project Location:

The site is located on the north side of Zion Drive in Fairfax County, Virginia.

4. Project Description:

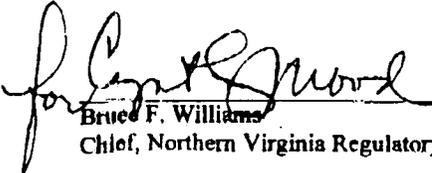
The project consists of the verification of a jurisdictional determination for the residential development of, "Zion Drive" Parcel 36.

5. Findings

A site inspection has verified that waters and/or wetlands regulated under Section 404 of the Clean Water Act (33 U.S.C. 1344) exist at the location stated above. The wetland delineation and site plans, dated September 1, 1998, as submitted by Wetland Studies and Solutions, Inc., is in accordance with the methodology described in the 1987 Corps of Engineers Wetland Delineation Manual. This confirmation is valid for a period of five years from the date of this letter unless new information warrants revision before the expiration date.

Prior to commencing work you must obtain the proper authorization to perform work in wetlands and/or waters of the U.S. Please note that performing the proposed work without proper authorization would be in violation of the Clean Water Act.

6. Corps Contact: Cynthia Wood (703) 221-6967


Bruce F. Williams
Chief, Northern Virginia Regulatory Section

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

DATE: February 16, 1999

FROM: ^{KWC} Keith W. Cline, Urban Forester II
Urban Forestry Branch, OSDS

SUBJECT: Zion Drive Property, RZ 1998-BR-072

RE: Your request received February 2, 1999

This review is based on the Generalized Development Plan (GDP) which is stamped as received by the Department of Planning and Zoning on December 11, 1998, and a site visit conducted on February 8, 1999.

Site Description: This site consists of an existing single family home in the front half of the lot, and an extensive mixed hardwood/pine bottomland forest stand in the back half of the lot. The existing house is surrounded by large, mature trees including red maple, silver maple, Eastern red cedar, and red oak. The largest, and possibly the most valuable tree on the lot is the large red oak at the right front corner of the existing house. The remainder of the front of the lot is in lawn except for a line of red maples and Eastern red cedars along the western property boundary. The bottomland forest is primarily medium-aged tulip poplar and red maple, with a few scattered Virginia pines.

The following are the comments and recommendations of the Urban Forestry Branch:

- Comment:** The GDP does not show the existing tree line or any individual trees on the site.

Recommendation: The existing tree line, and individual trees 12 inches or greater in diameter in the area of the house and lawn, should be accurately shown on the GDP.
- Comment:** General Note #15 on sheet 2 of 2 refers to tree quantities and tree save areas. The GDP, however, does not show any landscaping, tree preservation areas or any individual trees to be preserved on the site.

Recommendation: The large red oak at the right front corner of the existing house, the 18 inch Eastern red cedar off the right rear corner of the house, and the line of red maples

Zion Drive Property
RZ 1998-BR-072
February 16, 1999
Page 2

and Eastern red cedars along the western property line are good candidates for preservation. These trees, and possibly others, should be considered for preservation, but only after their condition and survival potential is assessed by a certified arborist. Tree save areas on the perimeter of lots 5 and 6 may also be possible, however, the forest grown trees in these areas, primarily tulip poplars, will be difficult to preserve unless adequately sized areas can be preserved. A certified arborist should also assess the potential for tree preservation in these areas. Proposed landscaping should also be shown on the GDP.

3. **Comment:** Trees to be preserved on this site will require protection and care throughout the development process.

Recommendation: Obtain a commitment to provide, at the time of first submission of the subdivision plan, a tree preservation plan for review and approval by the Urban Forestry Branch. The tree preservation plan shall consist of a tree inventory which includes the location, species, size, crown spread and condition rating percent of all proffered trees, and all trees 12 inches or greater in diameter within 10 feet on either side of the limits of clearing and grading. The condition analysis shall be prepared using methods outlined in the eighth edition of The Guide for Plant Appraisal. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be incorporated into the tree preservation plan. Activities should include, but are not limited to, crown pruning, root pruning, mulching, and fertilization. The tree preservation plan should be implemented by a certified arborist.

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

KWC/
UFBID#99-0782

cc: Mary Ann Welton, Environmental Planner
Steve McGregor, Land Use Planner
RA File
DPZ File

**Fairfax
County
Park
Authority**



M E M O R A N D U M

TO: Barbara Byron, Director
Zoning Evaluation Division
Department of Planning and Zoning

DATE: March 28, 1999

FROM: Lynn Tadlock, Director
Planning and Development Division

SUBJECT: RZ 1998-BR-072
Zion Drive Property
Loc: 68-4(1)36.

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
APR 6 1999
ZONING EVALUATION DIVISION

The Fairfax County Park Authority (FCPA) has reviewed the above referenced application and these staff comments were approved by the FCPA Board during their Board Meeting of March 17, 1999. The Park Authority provides the following comments:

Dedication of Land

The FCPA requests dedication of the Environmental Quality Corridor (EQC) of Pohick Creek to the Park Authority as per the County's Comprehensive Plan. Most of EQC, as shown on the Generalized Development, will be open space.

Cultural Resources

Staff reviewed the application, conducted background research related to the site's cultural resources, and surveyed the parcel. The archival research suggests that there were no structures on the property prior to 1915. The house that currently stands on the property dates to the mid twentieth century. No evidence of an outbuilding was apparent during the survey.

Staff located several Native American artifacts along the floodplain in the northern portion of the property. These artifacts included the tip of a large quartz projectile point, a quartz flake, and quartz debitage. Although difficult to date with certainty, these lithic materials likely reflect the presence of an Archaic Period (ca. 8500 B.C. - 1000 B.C.) archaeological site in the vicinity. Recent rains have washed the artifacts from their primary deposition locations, yet the artifacts appear to have been eroded from an archaeological site nearby the floodplain.

The developer's general development plan designates the portion of the property in which the artifacts were located as open space. Due to the historical significance of the identified artifacts and the archaeological site from which they eroded, staff recommends that the Park Authority acquire this open space and incorporate it into the Pohick Stream Valley Park.

Barbara Byron
RZ 1998-BR-072
Zion Drive Property
March 28, 1999
Page 2

Environment Resources

The developer should provide SWM for this site. Pohick Creek between this site and Lake Royal is already severely down cut. Aerial photographs do not show that any of the neighboring properties have included SWM. The grades, as shown in the County topographic maps indicate that a pond in lot six would provide control over some of the runoff from the properties along Windsor Hill Drive. This would be one small step toward providing necessary remedial protection for the stream valley.

Trail

There is a countywide trail requirement along the Pohick Stream. In addition to dedicating the open space to the Park Authority, the developer should also construct an 8" wide asphalt stream valley trail on the south side of the creek.

Recreational Facilities

Provide the proportional cost of \$ 4,020 to Fairfax County Park Authority to acquire, develop, maintain park and recreational facilities in a nearby park to serve the residents of this development.

The development plan for Zion Drive Property will construct six (6) single family units at the site that will add twenty (20) residents to the current population of Braddock District. The developer is not providing any recreational amenities at the site. The residents of this development will need several outdoor facilities including playground, picnic, tennis, multi-use court and athletic fields. The proportional development cost to provide these amenities will be \$4,020 to maintain the current level of service in the area.

Comprehensive Plan

The Comprehensive Plan for Fairfax County, Virginia, Area III, Pohick Planning District, District-Wide Recommendations, Parks and Recreation, page 336, states: "Identify parklands which, due to the character of their natural and heritage resources, are particularly sensitive to impacts of nearby development. Ensure protection of the EQC's in conformance with the Policy Plan. Ensure protection of these environmentally-sensitive areas through stringent review of development proposals for adjacent properties."

The Comprehensive Plan for Fairfax County, Virginia, Area III, Pohick Planning District, P2 Main Branch Community Planning Sector, Parks and Recommendations, page 358, states: "Ensure protection of the EQC and public access to stream valley park through acquisition, donation of land or open space easement the Fairfax County Park Authority. Complete development of countywide stream valley trail."

Barbara Byron
RZ 1998-BR-072
Zion Drive Property
March 28, 1999
Page 3

The Comprehensive Plan for Fairfax County, Virginia, Policy Plan, Parks and Recreation, Objective 4, Policy b, page 164, states: "Mitigate the cumulative impacts of development which exacerbate or create deficiencies of Community Park facilities in the vicinity. The extent of facilities, land or contributions to be provided shall be in general accordance with the proportional impact on identified facility needs as determined by adopted County standards. Implement this policy through application of the Criteria for Assignment of Appropriate Development Intensity."

cc: Doug Petersen, Planning and Development, FCPA
Dorothea L. Stefen, Plan Review Case Manager, FCPA
Gail Croke, Planning and Development, FCPA
Todd Bolton, Plan Review Team, FCPA
Mark Holsteen, Right-of-Way Agent, FCPA
Jenny Pate, Plan Review Team, FCPA
Richard Sacchi, Plan Review Team, FCPA
Mubarika Shah, Plan Review Team, FCPA

MEMORANDUM

DATE: January 13, 1999

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
JAN 25 1999
ZONING EVALUATION DIVISION

TO: Barbara Byron, Director
ZED/OCP

FROM: Donald M. Sweig, Ph.D.
Heritage Resources Specialist -III
Resource Management Division
Fairfax County Park Authority
237-4881



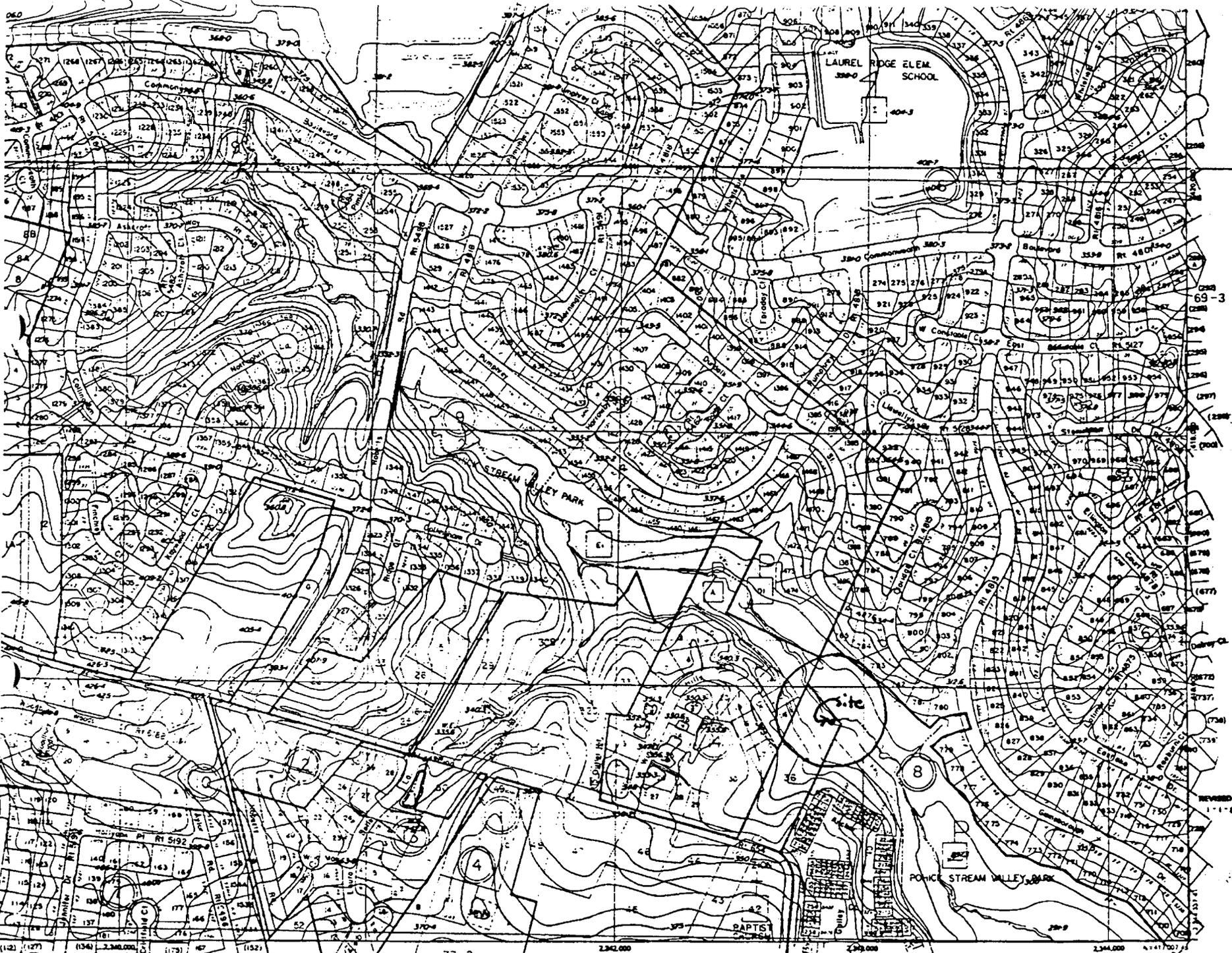
REFERENCE: RZ998-BR-072

APPLICANT/PROPERTY NAME: Batal Builders Inc.

RECOMMENDATION: NOTE: SEE ATTACHED MAP OF SECTION 68-4. Archaeological resources have been identified on the flood plain, planned for open space, adjacent to the development area. NO ground disturbance should take place in this area. If ground disturbance is necessary, a phase-II archaeological assessment and a phase -III archaeological recovery should be done PRIOR TO ANY GROUND DISTURBANCE.

RATIONALE: For additional information contact Mike Johnson at 237-4881.

cc: M. Johnson
B. Naef



69-3

REVISED TO:
1-1-88

THIS MAP COMPLES WITH NATIONAL RES/ ENSERV STANDARDS
 COMPILED BY AIR SURVEY CORPORATION OF VA
 RESTON, VIRGINIA
 AERIAL PHOTOGRAPHY MARCH, 1984

1000 FOOT GRID IS BASED ON THE RECTANGULAR
 COORDINATE SYSTEM FOR THE STATE OF VIRGINIA
 (NORTH ZONE)
 1927 NORTH AMERICAN DATUM

SECTION 68-4

STREETS SEC 68-4

TO: Barbara A. Byron, Director
 Zoning Evaluation Branch (OCP)
 10255 Govt. Center Parkway, Suite 801

Date: 1/14/99
 Map: 68-4

FROM: Facilities Planning (246-3609)

Acreeage: 2.72 PU 8055

From: R-1 To: R-3

SUBJECT: Schools Analysis, Rezoning Application

Case# RZ-98-BR-072

The following information is submitted in response to your request for a school analysis for the referenced rezoning application. A comparison of estimated student generation between the proposed development plan and that possible under existing zoning area as follows:

School Level	Unit Type	Proposed Zoning			Unit Type	Existing Zoning			Rezoning Increase Decrease	Total School Impact
		Units	Ratio	Students		Units	Ratio	Students		
Elem. (K-6)	S/F	6 x	.4	2				x		2
Inter. (7-8)	S/F	6 x	.071	1				x		1
High (9-12)	S/F	6 x	.154	1				x		1

* Schools which serve this property, their current total membership, net operating capacity, and their projections for the next five years are as follows:

School Name And Number	Grade Level	9/30/98 Capacity	9/30/98 Membership	Projected Membership				
				99-00	00-01	01-02	02-03	03-04
Oakview	K-6	851	669	655	631	603	585	579
Robinson	7-8	1275	1319	1275	1191	1197	1267	1247
Robinson	9-12	2700	2639	2758	2812	2780	2683	2634

Source: Capital Improvement Program, FY 1999-2003 Facilities Planning Services Office

Note: Five-year projections are those currently available and will be updated yearly. School attendance areas subject to yearly review. The effect of the rezoning application does not consider the existence or status of other applications.

Comments:

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

December 21, 1998

TO: Barbara Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning

FROM: Ralph Dulaney (246-3868)
Planning Section
Fire and Rescue Department



SUBJECT: Fire and Rescue Department Preliminary Analysis of Rezoning Application RZ 1998-BR-072

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
DEC 22 1998
ZONING EVALUATION DIVISION

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #14, **Burke**.
2. After construction programmed for FY 19__, this property will be serviced by the fire station planned for the _____ area.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility; however, a station location study is currently underway, which may impact this rezoning positively.

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator
Zoning Evaluation Division, OCP

DATE: January 27, 1999

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025)
System Engineering & Monitoring Division
Office of Waste Management, DPW

gok

RECEIVED
DEPARTMENT OF PLANNING AND ZONING

JAN 29 1999

SUBJECT: Sanitary Sewer Analysis Report

ZONING EVALUATION DIVISION

REFERENCE: Application No. RZ 1998-BR-072

Tax Map No. 068-4- /01/ /0036-

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

1. The application property is located in the Pohick Creek (N-1) watershed. It would be sewered into the Lower Potomac Treatment Plant.
2. Based upon current and committed flow, there is excess capacity in the Lower Potomac Pollution Control Plant at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8 inch line located in an easement and on the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

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

5. Other pertinent information or comments: _____

FAIRFAX COUNTY WATER AUTHORITY

8560 Arlington Boulevard - P. O. Box 1500
Merrifield, Virginia 22116-0815
(703) 289-6300

December 23, 1998

MEMORANDUM**RECEIVED**
DEPARTMENT OF PLANNING AND ZONING

TO: Staff Coordinator (Tel. 324-1250)
Zoning Evaluation Division-Suite 800
12055 Government Center Parkway
Fairfax, Virginia 22035

JAN 4 1999

ZONING EVALUATION DIVISION

FROM: Planning Branch (Tel. 289-6363)
Planning and Engineering Division

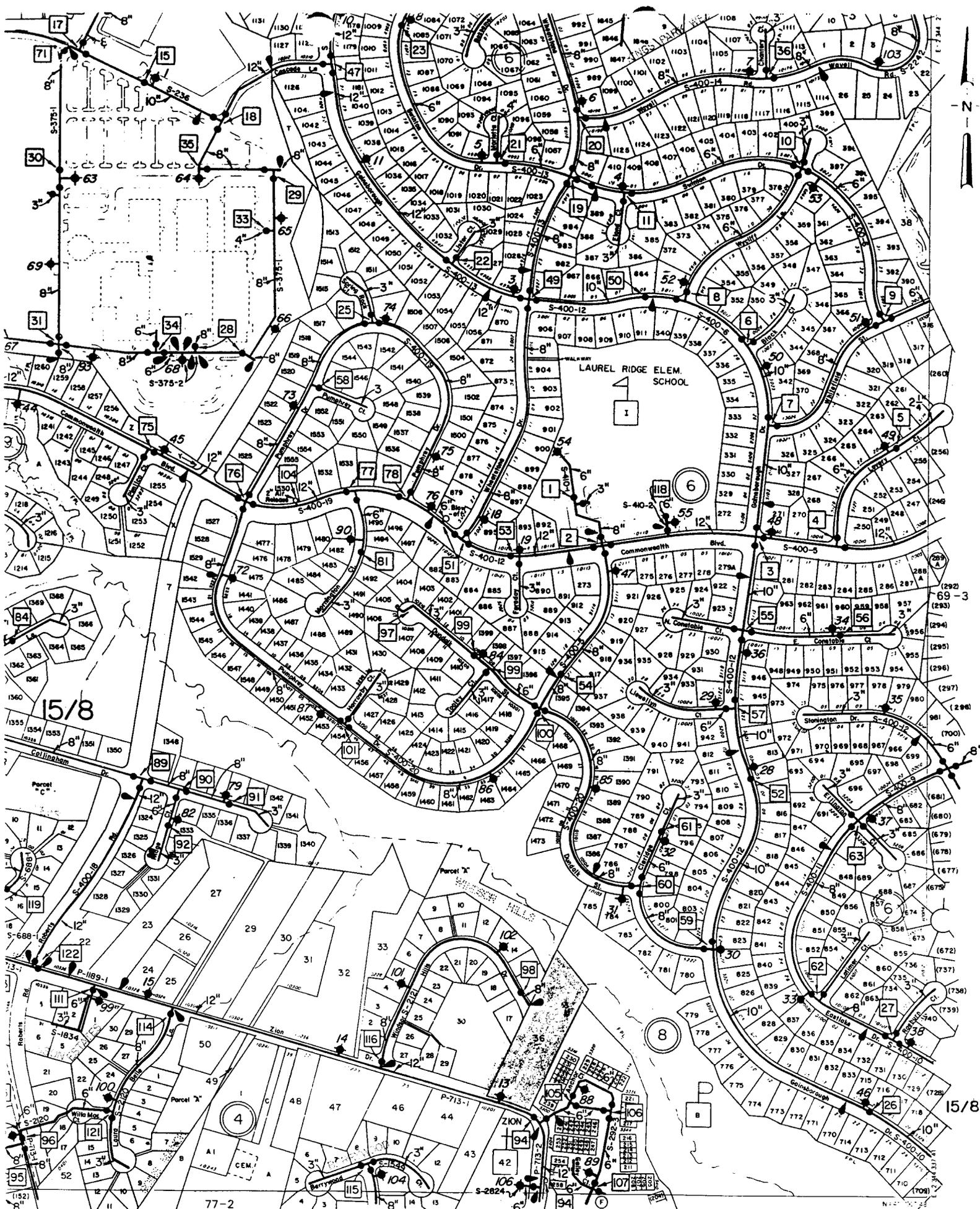
SUBJECT: Water Service Analysis, Rezoning Application RZ 98-BR-072

The following information is submitted in response to your request for a water service analysis for the subject rezoning application:

1. The application property is located within the franchise area of the Fairfax County Water Authority.
2. Adequate domestic water service is available at the site from existing 8 & 12 inch mains located at the property. See enclosed property map.
3. Depending upon the configuration of the onsite water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.


Steven A. Weisberger, P.E.
Manager, Planning

Attachment



USERS NOTING ERRORS, OR OMISSIONS
ON THIS SYSTEM MAP SHEET CONTACT
TECHNICAL RESOURCE SECTION, FCWA

SECTION 68-4

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara Byron, Director
Zoning Evaluation Division
Department of Planning and Zoning

DATE: 1-8-99

FROM: Ronald N. Kirkpatrick, Director
Utilities Planning and Design Division
Department of Public Works & Environmental Services

SUBJECT: Rezoning Application Review

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

Name of Applicant/Application: Batal Builders Incorporated

Application Number: 1998-BR-072

Type of Application: RZ

Information Provided: Application - Yes
Development Plan - Yes
Other - Statement of Justification

Date Received in UP&DD: December 18, 1998

Date Due Back to DPZ: January 14, 1999

Site Information: Location - 68-4 ((1)) 36
Area of Site - 2.74 acres
Rezone from - R-1 to R-3
Watershed/Segment - Pohick Creek / Robinson

UP&DD Information:

i. Drainage:

- UP&DD Drainage Complaint files:

Yes No Any downstream drainage complaints on file pertaining to the outfall for this property?

If yes, describe:

- Master Drainage Plan (proposed projects): No downstream deficiencies are identified in the Fairfax County Master Drainage Plan.
- UP&DD Ongoing County Drainage Projects: None.
- Other Drainage Information: This site lies in the watershed of Lake Royal, Dam Site # 4.

RE: Rezoning Application Review

II. Trails:

Yes No Any funded Trail projects affected by this application?

If yes, describe:

Yes No Any Trail projects on the Countywide Trails priority list or other significant trail project issues associated with this property?

If yes, describe:

III. School Sidewalk Program:

Yes No Any sidewalk projects pending funding approval or on the School Sidewalk Program priority list for this property?

If yes, describe:

Yes No Any funded sidewalk projects affected by this application?

If yes, describe:

IV. Sanitary Sewer Extension and Improvement (E&I) Program:

Yes No Any existing residential properties adjacent to or draining through this property that are without sanitary sewer facilities?

If yes, describe:

Yes No Any ongoing E&I projects affected by this application?

If yes, describe:

V. Other UP&DD Projects or Programs:

Yes No Any Board of Road Viewers (BORV) or Fairfax County Road Maintenance Improvement Projects (FCRMIP) affected by this application?

If yes, describe:

Yes No Any Commercial Revitalization Program (CRP) projects affected by this application?

If yes, describe:

Yes No Any Neighborhood Improvement Program (NIP) projects affected by this application?

If yes, describe:

Other Program Information: **None.**

RE: Rezoning Application Review

Application Name/Number: **Batal Builders Incorporated / RZ 1998-BR-072**

******* UTILITIES PLANNING AND DESIGN DIVISION, DPW, RECOMMENDATIONS*******

Note: The UP&DD recommendations are based on the UP&DD involvement in the below listed programs and are not intended to constitute total County input for these general topics. It is understood that the current requirements pertaining to Federal, State and County regulations, including the County Code, Zoning Ordinance and the Public Facilities Manual will be fully complied with throughout the development process. The UP&DD recommendations are to be considered additional measures over and above the minimum current regulations.

DRAINAGE RECOMMENDATIONS: **None.**

TRAILS RECOMMENDATIONS: **None.**

SCHOOL SIDEWALK RECOMMENDATIONS: **None.**

SANITARY SEWER E&I RECOMMENDATIONS:

Yes NOT REQUIRED

Extend sanitary sewer lines to the development boundaries on the _____ sides for future sewer service to the existing residential units adjacent to or upstream from this rezoning. Final alignment of the sanitary extension to be approved by Department of Public Works during the normal Department of Environmental Management plan review and approval process.

Other E&I Recommendations: **None.**

OTHER UP&DD PROJECT/PROGRAM RECOMMENDATIONS: **None.**

UP&DD Internal sign-off by:	Planning Support Branch (Ahmed Rayyan)	AIR
	Utilities Design Branch (Walt Wozniak)	WTW
	Transportation Design Branch (Larry Ichter)	LLI
	Stormwater Management Branch (Fred Rose)	

RNK/rz98br72.wpd

cc: Gordon Lawrence, Coordinator, Office of Safety, Fx. Co. Public Schools (only if sidewalk recommendation made)
Gilbert Osei-Kwadwo, Chief, Engineering Analysis Planning Branch
Bruce Douglas, Chief, Environment and Development Review Branch

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 Environmental Management.

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 DEM 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 DEM 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
DPW&ES	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, DPW&ES
FAR	Floor Area Ratio	UMTA	Urban Mass Transit Association
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HCD	Housing and Community Development	VPH	Vehicles per Hour
LOS	Level of Service	WMATA	Washington Metropolitan Area Transit Authority
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DOT	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch