APPLICATION ACCEPTED: October 29, 2009
PLANNING COMMISSION: May 27, 2010
BOARD OF SUPERVISORS: Not Yet Scheduled

County of Fairfax, Virginia

May 13, 2010

STAFF REPORT

APPLICATION PCA/FDPA 95-V-013

MOUNT VERNON DISTRICT

APPLICANT:	Fairfax County Park Authority
ZONING:	PDH-2, HD
PARCEL(S):	99-4 ((9)) A
ACREAGE:	15.52 acres
PLAN MAP:	Residential; 1-2 du/ac
DENSITY:	1.13 du/ac on 43.4 acres
PROPOSAL:	Amend the proffers and final development plan for RZ 95-V-013, previously approved for 49 single-family detached dwellings at a density of 1.13 du/ac on 43. 4 acres to permit the demolition of the Tenant House in the 15.52-acre open space area.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 95-V-013 subject to the execution of proffers consistent with those contained in Appendix 1 and approval of the Conceptual Development Plan Amendment.

Staff further recommends approval of the Final Development Plan Amendment, subject to the Board of Supervisors' approval of PCA 95-V-013 and the Conceptual Development Plan Amendment.

Kelli Goddard-Sobers

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/

It should be noted that it is not the intent of the 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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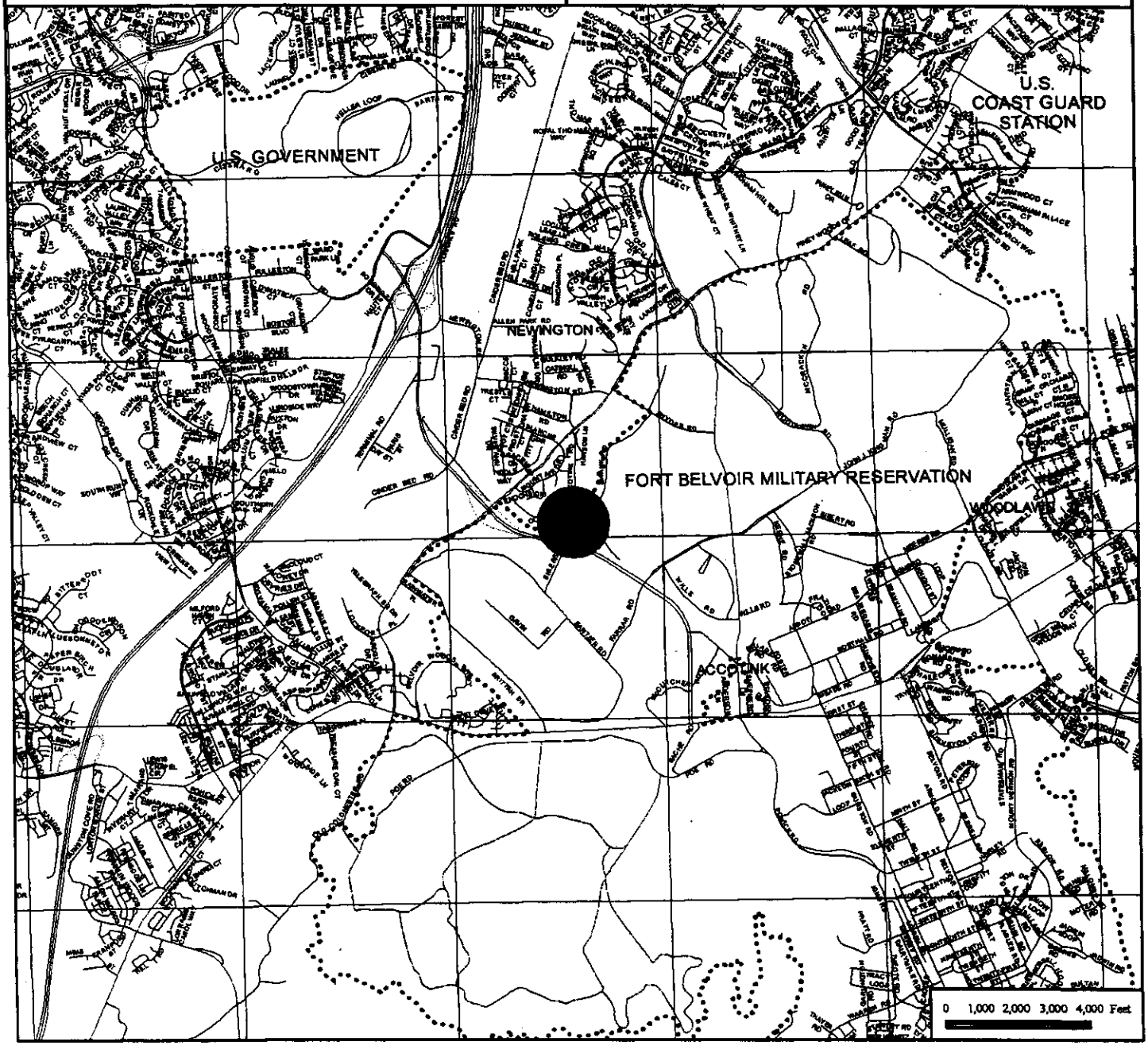
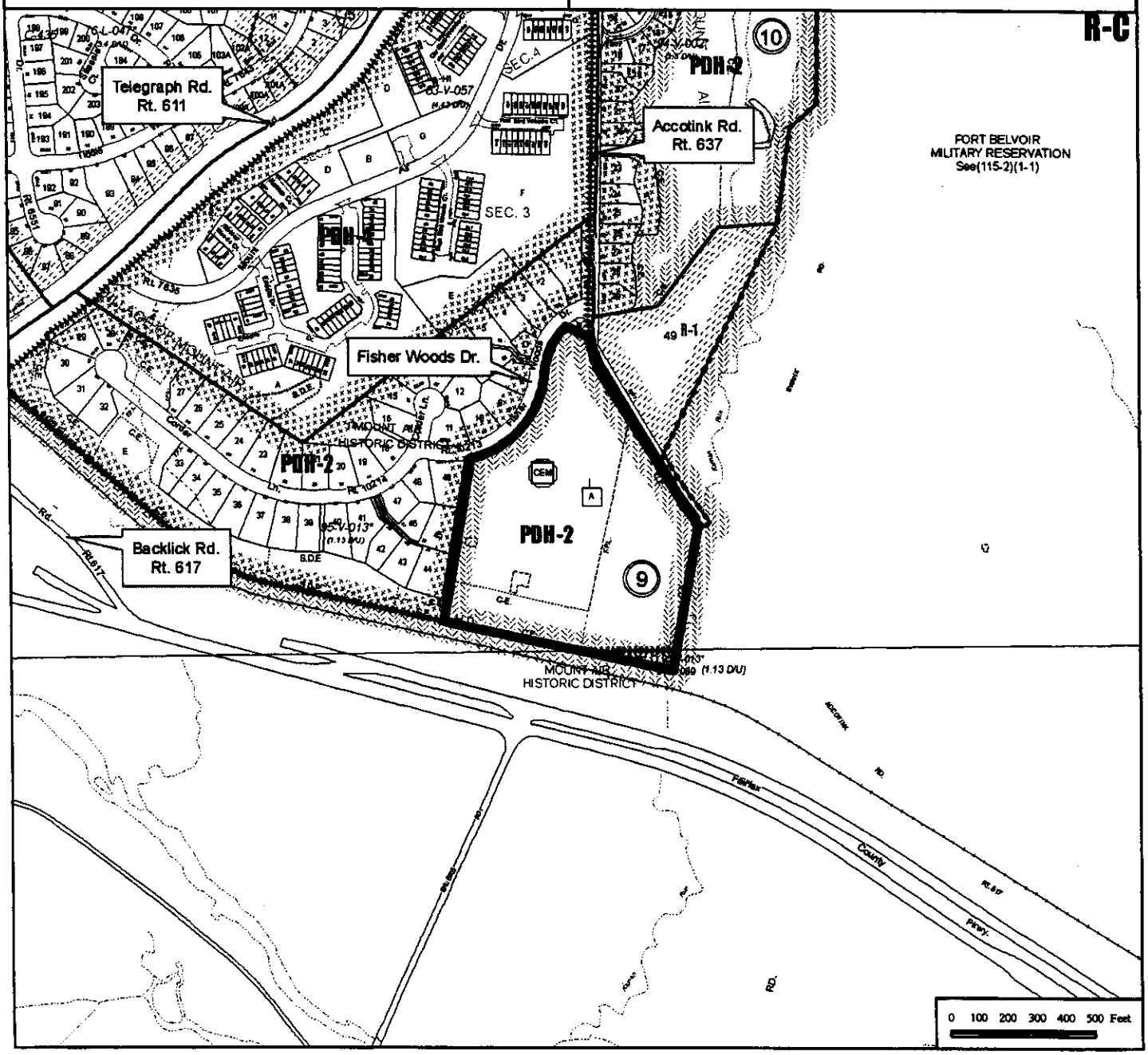
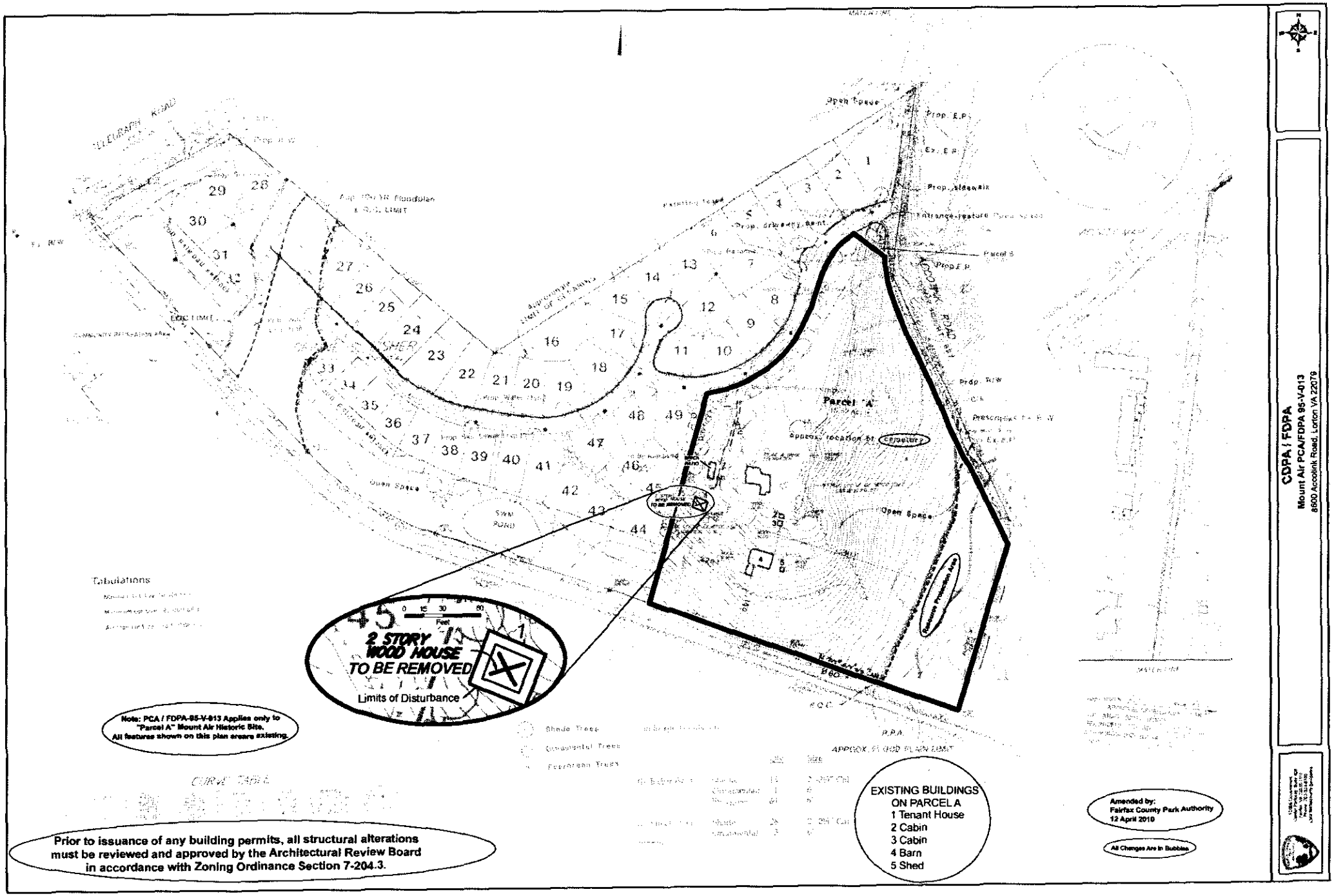
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Proffered Condition Amendment		Final Development Plan Amendment	
PCA 95-V -013		FDPA 95-V -013	
Applicant:	FAIRFAX COUNTY PARK AUTHORITY	Applicant:	FAIRFAX COUNTY PARK AUTHORITY
Accepted:	10/29/2009	Accepted:	10/29/2009
Proposed:	AMEND RZ 95-V-013 PREVIOUSLY APPROVED FOR OPEN SPACE TO PERMIT SITE MODIFICATIONS	Proposed:	AMEND FDP 95-V-013 PREVIOUSLY APPROVED FOR OPEN SPACE TO PERMIT SITE MODIFICATIONS
Area:	15.52 AC OF LAND; DISTRICT - MOUNT VERNON	Area:	15.52 AC OF LAND; DISTRICT - MOUNT VERNON
Zoning Dist Sect:		Zoning Dist Sect:	
Located:	WEST OF ACCOTINK ROAD AND SOUTH OF ITS INTERSECTION WITH FISHER WOODS DRIVE	Located:	WEST OF ACCOTINK ROAD AND SOUTH OF ITS INTERSECTION WITH FISHER WOODS DRIVE
Zoning:	PDH- 2	Zoning:	PDH- 2
Overlay Dist:	HD	Overlay Dist:	HD
Map Ref Num:	099-4- /09/ / A	Map Ref Num:	099-4- /09/ / A



Proffered Condition Amendment		Final Development Plan Amendment	
PCA 95-V -013		FDPA 95-V -013	
Applicant:	FAIRFAX COUNTY PARK AUTHORITY	Applicant:	FAIRFAX COUNTY PARK AUTHORITY
Accepted:	10/29/2009	Accepted:	10/29/2009
Proposed:	AMEND RZ 95-V-013 PREVIOUSLY APPROVED FOR OPEN SPACE TO PERMIT SITE MODIFICATIONS	Proposed:	AMEND FDP 95-V-013 PREVIOUSLY APPROVED FOR OPEN SPACE TO PERMIT SITE MODIFICATIONS
Area:	15.52 AC OF LAND; DISTRICT - MOUNT VERNON	Area:	15.52 AC OF LAND; DISTRICT - MOUNT VERNON
Zoning Dist Sect:		Zoning Dist Sect:	
Located:	WEST OF ACCOTINK ROAD AND SOUTH OF ITS INTERSECTION WITH FISHER WOODS DRIVE	Located:	WEST OF ACCOTINK ROAD AND SOUTH OF ITS INTERSECTION WITH FISHER WOODS DRIVE
Zoning:	PDH- 2	Zoning:	PDH- 2
Overlay Dist:	HD	Overlay Dist:	HD
Map Ref Num:	099-4- /09/ / A	Map Ref Num:	099-4- /09/ / A




CDPA / FDPA
Mount Air PCA/FDPA 95-V-013
8600 Accotink Road, Lorton VA 22079
Parcel "A"
Open Space
Tabulations
2 STORY WOOD HOUSE TO BE REMOVED
Limits of Disturbance
Note: PCA / FDPA-95-V-013 Applies only to "Parcel A" Mount Air Historic Site. All features shown on this plan areare existing.
EXISTING BUILDINGS ON PARCEL A
1 Tenant House
2 Cabin
3 Cabin
4 Barn
5 Shed
Amended by: Fairfax County Park Authority 12 April 2010
All Changes Are In Bubbles
Prior to issuance of any building permits, all structural alterations must be reviewed and approved by the Architectural Review Board in accordance with Zoning Ordinance Section 7-204.3.

TABULATIONS

Existing Zone:	R-1
Proposed Zone:	PDH-2
Gross Land Area	43.40594 acres
Proposed Density	49 units = 1.13 DU/AC
Total Open Space Required (20% of gross site area)	8.68 acres
Total Open Space Provided (46% ±)	20 + acres

PARKING REQUIRED

Single Family Detached	Required: Standard (2.0)	98 spaces
	Provided: Standard (2.0)	98 spaces

(3L27)

GENERAL NOTES:

1. The property shown on this conceptual/final development plan is in the Long Branch MS watershed of the Lower Potomac Sanitary Sewer District and the Occoquan Creek watershed.
2. Topo is flown from air survey. Contour interval is 2'.
3. The Fairfax County Water Authority (F.C.W.A.) is the public water supply agency for this development.
4. Boundary is provided by The BC Consultants, Inc.
5. Location of easements shown hereon are based on information available from tax maps and/or deeds of record, not from actual field locations or title search, and that should not be regarded as a correct or final location.
6. Statement of conditions or commitments and/or statements required pursuant to Section 16-502 and 16-501 are enumerated on this page and titled 16-501 and 16-502 comments.
7. This plan does not purport to show all existing underground utilities and those shown are approximate.
8. This plan does not necessarily show utilities as they are to be constructed for each individual building. Individual plans and profiles will be submitted in the future for construction purposes. The BC Consultants, Inc. assumes no responsibility for construction with these plans.
9. All public streets shall conform to Fairfax County and/or Virginia Department of Highways and Transportation Standards and Specifications.
10. The property delineated by this plan is shown on assessment map as 99-4 ((1)) parcel 47.
11. Public utilities (i.e., sanitary sewer trunk lines, water distribution mains, telephone and electric service) are presently available or accessible to the site and will be constructed or extended by the developer and/or the utility company as may be appropriate.
12. Development schedule and phasing to be determined as market conditions allow.
13. Best Management Practice techniques proposed for the project include dry ponds, as shown on plan.
14. All walk locations are approximate. Exact walk locations are to be determined at the plan stage.

(3L27)

15. The proposed limits of clearing and grading are approximate and are subject to adjustment at time of final engineering and location of utilities.

16-501 COMMENTS:

1. A. Shown on plan.
   B. Owner: Curtise S. Fisher
   Care Remedary F. Coulter
   30 Cedar Lane
   Bridgeport, W. VA 26330

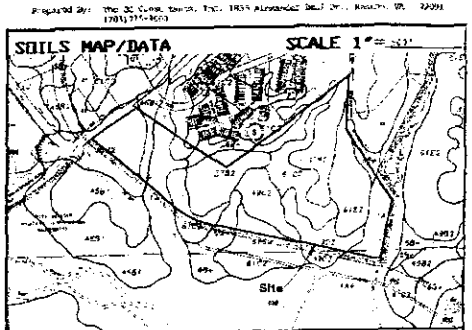
   Applicant/Agent for: Van Metre Companies
   2252 Dulles Corner Court
   Burke, VA 22015

   C. Refer to general notes No. 2
   D. Shown on plan.
   E. N/A
   F. Shown on plan.
   G. Shown on plan, refer to tabulations.
   H. Shown on plan, refer to tabulations.
   I. Shown on plan.
   J. E.Q.C., R.P.A. and floodplain area on the site are shown on plan.
   K. Shown on plan.
   L. Shown on plan.
   M. N/A
   N. The historic structures and wooded BOC will be preserved on site.
   O. Burial sites will remain undisturbed as shown on plan.
   P. The Fairfax County Comprehensive Plan recommends residential development at a density of 1-2 DU/AC.
   Q. See plan.
   R. Existing structures will be parceled out as Parcel "A".
   S. N/A
   T. See tabulations.
   U. See tabulations.
   V. This plan conforms to the provisions of all applicable ordinances, regulations and adopted standards and conditions.
   W. Refer to proffers.
   X. Development schedule and phasing to be determined as market conditions allow.
2. (5) copies submitted separately.
3. Shown on plan, statement submitted separately.
4. To the best of our knowledge no hazardous or toxic substances exist on the site. If any substances are found, the methods for disposal shall adhere to county, state or federal law.
5. N/A

(3L27)

Project: Mount Air Property

Prepared by: The BC Consultants, Inc. 1835 Alexander Bell Dr., Reston, VA 22091 (703) 717-7000



SOIL I.D. NUMBERS	SERIES NAME	FOUNDATION SUPPORT	SUBSURFACE DRAINAGE	SLOPE STABILITY	ERODABILITY	GEOTECHNICAL REPORT REQD	
3A	Mixed Alluvial	Poor-F,M,B	Poor-P,R	Good	Slight	N	Y
65	Dyke	Fair-M,B	Marginal-P	Good	Slight	N	Y
32,38	McGaheysville	Good-F	Marginal-P	Good	Moderate	N	Y
46	Orkney	Marginal-B,S	Marginal-S,P	Good	Moderate	Y	Y
49	Rixeyville	Marginal-S,C	Good	Good	Moderate	Y	Y
6	Buckhorn	Marginal-S,C	Marginal-S,P	Marg. to Poor	Severe	Y	Y

SOILS WITH IDENTICATION NUMBERS 59,66,69,141,142 AND 152 MAY OVERLIE PARENT BEDROCK FORMATIONS WHICH HAVE BEEN FOUND TO CONTAIN NATURALLY OCCURRING ASBESTOS MINERALS. SPECIAL MINIMUM CONSTRUCTION MEASURES AND PRECAUTIONS ARE REQUIRED IN COMPLIANCE WITH HEALTH DEPARTMENT DIRECTIVES WITHIN THESE SOILS OR WITHIN FILL ORIGINATING FROM THESE SOILS.

Tree Cover Worksheet

Zoning Category PDH-2

1	Total Site Area (43.40594 ac)	1,890,762.74 S.F.
2.	- Buildable Area (Building Footprint or S.F. per lot x no. of buildable lots) 49 @ 11,050 = 541,450	541,450.00 S.F.
3.	Excepted Areas	
4.	= Adjusted Site Area	1,349,312.73 S.F.
5.	= Tree Cover to be Provided (20%)	269,862.55 S.F.
6.	Existing Tree Cover Area (x 1.25) (450,000 x 1.25)	562,500.00 ± S.F.
7.	Tree Cover to be Provided by Planting Trees	0.00
8.	= Tree Cover Provided (41.6% ±)	562,500.00 ± S.F.

(3L27)

NOTE:
BASE ON OUR CURRENT BOUNDARY SURVEY, THE TOTAL SITE AREA IS 43.40594 AC.

16-502 COMMENTS:

1. A. Shown on plan.
   B. Shown on plan.
   C. Shown on tabulations.
   D. Shown on plan.
   E. Shown on plan.
   F. Refer to general notes No. 2.
   G. Shown on plan.
   H. N/A
   I. Shown on plan.
   J. N/A
   K. Shown on plan.
   L. N/A
   M. Shown on plan.
   N. Shown on plan.
   O. Burial site will remain untouched as shown on plan.
   P. Shown on plan.
   Q. Shown on plan.
   R. N/A
   S. E.Q.C., R.P.A., and floodplain area on the site are shown on plan.
   T. Development schedule and phasing to be determined as market conditions allow.
2. A. Refer to tabulations.
   B. Refer to tabulations.
   C. N/A
   D. Refer to tabulations.
   E. Refer to tabulations.
   F. Refer to tabulations.
   G. N/A
3. (5) copies submitted separately.
4. Not available
5. To the best of our knowledge no hazardous or toxic substances exist on the site. If any substances are found, the method for disposal shall adhere to county, state or federal laws.
6. This plan conforms to the provisions of all applicable ordinances, regulations, adopted standards and conditions. No waivers are requested.
7. N/A
8. N/A

(3L27)

Proffer No. 92-C-001 Stat. 15.1
APPROVED DEVELOPMENT PLAN
1 (DPA) (DPH) (FDP)
PROFFERS DATED
(15.2-2232) (PC) approval

The BC Consultants
Engineers • Surveyors • Landscape Architects
1835 Alexander Bell Drive, Suite 120, Reston, Virginia 22091
Phone: (703) 717-7000 Fax: (703) 717-7009

NOTES AND TABULATIONS
MOUNT AIR
MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

DESIGNED BY: PR
DRAFTED BY: JH
CHECKED BY: JS
DATE: 12/27/94
SCALE: NOT FOR PLAN USE
SHEET 2 OF 2
JOB NO.
FILE NO. 140480
FILE NAME: 14 DEP.TB

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

DESCRIPTION OF THE APPLICATION

The applicant, Fairfax County Park Authority (FCPA), is requesting approval of a partial proffered condition amendment (PCA) and final development plan amendment (FDPA) to permit site modifications for a 15.52 acre portion (known as Parcel A) of the 43.4 acres Mt. Air subdivision. Under RZ 95-V-013, 43.4 acres were rezoned from the R-1 District to the PDH-2 District to permit the development of 49 single-family detached dwellings, at an approved density of 1.13 dwelling units per acre (du/ac). A minimum of 20 acres of open space, 46% of the site, was provided. Parcel A, 15.52 acres of the open space, was dedicated to the Park Authority in order to preserve the Mount Air Historic site. This portion of the development known as the Mount Air Historic Site was deeded to the FCPA on August 6, 1997.

The applicant has filed the subject application to permit the demolition of a 2-story structure (the "Tenant House"). This demolition is proposed in response to a determination by the Cultural Resources Management and Protection Section (CRMPS) of the FCPA that the structure has no historical significance, is structurally unsound, and should be demolished. This course of action was approved by the Architectural Review Board (ARB) on January 14, 2010. No other changes are proposed to Parcel A.

A reduced copy of the proposed combined Conceptual/Final Development Plan Amendment (CDPA/FDPA) is included in the front of this report. The applicant's draft proffers are included as Appendix 1. The applicant's affidavit is Appendix 2, and the applicant's statement of justification is included as Appendix 3.

All applications that propose to establish or amend an established P-District are subject to the general and design standards found in Part 1 of Article 16, Development Plans among other provisions of the Zoning Ordinance. The relevant standards are contained in the excerpts from the Zoning Ordinance found in Appendix 14.

LOCATION AND CHARACTER

Site Description:

As stated above, the applicant has filed the subject application on Parcel A, the 15.52 acre portion of the Mt. Air development. Parcel A, which is known as the Mount Air Historic Site, consists of ruins of a plantation house, the remnants of formal gardens, assorted out-buildings, and archaeological features. The plantation house, which was built before 1806, was partially destroyed by fire. Subsequently, in 1859, a house was rebuilt on the same foundation, and it was also destroyed by fire on May 19, 1992.

The site is zoned PDH-2 and HD and is located west of Accotink Road and south of its intersection with Fisher Woods Drive. Parcel A is sloped with many mature, deciduous trees throughout the property. There are several structures on the site including two wood cabins, a wood barn, a wood shed, a brick patio, a stone and brick foundation, and the Tenant House. There is also a cemetery located at the center of the site, and a Resource Protection Area (RPA) along the southeastern boundary of the site. There is one point of access to the site from Fisher Woods Drive located at the northwestern end of the property.

The surrounding uses are as follows:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Single-Family Detached and Open Space (Mt. Air)	PDH-2	Residential; 1-2 du/ac
South	Public Facility (Ft. Belvoir Military Reservation)	R-C	Residential; 1-2 du/ac
East	Public Facility (Ft. Belvoir Military Reservation)	R-C	Residential; 1-2 du/ac
	Single-Family Detached (Near Newington)	R-1	Residential; 1-2 du/ac
West	Single-Family Detached (Mt. Air)	PDH-2	Residential; 1-2 du/ac

BACKGROUND (Appendices 4-6)

On October 29, 1984, the Board of Supervisors (BOS) approved RZ 84-V-089, filed on approximately 67.19 acres, which established the boundaries of the Mount Air Historic District.

On March 11, 1996, the BOS approved RZ 95-V-013 to rezone 43.4 acres of that land from the R-1 District to the PDH-2 District to permit the development of a single-family detached residential subdivision with a maximum of 49 lots. A minimum of 20 acres of open space was provided, which included the 15.52 acres

of land to be dedicated to the FCPA. Subsequently, on August 6, 1997, this dedicated land was deeded to FCPA. The property contains several structures associated with the Mount Air Historic site including the structure known as the "Tenant House."

In August 2002, the CRMPS of the FCPA prepared a Cultural Resources Management Treatment Plan for the Mount Air Historic site, which determined that the Tenant House does not have any historical significance and is structurally unsound. The Treatment Plan recommended the demolition and removal of the structure from the park. This course of action was initially approved by the Architectural Review Board (ARB) on April 10, 2003. However, since no action was taken for seven years, the approval expired. The FCPA then reapplied to the ARB and the application was approved on January 14, 2010.

On May 7, 2004, an interpretation letter was issued by the Department of Planning and Zoning (DPZ), which determined that the applicant would have to obtain the approval of a PCA to permit the removal of the Tenant House. Specifically, under RZ 95-V-013, Proffer # 2 states that the use of the Tenant House (which is referred to as the 2-story wood structure in the proffers and on the CDP/FDP) was restricted for use only as a historic building. In addition, there is a note on the approved CPD/FDP which lists the Tenant House as one of the "Structure to Remain". It should be noted that this note refers to all structures on the site, regardless of their historical significance or condition.

COMPREHENSIVE PLAN PROVISIONS:

Plan Area:	Area IV
Planning District:	Springfield
Planning Sector:	S-6 Newington Community Planning Sector
Plan Map:	Residential; 1-2 du/ac

Fairfax County Comprehensive Plan, 2007 Edition Area IV, Springfield Planning District, Amended through 8-3-2009, S-6 Newington Community Planning Sector, Page 68 site specific text states:

5. The area east of Telegraph Road is planned for residential use at 1-2 dwelling units per acre and private open space use; development should be sensitive to the historic and environmental constraints in the area.

ANALYSIS

Combined Conceptual/Final Development Plan Amendment (CDPA/FDPA)
(Copy at front of staff report)

Title of CDPA/FDPA: Mount Air

Prepared By: The BC Consultants and amended by the Fairfax County Park Authority

Original Rezoning Date: December 12, 1994

Parcel A portion revised by FCPA on: January 26, 2009 as revised through April 12, 2010

Conceptual/Final Development Plan Amendment (Mount Air)	
Sheet #	**Description of Sheet**
1 of 2	Cover Sheet with Vicinity Map
2 of 2	Notes and Tabulations

As stated previously, the application merely seeks to delete the existing Tenant House from the approved CDP/FDP. The following information has been added to the original approved CDP/FDP by FCPA, and these changes are limited only to the 15.52-acre Parcel A:

- An insert which shows the limits of disturbance around the Tenant House;
- A table which lists the existing buildings on the 15.52 acre parcel known as Parcel A;
- A note which states that the application only applies to Parcel A, the Mount Air Historic Site, and that all features shown are existing; and
- A note which states that prior to the issuance of any building permits, all structural alterations must be reviewed and approved by the Architectural Review Board in accordance with the Zoning Ordinance Section 7-204.3

No other changes have been made to the plan.

Land Use and Environmental Analysis

As noted previously, this application only applies to 15.52 acres (Parcel A) of the previously approved application (RZ 95-V-013) and seeks to amend the previously approved proffers and the CDP/FDP to permit the demolition of the existing Tenant House. No land use or environmental issues were identified with this application.

Historic Resource Analysis (Appendix 7)

Historic Preservation staff stated that an application had to be made to the Architectural Review Board (ARB) to permit the proposed demolition of the Tenant House and any related grading, construction and/or infill activity. Staff also stated that pending ARB approval, the Cultural Resource Management & Protection Section of the Park Authority must be on-site to monitor the above activities.

On January 14, 2010, the ARB approved the demolition of the Tenant House subject to the following conditions:

a. The Cultural Resource Management & Protection Section of the Park Authority be on-site to monitor the demolition and any related grading, construction and/or infill activity proposed to be undertaken in relationship to the proposed demolition; and

b. A Phase I archaeological survey be undertaken within 10' – 15' of the site and an informational report be provided to the ARB of any discoveries found from the survey.

Additionally, the ARB recommended approval of PCA/FDPA 95-V-013 with the provision that the CDPA/FDPA has the following notation as proposed by the Park Authority: "Prior to issuance of any building permits, all structural alterations must be reviewed and approved by the ARB in accordance with Zoning Ordinance Section 7-2043."

The above recommendations by the ARB have been included in the draft proffers and the suggested notation has been added on the CDPA/FDPA.

Urban Forestry Analysis (Appendix 8)

The existing Tenant House is surrounded by many mature trees. In order to preserve these trees, Urban Forestry staff recommended that the applicant first develop a general Tree Survey listing all trees 6 inches in diameter or greater, within 25 feet of the building to be demolished. Staff also recommended that the applicant should commit to protect the trees in the vicinity of the Tenant House to prevent them from being damaged during the demolition and site clearing activities. In response to these concerns, tree proffers have been included which fully address UFMD's concerns.

Transportation Analysis (Appendix 9)

There are no transportation issues associated with this application.

Stormwater Analysis (Appendix 10)

The applicant has stated that the proposed land disturbance will be less than 2,500 square feet so no site plan would be required. However, after review of the subject application, the Department of Public Works and Environmental Services (DPWES) staff noted that the limits of disturbance depicted on the CDPA/FDPA did not include access to the demolition site. If the site area on the rough grading plan is set to the limits of disturbance depicted on the CDPA/FDPA, which is less than 2,500 square feet, then it is unlikely that Best Management Facilities (BMP) facilities would be required. However, if the proposed land disturbance does exceed 2,500 square feet, the need for water quantity and quality controls would be triggered. DPWES staff noted that the applicant will be requesting a waiver for water quality controls at site plan, which will likely be approved. Additionally, DPWES staff has stated that if the applicant can demonstrate adequate site outfall and a reduction in impervious surface, stormwater detention requirements will likely be met, and therefore, no additional detention will be required. These issues will be addressed at site plan.

Public Facilities Analysis (Appendices 11 & 12)

The proposed demolition of the Tenant House does not have any impact on public facilities.

ZONING ORDINANCE PROVISIONS (Appendix 15)

P-District Standards

The subject site, which is zoned PDH-2, must comply with the Zoning Ordinance provisions found in Article 6, Planned Development District Regulations, and Article 16, Development Plans.

The property is currently zoned PDH-2 and continues to meet the PDH District regulations set forth in Part 1 of Article 6, Planned Development Districts, of the Zoning Ordinance. Sect. 16-101 contains six general standards that must be met by a planned development. Sect. 16-102 contains three design standards to which all Conceptual and Final Development Plans are subject. Staff finds that the general and design standards were satisfied under the previous application, RZ 95-V-013. As noted, this application does not impact the existing Mount Air subdivision. The proposed changes would only permit the removal of the existing Tenant House. Staff finds that the general and design standards will continue to be satisfied with this application.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

This application proposes to amend the proffers and the proffered combined Conceptual Development Plan/Final Development Plan (CDP/FDP) to permit the demolition of a 2-story structure (the "Tenant House") on Parcel A, a 15.52 acre portion of the original 43.4 acres, previously approved for open space, pursuant to RZ 95-V-013. Staff finds the proposal to be in conformance with the Comprehensive Plan and the Zoning Ordinance. Further, as noted in the discussion regarding the applicable Zoning Ordinance provisions, the application continues to meet the standards that are applicable to all P-Districts.

Staff Recommendations

Staff recommends approval of PCA 95-V-013 subject to the execution of the draft proffers contained in Appendix 1 and approval of the Conceptual Development Plan Amendment.

Staff further recommends that the Final Development Plan Amendment be approved by the Planning Commission, subject to the Board of Supervisors' approval of PCA 95-V-013 and the Conceptual Development Plan Amendment.

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 Planning Commission.

APPENDICES

1. Draft Proffer Statement
2. Affidavit
3. Statement of Justification
4. Clerk to the Board's letter regarding RZ 95-V-013 and the Accepted Proffers
5. Reduction of the Proffered Conceptual/Final Development Plan for RZ 95-V-013
6. Interpretation Letter dated May 7, 2004
7. Historic Resource Analysis and Architectural Review Board (ARB) Approval letter dated January 28, 2010
8. Urban Forestry Analysis
9. Transportation Analysis

APPENDICES (Continued)

10. Stormwater Analysis
11. Fire and Rescue Analysis
12. Fairfax Water Analysis
13. Fairfax County Public Schools Analysis
14. ARB Approved Minutes dated January 14, 2010
15. Zoning Ordinance Standards
16. Glossary of Terms

MOUNT AIR HISTORIC SITE

PROFFERED CONDITION AMENDMENT

PCA/FDPA-95-V-013

May 11, 2010

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owner and Applicant (the "Applicant") in this Proffer Condition Amendment application proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Map Reference 99-4 ((9)) A (hereinafter referred to as the "Property") will be in accordance with the following proffered conditions (the "Proffered Conditions") if, and only if, said proffer condition amendment (PCA/FDPA-95-V-013) is granted. In the event said application request is denied, these Proffered Conditions shall be null and void. The Applicant, for themselves, their successors and assigns, agree that these Proffered Conditions shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. These proffers shall be in addition to the previously approved proffers dated February 5, 1996, a copy of which is attached. Previously approved proffered conditions applicable to the Application Property that are not modified herein are herby reaffirmed and shall otherwise remain in full force and effect.

The Proffered Conditions are:

Proffer 1 and 3 - 14 are hereby reaffirmed.

Proffer 2 is hereby deleted and replaced with the following:

2. Parcel 99-4 ((9)) A, previously proffered to the Park Authority for passive recreation use by RZ 95-V-013, contains the stone and brick foundation of the Mount Air historic house, a wood barn, and four other wood structures. The "2 story wood house," so labeled on the CDP/FDP, shall be

removed from the site since it is not a historic building and does not contribute to the interpretation of the historic site. Access to Parcel A consists of an existing gravel entrance lane which intersects the existing Fisher Woods Drive.

The following proffers are hereby added:

15. The Architectural Review Board approval shall be obtained prior to the issuance of permits for the erection, construction, reconstruction, or exterior rehabilitation, remodeling, alteration, restoration, demolition, razing, relocation, or moving of any building or structure within Parcel A in accordance with Zoning Ordinance Section 7-204.

16. Staff from the Fairfax County Park Authority Resource Management Division will be present during site disturbing activities, including demolition, which take place on Parcel A to ensure the protection of the site's natural and cultural resources.

17. Landscaping. Landscaping for the Proposed Demolition of the Tenant House on Parcel A shall be in substantial conformance with Sheet 1 of the CDP/FDP Plan. As part of the first site plan and all subsequent site plan submissions, the Applicant shall submit to the Urban Forest Management Division ("UFM") of DPWES for review and approval a detailed landscape plan. Native species shall be used for any proposed tree plantings to the maximum extent possible and as determined practical by UFM. Adjustments to the type and location of vegetation and the design of the plantings shall be permitted in consultation with UFM so long as the final landscape design and planting materials are in substantial conformance with Sheet 1 of the Development Plan as determined by UFM.

18. Tree Preservation. Prior to the demolition of the Tenant House on Parcel A, the Applicant shall demonstrate that the proposed demolition will meet applicable Fairfax County requirements for tree preservation and the requirements of this Proffer.

A. The Applicant (Park Authority) shall develop a general Tree Survey listing of all trees 6 inches in diameter or greater, within 25 feet of the building to be demolished. The survey shall include species, diameter, crown spread measurements, and general health. The survey shall be made a part of a tree preservation plan. All demolition activities shall be conducted to minimize impacts to trees root systems and crowns to the greatest extent possible.

Tree protection fencing shall be provided in the form of (4) foot high, fourteen (14) gauge welded wire OR heavy duty plastic attached to (6) six foot steel posts driven (18) eighteen inches into the ground, and placed no further than ten (10) feet apart, to protect trees and vegetation in the vicinity of the building to be demolished. The fencing shall be inspected by, and be to the satisfaction of, the Urban Forest Management Division (UFMD), prior to the obtaining of a demolition permit.

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

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

C. Site Monitoring. At all times during the installation of tree protection fencing and during any clearing or removal of trees, vegetation, or structures, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted in accordance with the proffers and as approved by UFM. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction work and tree preservation efforts in order to ensure conformance with all tree preservation proffers and UFM approvals. The monitoring schedule shall be described and detailed in the Tree Preservation Plan and shall be reviewed and approved by UFM.

19. These proffers shall not restrict the Park Authority from undertaking minimal clearing and grading to develop Parcel A as a passive, historic park. The Park Authority shall not be restricted from undertaking any operation necessary, including but not limited to, invasive species management, or site maintenance of fields, woodlands, structures, or signage for a passive, historic park on Parcel A.

FAIRFAX COUNTY PARK AUTHORITY

Title Owner of Tax Map No. 99-4 ((9)) A

By: _____

John W. Dargle, Jr., Director

REZONING AFFIDAVIT

DATE: 3/4/2010
(enter date affidavit is notarized)

I, John W. Dargle Jr., do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) [ ] applicant
[X] applicant's authorized agent listed in Par. 1(a) below 106627 6

in Application No.(s): PCA/FDPA 95-V-013
(enter County-assigned application number(s), e.g. RZ 88-V-001)

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

==========

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

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

NAME (enter first name, middle initial, and last name)	**ADDRESS** (enter number, street, city, state, and zip code)	**RELATIONSHIP(S)** (enter applicable relationships listed in **BOLD** above)
Fairfax County Park Authority	Suite 946 12055 Government Center Parkway Fairfax VA 22035	Applicant / Title Holder
John W. Dargle Jr., Director, Fairfax County Park Authority	Suite 946 12055 Government Center Parkway Fairfax VA 22035	Agent
Andrew C. Galusha Park Planning Branch, PDD Fairfax County Park Authority	Suite 406 12055 Government Center Parkway Fairfax VA 22035	Agent
Sandra P. Stallman, Manager Park Planning Branch, PDD Fairfax County Park Authority	Suite 406 12055 Government Center Parkway Fairfax VA 22035	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.

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

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

REZONING AFFIDAVIT

DATE: 3/4/2010
(enter date affidavit is notarized)

106627b

for Application No. (s): PCA/FDPA 95-V-013
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

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

N / A

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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 on a "Rezoning Attachment 1(b)" form.

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

REZONING AFFIDAVIT

DATE: 3/4/2010
(enter date affidavit is notarized)

1066276

for Application No. (s): PCA/FDPA 95-V-013
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

N / A

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

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

N / A

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

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

REZONING AFFIDAVIT

DATE: 3/4/2010
(enter date affidavit is notarized)

106627c

for Application No. (s): PCA/FDPA 95-V-013
(enter County-assigned application number(s))

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

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

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

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

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

NONE

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

REZONING AFFIDAVIT

DATE: 3/4/2010
(enter date affidavit is notarized)

1066275

for Application No. (s): PCA/FDPA 95-V-013
(enter County-assigned application number(s))

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

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

NONE

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

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

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

WITNESS the following signature:

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

John W. Dargle Jr.
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 4th day of March 20 10, in the State/Comm. of Virginia, County/City of Fairfax.

Barbara J. Gorski
Notary Public #131396

My commission expires: 11/30/2013

Barbara J. Gorski
Notary Public
Commonwealth of Virginia
Registration Number 131396

FORM RZA-1 Updated (7/1/06)

APPENDIX 3

FAIRFAX COUNTY PARK AUTHORITY

M E M O R A N D U M

RECEIVED
Department of Planning & Zoning
SEP 10 2009
Zoning Evaluation Division

TO: Regina M. Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: John W. Dargle Jr., Director
Fairfax County Park Authority

DATE: July 31, 2009

SUBJECT: Application for Partial Proffer Condition Amendment for Mount Air Historic Site
Tax Map # 99-4 ((9)) A

STATEMENT OF JUSTIFICATION

The Fairfax County Park Authority is the owner of Mount Air Historic Site, Tax Map # 99-4 ((9)) A, zoned PDH-2 in the Mount Air Historic Overlay District. This site was acquired by the Park Authority subsequent to Board of Supervisors approval on February 2, 1996 of Rezoning Application 95-V-013 and pursuant to proffers therein (Attachment 2). The property was deeded to the Park Authority on August 6, 1997 (Attachment 3). This site contains several structures, including one known as the "Tenant House."

In August of 2002, the Cultural Resources Management and Protection Section of the Fairfax County Park Authority prepared a Cultural Resources Management Treatment Plan for this site. On Page 6 of that plan, the "Tenant House" is described as having "no historical significance" and "structurally unsound." The Treatment Plan recommends demolition and removal of this structure from the park. This course of action was approved by the Architectural Review Board on April 10, 2003.

The "Tenant House" is a late 20th century structure, which adds no significance to the historic character of this park. It is a vandalized gathering place for local teenagers, and is frequently the site of various illegal activities. This wood structure is in decay, with portions beginning to collapse, as well as posing a potential fire hazard endangering nearby homes. Citizens in the neighboring communities have frequently voiced their concerns over these issues and that it is an eyesore, as well as endangering the young people who often break into it.

Proffer #2 of RZ 95-V-013 refers to the "Tenant House" as follows: "the '2 story wood house,' so labeled on the CDP/FDP, shall be restricted for use only as an historic building and not as a dwelling unit." The associated CDP/FDP states "Structures to Remain" on Parcel A." A proffer interpretation provided by the Department of Planning and Zoning on May 7, 2004 determined that the "Structures to Remain" condition refers to all structures on the site, regardless of significance or condition. The interpretation letter indicated that a Proffer Condition Amendment would be necessary for the removal of any non-historic structure.

The Fairfax County Park Authority respectfully requests a waiver of the CDP and FDP requirement to allow the amended original CDP/FDP submitted with this rezoning application to serve as the Final Development Plan for this Proffer Condition Amendment (Attachment 8). The only changes to this plan from the original submission in 1994 is the addition of the word "Historic" to the label "Structures to Remain," the placement of an X on the "2 story wood house" and the labeling of Parcel B. We also propose deleting sentence 4 from Proffer #2 of RZ 95-V-013 (Attachment 2) which states, "In addition, the "2 story wood house," so labeled on the CDP/FDP, shall be restricted for use only as an historic building and not a dwelling unit."

The Fairfax County Park Authority also respectfully requests a waiver of the Storm Water Management and Archaeological Survey requirements since there will be less than 2500 square feet of land disturbing activity. Furthermore, this application is being filed by the Fairfax County Park Authority under the direction of the Cultural Resources Management and Protection Section (CRMP), which has determined that an Archaeological Survey in not required for this application.

The Park Authority looks forward to working with your office to process and approve this application as quickly as possible.

cc: Cindy Walsh, Director, Resource Management Division
Liz Crowell, Manager, Cultural Resource Management & Protection Section
David Bowden, Director, Planning & Development Division
Julie Cline, Acting Manager, Land Acquisition & Management Branch
Sandy Stallman, Manager, Park Planning Branch
Andy Galusha, Project Manager, Park Planning Branch
Chron Binder
File Copy

ATTACHMENTS:
Attachment 1: Application
Attachment 2: Proffers for RZ 95-V-013
Attachment 3: Property Description / Deed
Attachment 4: Location / Tax Map
Attachment 5: Zoning Map – 8.5 x 11
Attachment 6: Zoning Map
Attachment 7: PCA / Zoning Plat – 8.5 x 11
Attachment 8: PCA / Zoning Plat – 24 x 36

FAIRFAX
COUNTY

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

Tel: 703-324-3151 Fax: 703-324-3926

V I R G I N I A

March 27, 1996

Carson Lee Fifer, Jr., Esquire
McGuire, Woods, Battle and Boothe
8280 Greenboro Drive - Suite 900
McLean, Virginia 22102-3892

RE: Rezoning Application
Number RZ 95-V-013

Dear Mr. Fifer:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on March 11, 1996, granting, as proffered, Rezoning Application Number RZ 95-V-013 in the name of Van Metre Homes, Incorporated, to rezone certain property in the Mount Vernon District from the R-1 District and Historic Overlay District to the PDH-2 District Historic Overlay District, subject to the proffers dated March 7, 1996, on subject parcel 99-4 ((1)) 47 consisting of approximately 43.40 acres.

The Conceptual Development Plan was approved; the Planning Commission approved Final Development Plan FDP 95-V-013 on March 6, 1996, subject to the Board of Supervisors' approval of RZ 95-V-013.

Sincerely,

Nancy Vehrs

Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: John M. Yeatman, Director, Real Estate Dvs., Assessments
Melinda M. Artman, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Dvs., OCP
Fred R. Beales, Supervisor Base Property Mapping/Overlay
Robert Moore, Trnsprt'n. Planning Dvs., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Y. Ho Chang, Resident Engineer, VDOT
Land Acqu. & Planning Dvs., Park Authority
David Watkins, Acting Director, Facilities Mgmt. Div., Office of General Srvs.

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING
APR 1 1996
ZONING EVALUATION DIVISION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 11th day of March, 1996, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 95-V-013

WHEREAS, Van Metre Homes, Incorporated filed in the proper form an application requesting the zoning of a certain parcel of land hereinafter described, from the R-1 District and Historic Overlay District to the PDH-2 District and Historic Overlay District, and

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

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

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

Be, and hereby is, zoned to the R-1 District and Historic Overlay District, and said property is subject to the use regulations of said R-1 District and Historic Overlay District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., §15.1-491(a), which conditions are in addition to the Zoning Ordinance regulations applicable to said parcel, and

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

GIVEN under my hand this 11th day of March, 1996.

Nancy Vehrs

Nancy Vehrs
Clerk to the Board of Supervisors

The Conceptual Development Plan was approved; the Planning Commission approved Final Development Plan FDP 95-V-013 on March 6, 1996, subject to the Board of Supervisors' approval of RZ 95-V-013.

The BC Consultants, Inc.

Planners • Engineers • Surveyors • Landscape Architects

December 30, 1994
Job No. 14048

DESCRIPTION OF
THE LAND OF
CORINNE S. FISHER
DEED BOOK T-7 PAGE 358
WILL BOOK 77 PAGE 23
WILL BOOK 446 PAGE 218
MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING
6 1995
ZONING EVALUATION DIVISION

Being a parcel of land hereinafter described as a part of the land now in the name of Corinne S. Fisher as recorded in Deed Book T-7 at Page 358, Will Book 77 at Page 23, and Will Book 446 at Page 218 all among the land records of Fairfax County, Virginia and being more particularly described as follows

Beginning for the same at a Iron pipe found on the Southeasterly right-of-way line of Telegraph Road, Route 611 (variable width) said point also being the westerlymost corner of Parcel A, Section One, on a plat of subdivision entitled "Village of Mount Air" as recorded in the aforementioned land records in Deed Book 6131 at Page 490, thence leaving said Iron pipe and running with said subdivision the following two (2) courses and distances

1. South 48° 44' 56" East 898.65 feet to a Iron pipe set; thence,

2. North 58° 20' 00" East 1314.55 feet to a Iron pipe set in the centerline of Accotink Road (variable width) said point also being on the westerly line of Alan H. Gasner TR. as recorded in the aforementioned land records in Deed Book 7000 at Page 107; thence leaving said point binding and running with said Gasner

3. South 7° 23' 02" West 393.40 feet to a iron pipe found; said iron pipe being the common westerly corner of said Gasner and John S and Catherine H. Thorsen as recorded in Deed Book 5035 at Page 576, thence continuing with said course and running with the westerly and southwesterly lines of Thorsen the two (2) following courses and distances,

4. South 7° 23' 02" West 104.83 feet to a iron pipe set; thence,

5. South 25° 18' 58" East 459.39 feet to a iron pipe found, said iron pipe being the common corner of Thorsen and United States of America Fort Belvoir as recorded in the aforesaid land records in Deed Book 1157 at Page 163; thence binding and running with the lines of Fort Belvoir the following seven (7) courses and distances,

6. South 25° 18' 58" East 258.51 feet to a iron pipe found; thence,

7. South 40° 18' 58" East 20.00 feet to a iron pipe found; thence,

8. South 17° 37' 02" West 512.56 feet to a conc. monument found; thence,

9. North 70° 40' 32" West 1461.74 feet to a conc. monument found; thence,

10. 405.49 feet along the arc of a curve deflecting to the right and having a radius of 805.40 feet and a chord bearing and distance of North 56° 15' 08" West 401.22 feet to a conc. monument found; thence,

11. North 41° 49' 44" West 735.40 feet to a conc. monument found; thence,

12. 111.29 feet along the arc of a curve deflecting to the right and having a radius of 899.18 feet and a chord bearing and distance of North 38° 17' 00" West 111.22 feet to a iron pipe set on the southeasterly right-of-way line of Telegraph Road 40 feet distant from the centerline of existing pavement; thence binding and running with said right-of-way as delineated on State Highway Project No. 1329-09 (sheet no. 6,) the following four (4) courses and distances

13. 146.07 feet along the arc of a curve deflecting to the right and having a radius of 1392.39 feet and a chord bearing and distance of North 58° 32' 41" East 146.01 feet to a iron pipe set; thence,

14. North 61° 33' 00" East 32.54 feet to a iron pipe set; thence,

15. North 28° 27' 00" West 10.00 feet to a iron pipe set; thence,

16. North 61° 33' 00" East 246.47 feet to a iron pipe set; thence,

17. South 48° 44' 56" East 15.99 feet to the point of beginning, containing 1,890,536 square feet or 43.40073 acres of land.

MOUNT AIR
PROFFERED CONDITION STATEMENT
RZ 95-V-013
March 7, 1996

Pursuant to Section 15.1-491(a) of the Code of Virginia, (1950, as amended) and Section 18-203 of the Zoning Ordinance of Fairfax County (1978 as amended) the property owner, its successors and assigns ("Owner"), and the applicant ("Applicant") in RZ95-V-013 proffer that the development of the parcel shown on 1995 Fairfax County Tax Map 99-((1)) as Parcel 47 will be in accord with the following conditions if and only if said rezoning to the PDH-2 District is granted.

In the event this application is denied, the proffers shall be null and void. The Applicant, for itself, its successors and assigns agrees that these proffers bind the future development of the property unless modified, waived or rescinded by the Board of Supervisors of Fairfax County, Virginia in accordance with the applicable county and state statutes and procedures. These proffered conditions, if accepted, supersede all proffers existing on the property, if any.

1. Conceptual Development Plan/Final Development Plan. The property shall be developed in substantial conformance with the conceptual development plan/final development plan (CDP/FDP) entitled "Mt. Air", prepared by the BC Consultants, dated December 27, 1994 revised through February 9, 1996. The CDP/FDP consist of two sheets, the second of which is entitled "Notes and Tabulations." Minor modifications to the approved CDP/FDP may be made pursuant to the provisions of Section 18-

204(5) of the Zoning Ordinance at the time of subdivision plat approval to accommodate engineering/architectural and design practices as may be determined by the Departmental of Environmental Management (DEM).

2. Historic Site Dedication. The Applicant, at the time of the approval and recordation of the final subdivision plat, shall dedicate Parcel A to the Fairfax County Park Authority which consists of approximately 16 acres and contains the stone and brick foundation of the Mount Air historic house, a wood barn and 7 wood structures. The wood shed that is shown on Parcel 46 will not be conveyed or preserved. The deed to the Park Authority shall be subject to easements deemed necessary by Fairfax County and shall provide that the Park Authority shall use the parcel only for passive recreational uses, respecting the nature of the historic site and its previous functioning as a home. In addition, the "2 story wood house," so labelled on the CDP/FDP, shall be restricted for use only as an historic building and shall not be used as a dwelling unit. Recreational uses of the Parcel A consistent with these restrictions will be permitted. The entrance into Parcel A shall be provided by the Applicant along the internal roadway and shall be at that point where the existing entrance lane intersects with the new internal roadway, provided that the Park Authority shall quitclaim any interest it may acquire to the existing lane to the north of the internal roadway.

All structures, signs, landscaping details adjacent to the historic site, and street furniture shall be subject to the review and approval of the Architectural Review Board in accordance with Article 7 of the Zoning Ordinance.

3. Buffer to Historic Parcel. An open space buffer 20 feet in width shall be provided adjacent to but outside of Lots 44, 45 and 49 as additional buffer to the historical Parcel A, in the quantities and types as shown on the CDP/FDP. There shall be no structures located in this buffer area and existing vegetation shall be preserved. The developer reserves the right to perform limited amounts of clearing in the buffer area for the construction of the spine road and/or for utilities. Any clearing of this buffer area shall be subject to restoring the cleared area with an amount and species of plantings that are consistent with the existing vegetation and approved by the County Urban Forester. Landscaping shall be provided within the buffer and on the adjacent Parcel A as shown on the CDP/FDP, except that existing vegetation, including understory, will be preserved to the extent feasible, all subject to the review and approval of the Urban Forester.

4. Density. The density of the development shall not exceed 49 detached single-family units, inclusive of Parcel A. Pursuant to §18.204(3) minor modifications may be permitted in the CDP/FDP and these proffered conditions.

5. Accotink Road. At the time of final subdivision plat approval, or upon demand by DEM, whichever first occurs, the

Applicant shall dedicate right-of-way along Accotink Road as shown on the CDP/FDP and will deposit with DEM in an interest bearing escrow account, Sixty-Nine Thousand Dollars ($69,000.00) (the "Escrow") for the design and construction of curb and gutter within the dedicated right-of-way from the site entrance road north to Telegraph Road along the westerly edge of Accotink Road, to tie in with improvements to Accotink Road to be constructed by others, as set out in Exhibits A and B attached hereto and made a part hereof, all as approved by VDOT, which Escrow shall be the full extent of Applicant's obligation as to Accotink Road improvement. If the construction of Accotink Road by others to its ultimate configuration as a two lane road with curb and gutter on both sides is imminent, as demonstrated by the posting of the bond for the construction thereof, as so verified in writing by D.E.M., then the Applicant shall post the Escrow and dedicate the right-of-way within thirty (30) days of written notification from D.E.M., regardless of the status of final subdivision plat approval. At the date on which payment of the escrow is required, the amount shall be adjusted upward or downward based on any increase or decrease in the Consumer Price Index (CPI) for the Washington Metropolitan Area which may have occurred since one (1) year after the approval date of this application. The internal street shall be a public road, as shown on the CDP/FDP, as approved by VDOT.

6. Parking on Accotink Road. Within ninety (90) days after the completion of the full construction of Accotink Road,

the Applicant shall request in writing upon the approval of the subdivision plat that the Virginia Department of Transportation (VDOT) prohibit parking on Accotink Road.

7. Telegraph Road. At the time of subdivision plat approval dedication shall be made along Telegraph Road as shown on the CDP/FDP for Telegraph Road (Route 611) in accordance with VDOT Project 0611-029-303, C503. In addition, all ancillary easements necessary for the widening of Telegraph road in accordance with VDOT Project #0611-29-303, C503 shall be conveyed in fee simple to the Board of Supervisors at the time of subdivision plan review or within sixty (60) days upon demand of DEM, whichever first occurs. All right of way necessary for the widening of Telegraph Road in accordance with VDOT project #0611-29-303, 503 shall be conveyed in fee simple to the Board of Supervisors at the time of subdivision plan review or within sixty (60) days upon demand of
DEM which ever fist occurs.

All right-of-way and ancillary easements necessary for the construction of the Fairfax County Parkway along the Telegraph Road frontage of the site in accordance with VDOT project #R000-29-F49, PE105,RW228,C528, shall be conveyed in fee simple to the Board of Supervisors at the time of subdivision plan review or within sixty (60) days upon demand of DEM, whichever first occurs.

8. Energy Efficiency. The proposed units shall be constructed for energy conservation in accordance with the program sponsored by the Virginia Power Company or its equivalent, designed to promote energy efficiency and conservation in single family homes.

9. Noise Abatement. In order to achieve a maximum interior noise level of 45 dBA Ldn, all units located within 200 feet of the center line of Telegraph Road shall have the following acoustical attributes:

(a) Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39.

(b) Doors and windows shall have a laboratory STC rating of at least 28. If windows constitute more than 20% of any facade, they shall have the same laboratory STC rating as the wall rating of 39.

(c) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

(d) In order to achieve a maximum exterior noise level of 65 dBA Ldn, noise attenuation structures such as the proposed acoustical solid fence shall be provided and existing trees shall be preserved or landscaping shall be provided for those outdoor recreational areas, including rear yards, that are unshielded by topography or built structures. The acoustical fencing used shall be architecturally solid from the ground up with no gaps or openings. The structure employed shall be of

sufficient height to shield adequately the impacted area from the source of the noise.

(e) Subject to review and approval by DEM, alternative equivalent methods of noise attenuation may be used upon submission of a refined acoustical analysis at the time of site plan approval.

10. Recreational Uses. The Applicant is providing a "Community Recreation Area" as an active recreational facility, and benches in the small park adjacent to Lots 4, 5, 6, 7 and 8 in response to Section 6-110(2) of the Zoning Ordinance. The Applicant shall satisfy the requirement to provide at least but not to exceed $500 per unit for active recreational facilities.

11. Landscaping. Landscaping shall be provided generally as shown on the CDP/FDP, including but not limited to around the stormwater management pond and in the buffer area provided parallel to Telegraph Road adjacent to Lots 28, 29 and 30, as permitted by DEM. Existing vegetation may be saved to be a part of such landscaping. Street trees shall be provided generally as shown on the CDP/FDP.

12. Stormwater Management. On site stormwater management shall be provided as shown on the CDP/FDP in satisfaction of the Chesapeake Bay Preservation Ordinance and in accord with the Public Facilities Manual Standards as determined by DEM. Open space portions of Parcel A shall be available to be a BMP credit for the 49 unit residential development, as determined by DEM.

13. Limits of Clearing and Grading. Limits of clearing and grading shall be established as shown on the CDP/FDP. It should be noted that no clearing and grading will occur within Parcel A to be dedicated to the Park Authority as the Mount Air historic parcel except that required for the internal roadway and the entrance onto Accotink Road. This proffer shall not restrict the Park Authority from undertaking minimal clearing and grading to develop the site as a passive, historic park. The CDP/FDP provides that there will be no encroachment into the EQC area as set out on the CDP/FDP other than the internal spine road and any necessary utility crossings. Clearing and grading within the EQC at the internal road crossing shall be the minimum practical as determined by DEM.

14. Historic Marker. The Applicant, at the time of final subdivision plat approval and final approval by the Architectural Review Board, shall provide an escrow to the Fairfax County Board of Supervisor not to exceed One Thousand Dollars ($1,000.00) to be used to erect a "State Highway Marker", if authorized by the State, or failing that, a Fairfax County historic marker identifying the Mt. Air site and Accotink Road. If not located within the Accotink right-of-way, the marker's location shall be agreed upon by the County and the developer.

15. Potential Grave Sites. In the event burial grounds or graves are discovered during construction activities on the site, construction activities in the vicinity of the discovery

shall be ceased immediately; the Heritage Resources Branch, OCP, shall be notified immediately; and, an archeological firm, subject to the approval of Heritage Resources, shall be employed by the developer for the recovery of remains.

16. Setbacks. All residential structures will be setback a minimum of 200 feet from the railroad right-of-way located south of the application property.

17. Rear Yards. The rear yards of all lots which directly abut a peripheral lot line shall be a minimum of 25 feet.

18. Public Streets. The internal spine road shall be a public street.

These proffers may be executed in counterparts and the counterparts shall constitute one and the same proffer statement.

OWNER: Corinne S. Fisher
By Randy A. Sutliff / Attorney-in-Fact

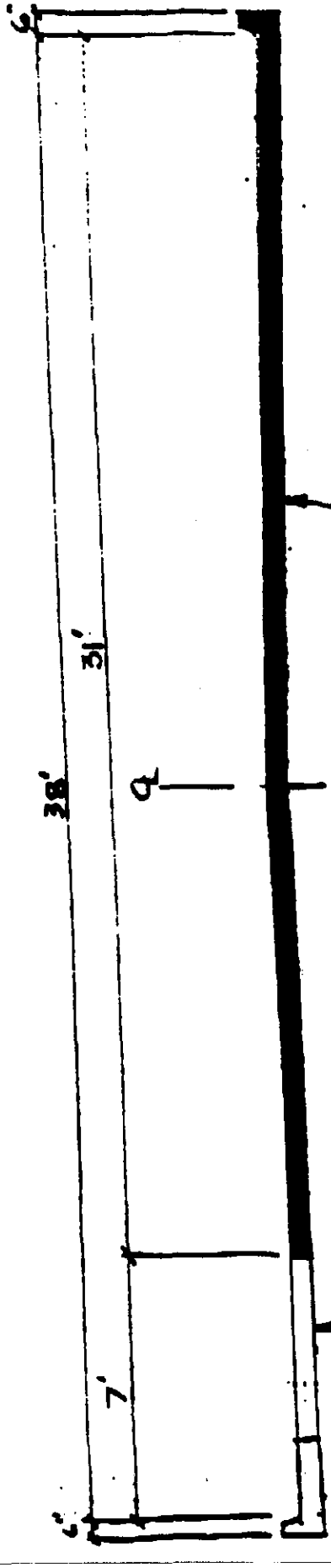
Corinne S. Fisher

By: Randolph A. Sutliff
Attorney-in-Fact

APPLICANT:
VAN METRE HOMES, INC.

By: _____
W. Brad Gable
Exec. Vice President

5358\5343\proffer1.sst
March 8, 1996 4:02pm



Proffered improvements for the Gasner tract rezoning.
Improvements to be constructed by developers of the Gasner tract.

Proffered improvements for the Mt. Air rezoning.
Improvements to be escrowed by Mount Air developers and constructed by others.

2-8-96

Scale: 1/4"=1'-0"

EXHIBIT A

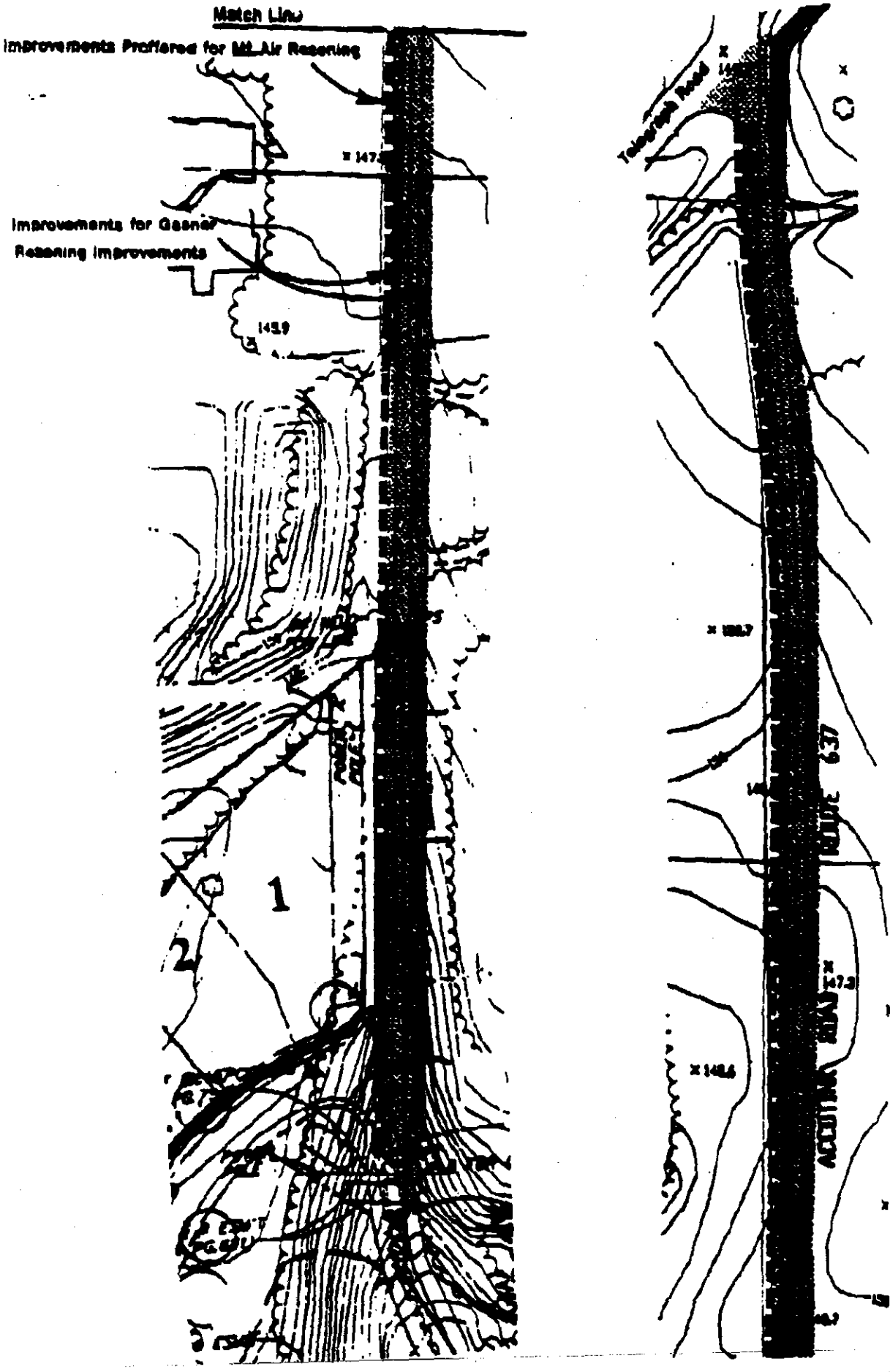
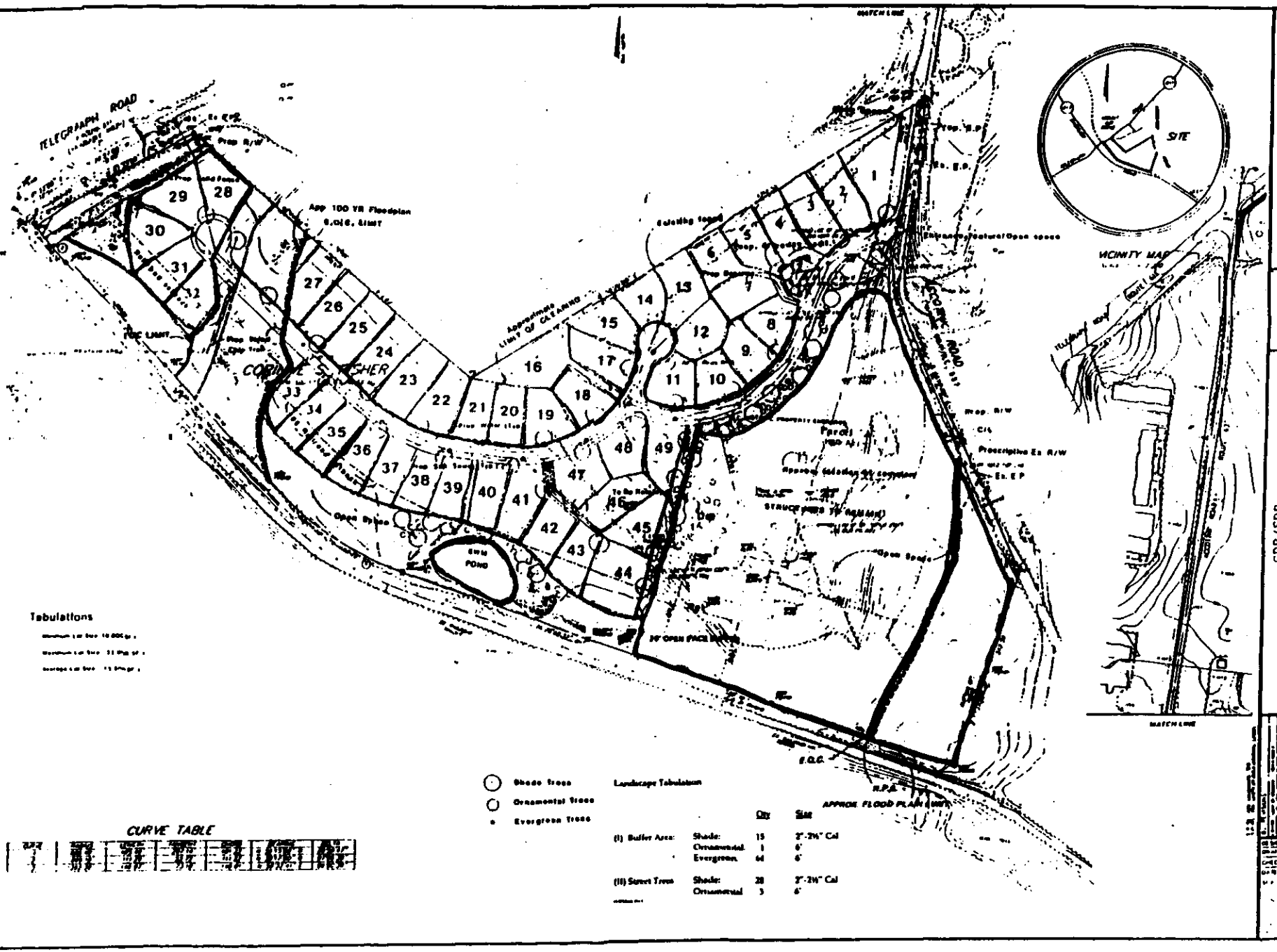


EXHIBIT B

Scale: 1"=100'


TELEGRAPH ROAD
App. 100 YR Floodplain
Approximate Limit of CLEARING
CORDUROY ROAD
POND
Tabulations
Shade Trees
Ornamental Trees
Evergreen Trees
Landscape Tabulation
Qty
Size
(I) Buffer Area:
Shade:
15
2"-2½" Cal
Ornamental
1
6'
Evergreen
64
6'
(II) Street Trees
Shade:
28
2"-2½" Cal
Ornamental
3
6'
CURVE TABLE
VICINITY MAP
SITE
MATCH LINE
APPROX. FLOOD PLAIN LIMIT
E.O.G.
R.P.A.
The BC Consultants
CDP/FDP
MOUNT AIR

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

BOARD OF SUPERVISORS ACTION
ZONING MAP AMENDMENT
DATE OF ACTION 03/11/96

APPLICATION NUMBER: RZ 95-V-013 MT. VERNON DISTRICT

APPLICANT: VAN METRE HOMES, INC.

STAFF: MURRAY

GRANTED THE REQUESTED ZONING DISTRICT(S) SHOWN BELOW

APPROVED THE CONCEPTUAL DEVELOPMENT PLAN

AND ACCEPTED PROFFERS.

APPLICATION DATA

EXISTING ZONING AND ACREAGE

ZONING: R-1

ACRES: 43.40

PROPOSED:	ACTION:
PDH-2 43.40	PDH-2 43.40
TOTAL ACRES 43.40	TOTAL ACRES 43.40

MAP NUMBERS

099-4- /01/ /0047-

REMARKS:

THE PLANNING COMMISSION APPROVED THE FDP ON 3/6/95

ZONING MAP AMENDMENT

RZ 95-V-013

ZONING DISTRICT DATA

ZONING DISTRICT: PDH-2

PROFFERED/CONDITIONED DWELLING UNIT DATA

TYPES	UNITS	ACRES	DENSITY	RANGE	LOMOD INCL	LOMOD ADD
SFD	49	43.40	1.13			
SFA						
LOR						
MID						
HI						
	---	---	---	---	---	---
TOT	49	43.40	1.13			

PROFFERED/CONDITIONED NON-RESIDENTIAL GROSS FLOOR AREAS

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

REMARKS:

ZONING MAP AMENDMENT

RZ 95-V-013

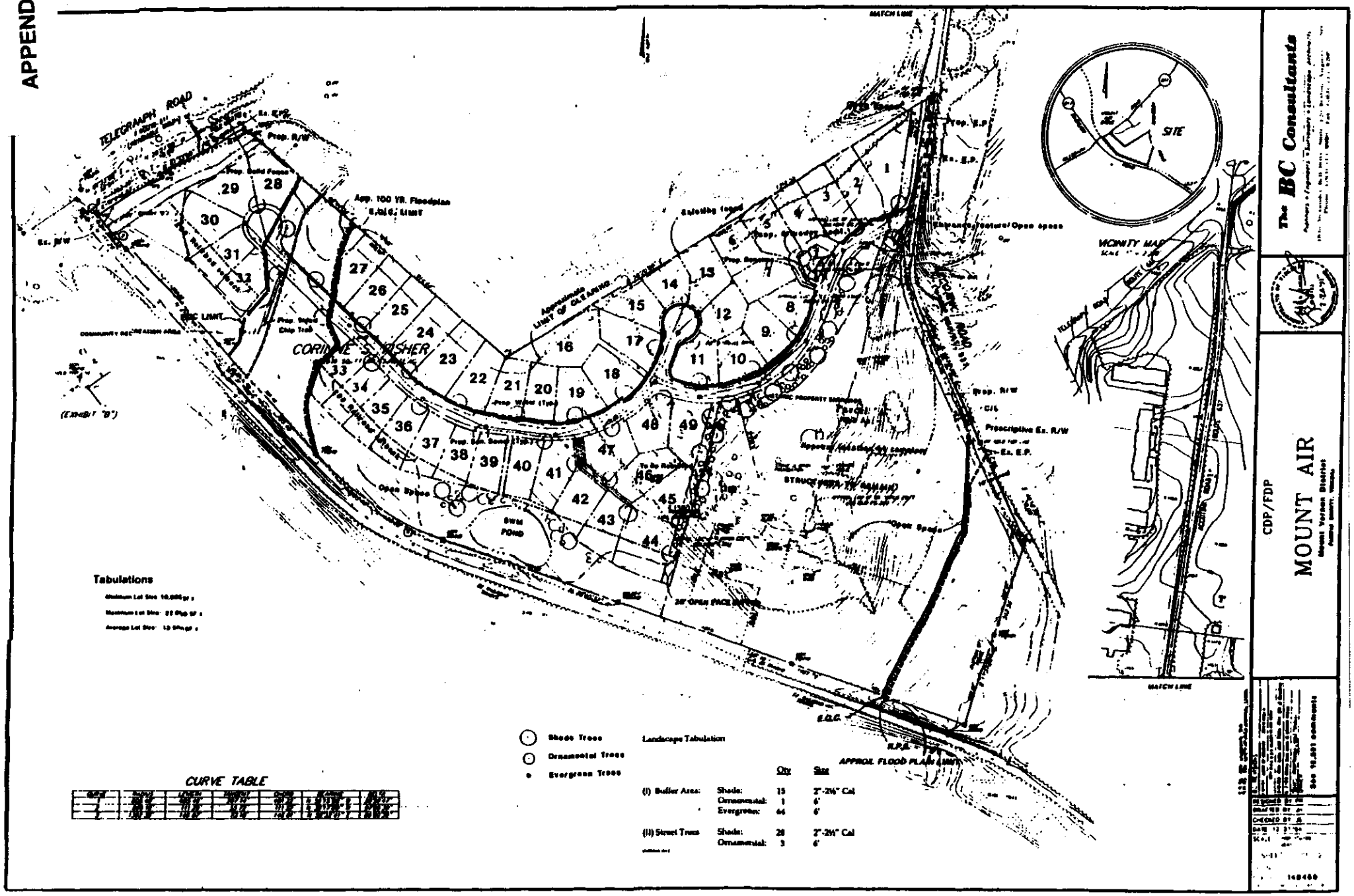
CONDITION/CONTRIBUTION DATA

COND CODE	DESCRIPTION	COND CODE	DESCRIPTION
1B	CONCEPTUAL DEVEL PLAN	1C	FINAL DEVELOPMENT PLAN
1Z	OTHER - GENERAL	2A	DENSITY
2B	USE RESTRICTION	2E	DEDICATION: PARKLAND
2G	DEDICATION: HOMEOWNRS OPEN SPACE	2I	ARCHITECTURE
2Z	OTHER - LAND USE	3A	CONTRIBUTION-TRANSP *SEE BELOW
3B	RIGHT-OF-WAY: DEDICATION/RESERV	3Z	OTHER - TRANSPORTATION
4B	TREES/COUNTY ARBORIST	4D	BUFFER
4F	STREAM VALLEY/EQC/FLOODPLAIN	4H	LANDSCAPING
4K	HISTORIC SITE PRESERVATION	4O	ON-SITE NOISE
4Z	OTHER - ENVIRONMENT	7A	OTHER MISCELLANEOUS - SEE FILE

3A	$69,000	N	00/00/00
	$0		00/00/00
	$0		00/00/00
	$0		00/00/00

REMARKS:

APPENDIX 6


TELEGRAPH ROAD
CORINNE FISHER
App. 100 YR. Floodplain
Approximate Limit of CLEARING
SWM POND
Open Space
Prescriptive Ex. R/W
Prop. R/W
Ex. E.P.
Prop. E.P.
MATCH LINE
VICINITY MAP
SITE
E.O.C.
APPROX. FLOOD PLAIN LIMIT
Tabulations
Shade Trees
Ornamental Trees
Evergreen Trees
Landscape Tabulation
Qty
Size
(I) Buffer Area: Shade: 15 2"-2½" Cal
Ornamental: 1 6'
Evergreen: 44 6'
(II) Street Trees Shade: 28 2"-2½" Cal
Ornamental: 3 6'
CURVE TABLE
The BC Consultants
CDP/FDP
MOUNT AIR
Mount Vernon District
Fairfax County, Virginia

APPENDIX 6

FAIRFAX COUNTY

DEPARTMENT OF PLANNING AND ZONING
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509

(703) 324-1290 TTY 711 (Virginia Relay Center) Fax (703) 324-3924

V I R G I N I A

May 7, 2004

Michael Rierson, Resource Stewardship Branch Manager
Resource Management Division
Fairfax County Park Authority
12055 Government Center Parkway, Suite 927
Fairfax, VA 22035-1118

Re: Interpretation for RZ/FDP 95-V-013, Village at Mount Air, Tax Map 99-4 ((1)) 47: demolition of tenant house

Dear Mr. Rierson:

This is in response to your letter of April 7, 2004, requesting an interpretation of the proffers and the Conceptual Development Plan (CDP) accepted by the Board of Supervisors in conjunction with the approval of RZ 95-V-013 and the Final Development Plan (FDP) approved by the Planning Commission in conjunction with FDP 95-V-013.

As I understand it, the question is whether the demolition of the tenant house, which is located in Parcel A, would be in substantial conformance with the proffers and Conceptual Development Plan/Final Development Plan (CDP/FDP). This determination is based on the Cultural Resources Management Treatment Plan for Mount Air Historic Site and the Park Authority's approved application to the Fairfax County Architectural Review Board (ARB) which are attached to your letter. Copies of your letter, with attachments, and the Clerk's letter with proffers and a reduction of the CDP/FDP are attached.

According to your letter, a Cultural Resources Management Treatment Plan for Mount Air Historic Site was completed by the Fairfax County Park Authority (FCPA) in 2002 and the FCPA determined that the tenant house and the pump house did not have historic significance and were not contributing structures to the overall interpretation and presentation of the historic site. Also attached to your letter is a copy of the ARB approval of the FCPA application to demolish the tenant house because of its dilapidated condition and the fact that it was a non-contributing structure. The letter also states that when the Board of Supervisors approved the Mount Air Historic District in 1984, no analysis of the relative historic significance of the various structures was done. As a result, all of the structures within Parcel A are proffered to remain, including those not determined of historic value, including the tenant house.

I appreciate your desire to demolish the tenant house because of its condition and I recognize that the ARB has given its approval to your request; however, Proffer # 2 and the proffered CDP/FDP make it clear that all of the structures located on Parcel A, which includes the tenant house, are to remain. Even though the last sentence of Proffer #2 makes all structures, signs, landscaping details, and street furniture subject to the review and approval of the ARB, the proffered commitment for all of the structures to remain on Parcel A cannot be ignored.

It is my determination that the proposed demolition of the tenant house, which is located on Parcel A, is not in substantial conformance with RZ/FDP 95-V-013. In order to allow the removal of the tenant house, the submission and approval of a proffered condition amendment and a final development plan amendment would be required. This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator.

If you have any questions regarding this interpretation, please feel free to contact Mary Ann Godfrey at (703) 324-1290.

Sincerely,

Barbara A. Byron, Director
Zoning Evaluation Division

BAB/MG/O:\mgodfr\Proffer Interpretations PN\Mt.AirHD(RZ95-V-013)interp.doc

Attachments: A/S

cc: Gerald W. Hyland, Supervisor, Mount Vernon District
John R. Byers, Planning Commissioner, Mount Vernon District
William E. Shoup, Zoning Administrator, DPZ
Michelle Brickner, Director, Office of Site Development Services, DPWES
Angela Rodeheaver, Section Chief for Site Analysis, DOT
Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES
File: RZ/FDP 95-V-013, PI 0404 038, Imaging, Reading File

County of Fairfax, Virginia

MEMORANDUM

DATE: 2 February 2010

TO: Kelli-Mae Goddard-Sobers, ZED Coordinator

FROM: Linda Cornish Blank, Historic Preservation Planner

SUBJECT: PCA/FDPA 95-V-013, Amend previously approved for open space to permit site modifications, Mount Air, Tax map 99-4 ((9)). Architectural Review Board (ARB) action and recommendation

Planning Location: Fairfax County Comprehensive Plan, 2007 Edition, Area IV, Springfield Planning District, Amended through 8-3-2009, S6-Newington Community Planning Sector, page 67:

"Character:

"... Mount Air, a Greek Revival house built about 1760 with later additions, was located in this sector but was destroyed by fire in 1992. The Mount Air Historic Overlay District protects the remaining 19th century outbuildings and its landscaped environs by stressing the importance of careful site planning for all new construction. The Mount Air site is a significant heritage resource listed in the Fairfax County Inventory of Historic Sites. A list and map of heritage resources are included in the Springfield Planning District Overview section, Figures 4 and 5. Additional historic sites in this sector are also included in the inventory. . . . "

Heritage Resource Comment:

Zoning Ordinance

"7- 204 Administration of Historic Overlay District Regulations

Once established, Historic Overlay Districts shall be subject to administrative procedures for the enforcement of such regulations as provided in this Section.

1. All applications for rezoning, special exception, special permit, variance, sign permits, building permits, as qualified below, and all site plans, subdivision plats and grading plans shall be referred to the ARB for its review and recommendation in accordance with the provisions of this Part.

2. The ARB review and recommendation on applications for a rezoning, special exception, special permit, variance and for site plans, subdivision plats and grading plans shall include consideration of the potential impact of the proposal on the historical, architectural, or archaeological significance of the district and, but not limited to, the following: . . .

Department of Planning and Zoning
Planning Division
12055 Government Center Parkway, Suite730
Fairfax, Virginia 22035-5509
Phone 703-324-1380
Fax 703-324-3056
www.fairfaxcounty.gov/dpz/

3. ARB approval shall be required prior to the issuance of Building Permits by the Director and approval of sign permits by the Zoning Administrator for the following: . . ."

Heritage Resource Recommendation:

1. Application be made to the ARB for the proposed demolition and any related grading, construction and/or infill activity proposed to be undertaken in relationship to the proposed demolition.
2. Pending ARB approval, the Cultural Resource Management & Protection Section of the Park Authority be on-site to monitor the demolition and any related grading, construction and/or infill activity proposed to be undertaken in relationship to the proposed demolition.

ARB Approval and Recommendation:

At the January 14, 2010 ARB meeting:

1. The ARB approved the demolition of the structure located on tax map # 99-4 ((9))A known as the "Tenant House" subject to the following conditions:

    a. The Cultural Resource Management & Protection Section of the Park Authority be on-site to monitor the demolition and any related grading, construction and/or infill activity proposed to be undertaken in relationship to the demolition; and
    b. A phase I archaeological survey be undertaken within 10'-15' of the site and an informational report be provided to the ARB of any discoveries found resulting from the survey.

2. The ARB recommended approval of PCA/FDPA 95-V-013 with the provision that the Plan notation change for the application, use the following substitute language as proposed by the Park Authority: "Prior to issuance of any building permits, all structural alterations must be reviewed and approved by the ARB in accordance with Zoning Ordinance Section 7-204 3".

County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

January 28, 2010

Mr. Andy Galusha
Fairfax County Park Authority
12055 Government Center Parkway, Suite 406
Fairfax, VA 22035

Dear Andy:

This letter will serve as official notice of the action taken by the Fairfax County Architectural Review Board (ARB) at its January 14, 2010 meeting on ARB-10-MTA-01, located at tax map # 99-4 ((9))A in the Mount Air Historic Overlay District.

The ARB approved the demolition on this parcel of the structure known as the "Tenant House" subject to PCA/FDPA 95-V-013 proposed approval requirement that the Cultural Resource Management & Protection Section of the Park Authority be on-site to monitor the demolition and any related grading, construction and/or infill activity proposed to be undertaken in relationship to the demolition and that a Phase I archaeological survey be undertaken within 10'-15' of the site and an informational report be provided to the ARB of any discoveries found resulting from the survey. The ARB supported the proposed Plan notation change for the Proffer Condition Amendment application and recommended approval of the following substitute language proposed by the Park Authority for PCA/FDPA 95-V-013: " Prior to issuance of any building permits, all structural alterations must be reviewed and approved by the ARB in accordance with Zoning Ordinance Section 7-204 3".

Attached is the stamped plan as approved by the ARB at its January 14, 2010 meeting. One copy of the plan will be retained in the project file.

If you have any questions, please contact me at 703/324-1241 or linda.blank@fairfaxcounty.gov.

Sincerely,

Linda Cornish Blank
Historic Preservation Planner, Department of Planning & Zoning

Attachment

E-copy: Harry Glasgow, Park Authority Board member
Kelli-Mae Goddard-Sobers, Zoning Evaluation Division
Diane Johnson-Quinn, Zoning Permit Review Branch

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

County of Fairfax, Virginia

MEMORANDUM

February 2, 2010

TO: Kelli-Mae Goddard-Sobers, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Jessica Strother, Urban Forester II
Forest Conservation Branch, UFMD, LDS, DPWES

SUBJECT: Mount Air, (Park Property) PCA/FDPA 95-V-013

RE: Amended Recommendations

In early January 2010, you and I met with staff in the Fairfax County Park Authority to discuss the comments and recommendations I forwarded to you dated December 30, 2009. The focus of the comments dealt with the protection of trees and vegetation during future demolition of an existing building on the Mount Air park property site. There are sizeable trees immediately adjacent to the building to be demolished.

The following includes amendments that were discussed and agreed to:

1. **Original Comment:** The Fairfax County Park Authority (Applicant) has requested to remove and demolish the existing wooden house. The Plat does not show limits of disturbance, an accurate tree survey or Existing Vegetation Map. The noted trees could easily and severely damaged or removed in the process of demolishing the building. Additionally, access to the affected portion of the site has not been included.

   *** Amended Recommendation:**

   A.) The Applicant-Park Authority will develop a general Tree Survey listing of all trees 6 inches in diameter or greater, within 25 feet of the building to be demolished. The survey shall include species, diameter, crown spread measurements and general health. The survey should be conducted and provided at this time, and be included as part of the Plat.

   B.) A commitment from the Applicant is needed in the form of a condition or bold note on the Plat to install tree protection fencing in accordance with the Public Facilities Manual around trees and at the limits of disturbance. The fencing shall be inspected by, and be to the satisfaction of, the Urban Forest Management Division (UFMD), prior to the obtaining of a demolition permit.

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes

C.) A commitment from the Applicant in the form of a condition or bold note on the Plat that states: "All demolition activities shall be conducted in a way to minimize impacts to trees root systems and crowns to the greatest extent possible."

2. **Comment:** The Forest Conservation Branch is available for assistance to the Park Authority with these issues.

JGS/
UFMID #: 148146

cc: Eleanor Quigley, Mount Vernon Tree Commissioner, Fairfax County Tree Commission
Harry Glasgow, Tree Commissioner, Fairfax County Tree Commission
RA File
DPZ File

County of Fairfax, Virginia

MEMORANDUM

DATE: December 18, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division

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

SUBJECT: Transportation Impact

FILE: 3-4 (RZ 1998-V-013)

REFERENCE: FDPA 1998-V-013; PCA 1998-V-013, Fairfax County Park Authority
Traffic Zone: 1562
Land Identification: 99-4 ((9)) A

The following comments reflect the position of the Department of Transportation, and are based on the applicant's statement of justification dated July 31, 2009, and the amended final development plan revised to January 26, 2009. No draft proffers have been received for review. Any approval of the applicant's request should be consistent with the referenced development plan and statement of justification.

The applicant is seeking approval to remove a two story tenant structure that was previously designated to remain on the site. There are no transportation impacts associated with the request.

AKR/CAA

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

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Phone: (703) 877-5600 TTY: 711
Fax: (703) 877-5723
www.fairfaxcounty.gov/fcdot

FCDOT
Serving Fairfax County for 30 Years and More

County of Fairfax, Virginia

MEMORANDUM

DATE: April 16, 2010

TO: Kelli Goddard-Sobers, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Stormwater Engineer BF
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Proffer Condition Amendment Application #PCA 95-V-013 & FDPA 95-V-013, Mount Air Historic Site, CDP/FDP Plan dated February 3, 2010, LDS Project #9352-ZONA-001-2, Tax Map #99-4-09-A, Mount Vernon District

We have reviewed the subject application and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)
There is Resource Protection Area (RPA) on this site. The limits of disturbance must also encompass access to the demolition site (VESCH 3.02). The land disturbance is not within the county-mapped RPA. If the site area on the rough grading plan is set to the limits of disturbance, it is likely that the redevelopment equation (PFM 6-0401.2B) will show that BMP facilities are not required.

Floodplain
There are regulated floodplains on the property. The land disturbance is not within the floodplain.

Downstream Drainage Complaints
There are no downstream drainage complaints on file.

Stormwater Detention
Stormwater detention is usually not required for rough grading plans.

Site Outfall
A description of the outfall to 100 times the site's area has not been provided (ZO 18-202 paragraph 10.F(2)(c)).

Please contact me at 703-324-1720 if you require additional information.

BF/
cc: Craig Carinci, Director, Stormwater Planning Division
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES
Zoning Application File

Department of Public Works and Environmental Services
Land Development Services, Environmental and Site Review Division
12055 Government Center Parkway, Suite 535
Fairfax, Virginia 22035-5503
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359

County of Fairfax, Virginia

MEMORANDUM

DATE: December 2, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Eric Fisher, GIS Analyst III
Information Technology Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Proffered Condition Amendment/Final Development Plan Amendment Application PCA/FDPA 95-V-013

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 **#437, Kingstowne**

2. After construction programmed _____ this property will be serviced by the fire station _____

3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:

   _X_a. currently meets fire protection guidelines.

   ____b. will meet fire protection guidelines when a proposed fire station becomes fully operational.

   ____c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.

   ____d. does not meet current fire protection guidelines without an additional facility. The application property is ____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

Fairfax Water

FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

PLANNING & ENGINEERING DIVISION
Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

December 1, 2009

Ms. Regina Coyle, Director
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: PCA 95-V-013
Mount Air

Dear Ms. Coyle:

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

1. The property is served by Fairfax Water.

2. Water is available from this site from an existing 8-inch water main. See the enclosed water system map.

3. Depending upon the configuration of any proposed on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

If you have any questions regarding this information please contact Dave Guerra at (703) 289-6343.

Sincerely,

Traci K. Goldberg

Traci K. Goldberg, P.E.
Manager, Planning Department

Enclosure

FAIRFAX COUNTY
PUBLIC SCHOOLS

Department of Facilities and Transportation Services
Office of Design and Construction Services
City Square Building, Suite 400
10640 Page Avenue
Fairfax, Virginia 22030

January 4, 2010

Regina Coyle, Director
Zoning Evaluation Division
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 800
Fairfax, Virginia 22035

Ladies and Gentlemen:

Re: Below Listed Recently Filed Development Plan Analysis

PCA/FDPA 95-V-013

This office has reviewed the subject development plan application, and has no comments with respect to school acquisition.

Sincerely yours,

Weldon Spurling, II, PE

WS/vm

cc: Facilities Planning Services, FCPS, (w/attach.)
File

APPROVED MINUTES

January 14, 2010

THE FAIRFAX COUNTY ARCHITECTURAL REVIEW BOARD

Members Present:

John A. Burns, FAIA, *Chairman*
John Boland, *Vice Chairman*
Susan Notkins, AIA, *Treasurer*
Richard Bierce, AIA
Robert W. Mobley, AIA
Elise Murray, *Ex-Officio*
Joy Ortiz, AIA
Joseph Plumpe, ASLA
Jason Sutphin

Members Excused:

Michele Aubry
Peter Juanpere, AIA

Members Absent:

Staff Present:

Linda Blank,
Fairfax Department of Planning & Zoning
Beth Iannetta,
Recording Secretary

Mr. Burns opened the January 2010 meeting of the ARB at 6:30 p.m. in Room 4/5 at the Government Center. Mr. Mobley read the Statement of Purpose.

Approval of the Agenda: Mr. Boland moved that the ARB approve the January 2010 Agenda as submitted. The motion was seconded by Ms. Notkins and approved. (7-0)

Introduction of Guests: Ms. Blank introduced Mr. Harrison Glasgow, Vice-Chairman of the Fairfax County Park Authority Board.

CONSENT CALENDAR: No items

ACTION ITEM:

- **ARB-10-MTA-01: The proposed demolition** of a garage with apartment building on the grounds of Mount Air Historic Site. The building was built in 1923 and is not part of the overall interpretation of the Mount Air site. The site is owned and managed by the Fairfax County Park Authority (FCPA). A *Cultural Resources Management Treatment Plan* was prepared for the site in August 2002. The ARB approved the request to demolish the garage at its April 10, 2003. **(ARB-03-MTA-01)** The request is now before the ARB because the two year time period for which ARB approval is valid, as stipulated in the Zoning Ordinance, has expired. The item is currently the subject of a proffered condition amendment PCA/FDPA 95-V-013. The original application proffered that all structures, regardless of significance would remain. Approval by the Planning Commission is required to amend the proffer. Mr. Andy Galusha, FCPA, represented the application.
    - Mr. Galusha explained they would like to move forward with the demolition plans, however the two-year time frame has expired. Since the applicant needed to return to the ARB for another review and approval, they wanted to take advantage of the opportunity to address a proffer condition that stipulates all structures on-site, regardless of significance, would remain. The applicant would like to amend the proffer to require ARB review and approval for any future proposals that would require permits according

to provisions in the county Zoning Ordinance.

- Ms. Crowell, director of the Park Authority Cultural Resource Management division explained archeological work done one site and their commitment to monitor the demolition work.
- Public Comment: Mr. Glasgow, from the FCPA, spoke not only as a member of the FCPA Board but as a community resident of Mount Air. The building has become a nuisance since it attracts vandals and such. The structure itself is non-contributing to the original site. He appreciated the ARB's help in addressing this long standing issue.

> **Motion to Approve**: Mr. Boland made a motion to approve application **ARB-10-MTA-01** for the demolition of a garage with apartment building on the Mount Air Historic Site. Demolition is subject to Planning Commission approval, that Cultural Resource Management & Protection Section staff be on-site to monitor the demolition and any related grading, construction and/or fill activities in relationship to the proposed work, and any findings from a Phase I archeological survey, including 10-15 feet around the structure, to be reported to the ARB. The motion, seconded by Mr. Bierce was approved. (8-0)

> **Motion to Approve**: Mr. Boland made a motion to recommend support of substitute proffer language proposed by the Park Authority for PCA/FDPA 95-V-013 which stipulates the requirement to obtain ARB approval prior to the issuance of Building Permits in accordance with Zoning Ordinance Section 7-204.3. The motion, seconded by Mr. Bierce, was approved (8-0).

- **ARB-10-RES-01: The proposed alterations and construction** at the A. Smith Bowman house located at 1856 Old Reston Avenue listed on The Fairfax County Inventory of Historic Sites on November 4, 1970 as Sunset Hills. The proposed alteration to the house consists of extending the existing masonry porte cochere 5 feet in length; materials and roof form to match existing. The proposed construction consists of constructing a site accessible ramp adjacent to the east façade and reconfiguring a plaza area at the northwest corner of the house. An accessible ramp is to extend from an existing late 20th century office building to the accessible parking spaces in front of the house. Retaining walls with railing would parallel the ramp for approximately 40'; wall materials to match the house. Planting areas with masonry columns would be installed between an existing plaza and parking. Proffered Condition Amendment PCA 78-C-098-03 stipulates ARB approval for modifications to the house and ARB comment for new structures on the site. Mr. Nathan Smith, Linden Development Partners, LLC, represented the proposal.
  - The porte cochere would be extended it in order to allow for vehicle clearance underneath. The proposed alteration would match the existing structure for a seamless match. The proposed site accessible ramp would provide access to the van parking space located in front of the building. The proposed landscape buffer and masonry columns located between the display center plaza and the parking lot would address some grading issues.
  - Mr. Bierce commented there was not adequate documentation for the ARB to review and

approve. There were too many unknown details, like column height, type, spacing, etc, that may look okay on the drawing, but cannot be confirmed. Is landscaping or lighting part of the proposal? If so, the ARB would need to see those things to determine the overall impact of their proposal. He recommended the applicant return with these details and a more complete submission.

- Mr. Mobley asked why the applicant proposed four columns in between the existing plaza and parking lot. The intent was to provide focal point. Mr. Mobley commented that two columns would provide a focal point while providing four make it more confusing. Ms. Notkins commented that the apparent scale of the columns in not compatible to pedestrian movements.
- Ms. Ortiz asked if light fixtures were proposed for the columns. The applicant explained they would be on top- however the details were not provided. Also in regards to lighting around the existing handicap ramp. The applicant would install small wall lights.
- Ms. Murray had concern over the railing included on the handicap ramp. The applicant introduced a new material type. Mr. Burns commented that if the ADA ramp is a modern feature, then the applicant shouldn't attempt to make an identical match to the existing details on the house. It makes the element stand out more and not less. The orthogonal layout of the proposed ramp was questioned. The applicant's intent was to avoid impact to an existing tree designated to the saved.
- Public Comment: None

Motion to Approve: Mr. Bierce made a motion to approve the proposed porte cochere modification of application **ARB-10-RES-01** as submitted and recommended the applicant resubmit more design details for ARB review and comment in regards to the proposed site accessible ramp and masonry columns at planting areas including size, scale, landscaping, lighting, and materials as discussed. The motion, seconded by Ms. Notkins, was approve (8-0).

WORKSHOP SESSION:

- **Workshop session** on the proposal to rebuild sections of the collapsing foundation and correct drainage at Grandview a mid 19th century frame dwelling located on the Woodlawn property. Grandview is a contributing property within the Woodlawn Historic Overlay District and individually listed on The Fairfax County Inventory of Historic Sites. Ms. Elizabeth Milnarik, AIA, National Trust for Historic Preservation, represented the item.

- Ms. Milnarik explained the Grandview exterior is very similar in appearance to when it was built, however the interior and landscaping had been changed extensively. The foundation is in serious condition. Bad drainage, poor structure and plantings have all undermined the foundation. Six locations will need foundation repair. The applicant proposed trench work around the foundation, positive drainage around the site and the foundation lowered 12-24 inches in order to be structurally sound.
- Mr. Plumpe inquired about the proposed perforated pipe. He recommended the applicant use PVC and not rigid. Also he recommended period appropriate landscaping be incorporated in the overall design plan.

- Mr. Bierce complimented the applicant on the very complete and thorough submission which could serve as a model for future submissions.
- Mr. Mobley recommended they review the difference in height between the foundation drain and the basement floor. The two seemed inconsistent which would create a drainage issue.

- **Workshop session** on the proposed Dulles Discovery South development located partially within the Sully Historic Overlay District. Mr. Frank McDermott, Hunton & Williams, Messers Jon Peterson and Bill Smith, Peterson Companies, and Mr. Kevin Farquhar, Wisnewski Blair & Assoc., represented the item.

The development proposal is for an office complex. The two elements of the proposal that required review and recommendation by the ARB in accordance with the Zoning Ordinance are:

1) Special Exception Amendment application (SEA 2003-SU-023) to develop an office complex and to increase the building height for two proposed office buildings within the district and within 500 feet of the district boundary; and

2) PCA 2002-SU-035 for a rezoning of approximately 77 acres of "Dulles Discovery South" for an office complex. The proposed development plan is reviewed under this proposal. At its October 12, 2006 meeting, the ARB recommended approval of the previously proposed age-restricted resident development.

- Mr. McDermott reviewed the most recent activity associated with the site since the ARB reviewed the previous proposal for age-restricted housing. They had acquired the "kite" property located near Sully Historic Site and has dedicated it to the Park Authority. The applicant had also done extensive negotiations with other adjoining property owners. However, the previous proposal has been replaced with a four-building office complex designed to meet federal safety protocols and force protection standards used by intelligence agencies. This new proposal would resemble the one currently under construction on the north side of the roadway. He reviewed the building elevations, materials, site details, landscaping and lighting features.
- Mr. Plumpe requested the applicant restudy some of the parking lot layouts in order to achieve better buffer areas.
- Ms. Murray asked about the two cemeteries located on site. The applicant has made efforts to contact any relatives and alert them of the building proposal. If visitors wish to access them they would have to go through the security gates and screening procedures.
- Mr. Bierce commented that given the context of the proposal and the future federal agency presence there seems little, if any, design features up for discussion.

BOARD AND STAFF ITEMS:

- **Minutes**: The October, November and December 2009 Draft Minutes were submitted for review. Mr. Boland made a **motion to approve the minutes** with corrections and to **authorize payment** to the recording secretary. The motion, seconded by Mr. Plumpe, was **approved** (7-0).

- **Treasurer's Report**: Ms. Notkins reported a beginning and ending balance of $8,450.69.

- **Centreville Historic Overlay Design Guidelines:** Ms. Blank reported that Frazier &

Associates held a community meeting on December 14, 2009 with about 20 people in attendance. The consultant is reviewing the 3D model that was prepared by DPZ for the ARB. It could be a way to illustrate the proposed guidelines. Ms. Blank has asked Ms. Aubry to review the archeology aspects but an architect perspective would be immensely helpful. A revised schedule will be distributed.

- **ARB 2010 Meeting Date Conflicts:** The June 10, 2010 ARB will be held in Centreville. The November 11, 2010 ARB meeting will be rescheduled based on room availability to either Wednesday November 10th or the following Thursday.

- **ARB Annual Report:** Ms. Blank is working on drafting a report. She needed bios of all current ARB members including training and photos. It will possibly be presented to the Board of Supervisors in May 2010.

- **Correspondence:**
  Ms. Blank reported that there were some complications with Mr. Juanpere's surgery, and so he would be out longer than anticipated. The ARB sent their well wishes.

  As previously discussed, the Lorton Arts Foundation site issues will be brought before the Planning Commission on January 28th. A FDP to be developed to address/correct the development conditions. Maintenance requirements will be included in order to prevent damage from neglect.

  The Plan Amendment to address updates and corrections to the Inventory of Historic Sites will go to the Planning Commission on February 4, 2010 and then to the Board of Supervisors on March 9, 2010. This will become an annual update in the future.

- **Other Business:**
  Ms. Blank alerted the ARB to a possible submission for review for 14001 Braddock Road in the Centreville HOD. The two year time limit is approaching and if the applicant requests an extension it would be valid for one year. Please note, it would not be considered a new application, but reviewed for any possible site changes.

  The County of Fairfax has received $9.6 million in federal stimulus block grant money for various projects for 20 buildings- one of which is the Courthouse. Mr. Sutphin offered to provide comment from the City of Fairfax as well since the courthouse is within the city's National Register Historic District. One of the proposed window replacement projects is for Willston School which was built in the early 1950s and may be National Register eligible.

The meeting was adjourned at approximately at 9:09 p.m.

Respectfully submitted,
Beth Iannetta
Recording Secretary

ARTICLE 16

DEVELOPMENT PLANS

PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS

16-101 General Standards

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

1. The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.

2. The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.

3. The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.

4. The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.

5. The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.

6. The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

16-102 Design Standards

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

1. In order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district

which most closely characterizes the particular type of development under consideration.

2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.

3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

GLOSSARY

This Glossary is provided to assist the public in understanding
the staff evaluation and analysis of development proposals.
It should not be construed as representing legal definitions..
Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan
or Public Facilities Manual for additional information.

ANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing ocess, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically erts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the jacent property owners if there is no evidence to the contrary.

CCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning peals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

FFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for ersons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance gulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the onstruction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

GRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code or 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 o Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

/ELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land a: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are ıerally included on a development plan. A development plan is s submission requirement for rezoning to the PRC District. A NERALIZED DEVELOPMENT PLAN (GDP) is a submission requirement for a rezoning application for all conventional zoning districts er than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally erred to as an SE or SP plat. A CONCEPTUAL DEVELOPMENT PLAN (CDP) is a submission requirement when filing a rezoning plication for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A AL DEVELOPMENT PLAN (FDP) is a submission requirement following the approval of a conceptual development plan and rezoning plication for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the ning Ordinance.

ASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility ısement, construction easement, etc. Easements may be for public or private purposes.

NVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, rovide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete efinition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

:RODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and ıediment are washed into nearby streams, thereby degrading water quality.

:LOODPLAIN: 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.

EN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to vide light and air; open space may be function as a buffer between land uses or for scenic, environmental, or recreational purposes.

EN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for ne public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, on request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, ctions 10.1-1700, et seq.

DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned velopment Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts e established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to omote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to hieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning rdinance.

ROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a zoning 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 and. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning ction of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggared 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.

RBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and ay. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable nction for the area; easily understood order; distinctive identity; and visual appeal.

ACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's ght-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 y operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

ARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building eight, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public earing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 8-404 of the Zoning Ordinance.

VETLANDS: 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
ADU	Affordable Dwelling Unit
ARB	Architectural Review Board
BMP	Best Management Practices
BOS	Board of Supervisors
BZA	Board of Zoning Appeals
COG	Council of Governments
CBC	Community Business Center
CDP	Conceptual Development Plan
CRD	Commercial Revitalization District
DOT	Department of Transportation
DP	Development Plan
DPWES	Department of Public Works and Environmental Services
DPZ	Department of Planning and Zoning
DU/AC	Dwelling Units Per Acre
EQC	Environmental Quality Corridor
FAR	Floor Area Ratio
FDP	Final Development Plan
GDP	Generalized Development Plan
GFA	Gross Floor Area
HC	Highway Corridor Overlay District
HCD	Housing and Community Development
LOS	Level of Service
Non-RUP	Non-Residential Use Permit
OSDS	Office of Site Development Services, DPWES
PCA	Proffered Condition Amendment
PD	Planning Division
PDC	Planned Development Commercial
PDH	Planned Development Housing
PFM	Public Facilities Manual
PRC	Planned Residential Community
RC	Residential-Conservation
RE	Residential Estate
RMA	Resource Management Area
RPA	Resource Protection Area
RUP	Residential Use Permit
RZ	Rezoning
SE	Special Exception
SEA	Special Exception Amendment
SP	Special Permit
TDM	Transportation Demand Management
TMA	Transportation Management Association
TSA	Transit Station Area
TSM	Transportation System Management
UP & DD	Utilities Planning and Design Division, DPWES
VC	Variance
VDOT	Virginia Dept. of Transportation
VPD	Vehicles Per Day
VPH	Vehicles per Hour
WMATA	Washington Metropolitan Area Transit Authority
WS	Water Supply Protection Overlay District
ZAD	Zoning Administration Division, DPZ
ZED	Zoning Evaluation Division, DPZ
ZPRB	Zoning Permit Review Branch