



FAIRFAX COUNTY

APPLICATION FILED: January 28, 2003
APPLICATION AMENDED: June 12, 2003
PLANNING COMMISSION: January 15, 2004
BOARD OF SUPERVISORS: January 26, 2004
@ 3:30 P.M.

V I R G I N I A

January 2, 2004

STAFF REPORT

RZ/FDP 2003-PR-009

PROVIDENCE DISTRICT

APPLICANT: Uniwest Group, LLC

PRESENT ZONING: I-5, HC

REQUESTED ZONING: PRM, HC

PARCELS: 49-4 ((1)) 4, 8, 9, 9A, 10, 11, 11A and a portion of Strawberry Lane to be vacated and/or abandoned

ACREAGE: 7.48 acres

FAR: 1.33 FAR

OPEN SPACE: 23%

PLAN MAP: Mixed Use

PROPOSAL: Request to rezone 7.48 acres from the I-5 and HC Districts to the PRM and HC Districts. The Conceptual/Final Development Plan depicts two buildings consisting of 327,518 square feet of multi-family residential uses (265 dwelling units, including 9 affordable dwelling units) and 105,500 square feet of retail uses for a total of 433,018 square feet.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2003-PR-009, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2003-PR-009, subject to the proposed final development plan conditions contained in Appendix 2 and the Board of Supervisors approval of RZ 2003-PR-009.

Staff recommends approval of a modification of the loading space requirement to permit three spaces instead of five spaces in the southern building.

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

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



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

Rezoning Application

RZ 2003-PR-009

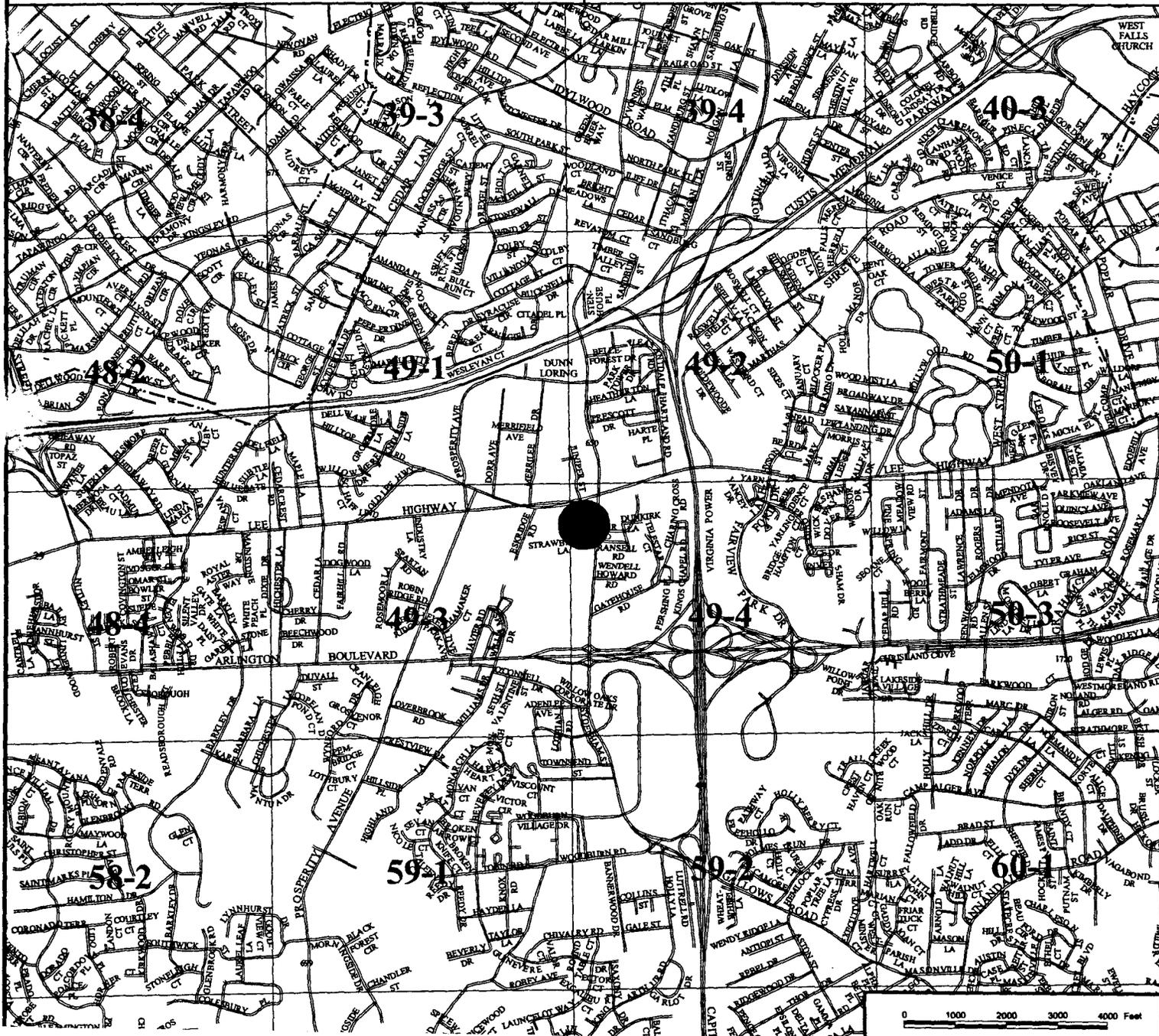
Applicant: UNIWEST GROUP, LLC
Filed: 01/28/2003- AMENDED 06/12/2003
Area: 7.48 AC OF LAND; DISTRICT - PROVIDENCE
Proposed: MIXED USE DEVELOPMENT
Located: WEST SIDE OF GALLOWS ROAD
APPROXIMATELY 200 FEET SOUTH
OF ITS INTERSECTION WITH LEE HIGHWAY
Zoning: FROM I-5 TO PRM
Overlay Dist: HC
Map Ref Num: 049-4 /01/ /0004 /01/ /0008 /01/ /0009
/01/ /0009A /01/ /0010 /01/ /0011 /0
/1/ /0011A

Final Development Plan

FDP 2003-PR-009

Applicant: UNIWEST GROUP, LLC
Filed: 01/28/2003- AMENDED 06/12/2003
Area: 7.48 AC OF LAND; DISTRICT - PROVIDENCE
Proposed: MIXED USE DEVELOPMENT
Located: WEST SIDE OF GALLOWS ROAD
APPROXIMATELY 200 FEET SOUTH
OF ITS INTERSECTION WITH LEE HIGHWAY
Zoning: PRM
Overlay Dist: HC
Map Ref Num: 049-4 /01/ /0004 /01/ /0008 /01/ /0009
/01/ /0009A /01/ /0010 /01/ /0011 /0
/1/ /0011A

STRAWBERRY LA. PUBLIC RIGHT-OF-WAY TO BE VACATED AND/OR ABANDONED



Rezoning Application

RZ 2003-PR-009

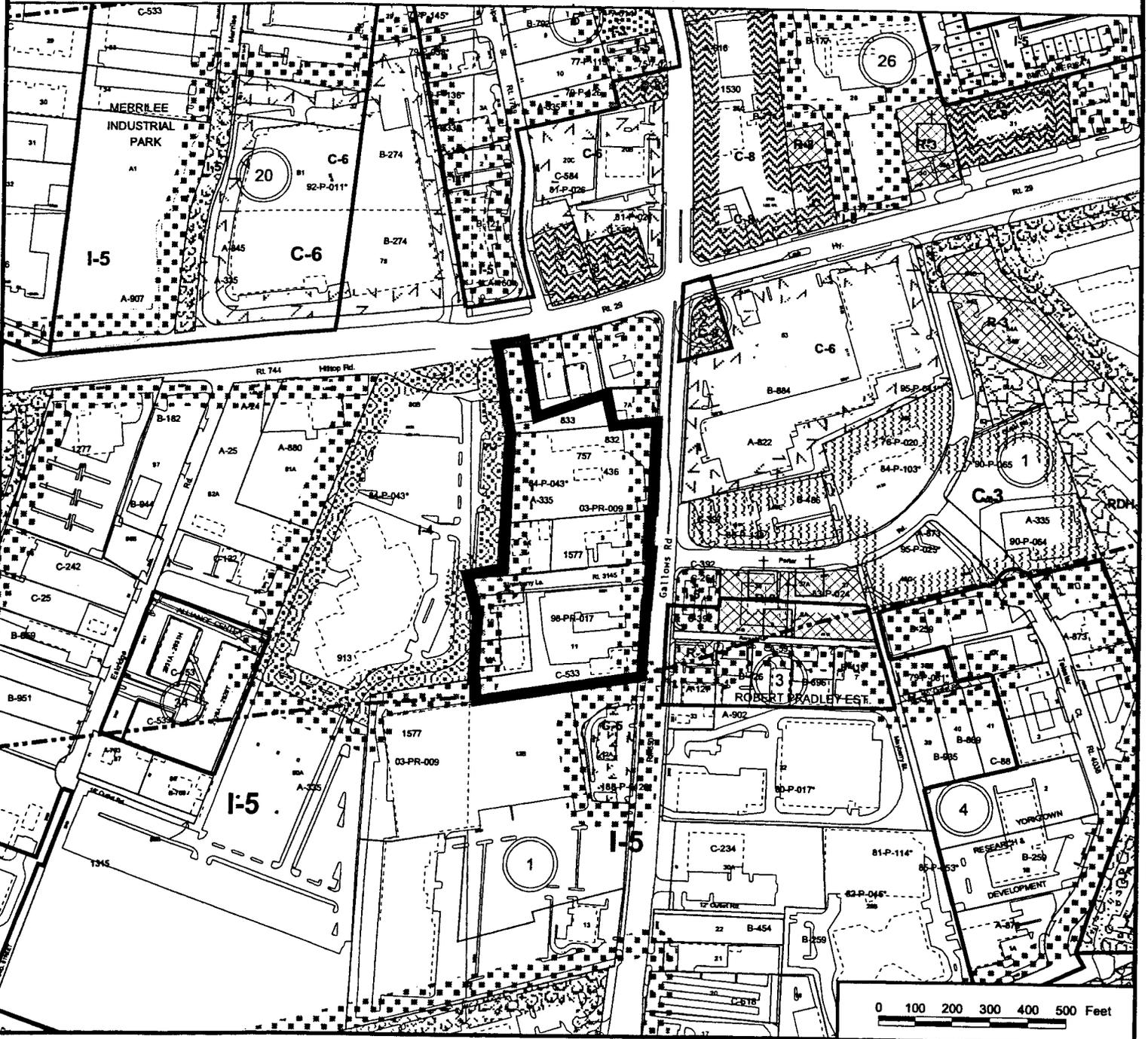
Final Development Plan

FDP 2003-PR-009

Applicant: UNIWEST GROUP, LLC
Filed: 01/28/2003- AMENDED 06/12/2003
Area: 7.48 AC OF LAND; DISTRICT - PROVIDENCE
Proposed: MIXED USE DEVELOPMENT
Located: WEST SIDE OF GALLOWS ROAD
APPROXIMATELY 200 FEET SOUTH
OF ITS INTERSECTION WITH LEE HIGHWAY
Zoning: FROM I-5 TO PRM
Overlay Dist: HC
Map Ref Num: 049-4- /01/ /0004 /01/ /0008 /01/ /0009
/01/ /0009A /01/ /0010 /01/ /0011 /0
1/ /0011A

Applicant: UNIWEST GROUP, LLC
Filed: 01/28/2003- AMENDED 06/12/2003
Area: 7.48 AC OF LAND; DISTRICT - PROVIDENCE
Proposed: MIXED USE DEVELOPMENT
Located: WEST SIDE OF GALLOWS ROAD
APPROXIMATELY 200 FEET SOUTH
OF ITS INTERSECTION WITH LEE HIGHWAY
Zoning: PRM
Overlay Dist: HC
Map Ref Num: 049-4- /01/ /0004 /01/ /0008 /01/ /0009
/01/ /0009A /01/ /0010 /01/ /0011 /0
1/ /0011A

STRAWBERRY LA. PUBLIC RIGHT-OF-WAY TO BE VACATED AND/OR ABANDONED



Dowberry & Deak LLC
 1000 West 10th Street
 Suite 100
 Lincoln, NE 68502
 (402) 441-1111
 www.dowberry.com

DAVIS • CARTER • SCOT
 ARCHITECTS LLP
 1000 West 10th Street, Suite 100
 Lincoln, NE 68502
 (402) 441-1111
 www.davis-carter-scot.com

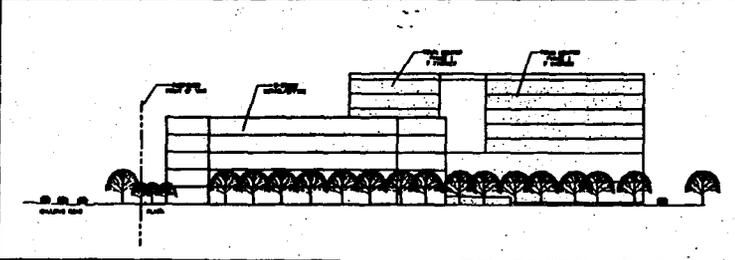


AS SHOWN

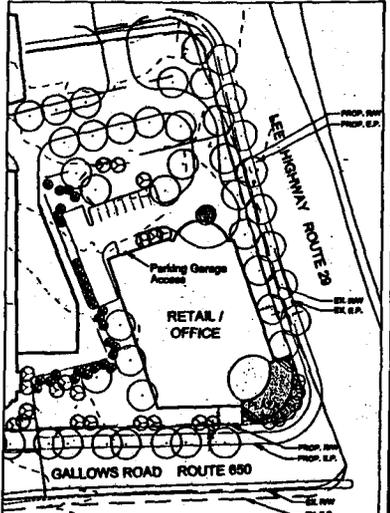
No.	DATE	BY	Description
1	12/12/03	JAC	ISSUED FOR PERMITS
2	1/14/04	JAC	REVISED PER COMMENTS
3	1/14/04	JAC	REVISED PER COMMENTS
4	1/14/04	JAC	REVISED PER COMMENTS
5	1/14/04	JAC	REVISED PER COMMENTS
6	1/14/04	JAC	REVISED PER COMMENTS
7	1/14/04	JAC	REVISED PER COMMENTS
8	1/14/04	JAC	REVISED PER COMMENTS
9	1/14/04	JAC	REVISED PER COMMENTS
10	1/14/04	JAC	REVISED PER COMMENTS

Partial
 Merrifield
 Town Center
 Illustrative

PROJECT NO. M-10407



NORTH ELEVATION - LEE HIGHWAY
 SCALE 1"=40'



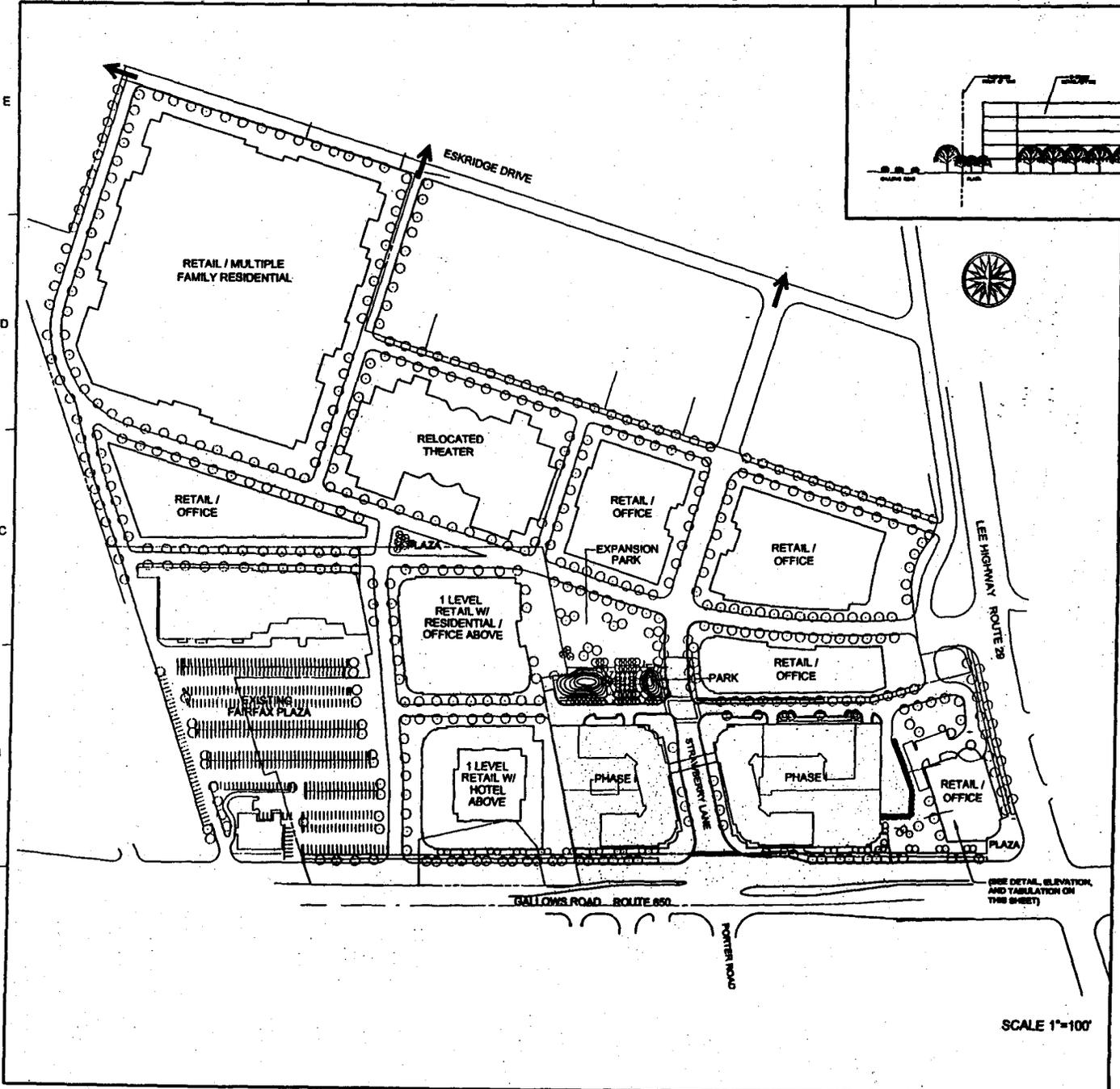
DETAIL
 SCALE 1"=60'

TABULATION FOR POSSIBLE BUILDING AT INTERSECTION:

EXISTING GROSS LAND AREA (LOTS 2, 4, 5, 7, 9)	_____	SQ. FT.
APPROXIMATE LAND AREA AFTER DEDICATIONS	_____	ACRES
AREA BASED MAXIMUM POSSIBLE GROSS FLOOR AREA AT 1.5 FAR ON GROSS LAND AREA	_____	SQ. FT.
BUILDING TOWER FOOTPRINT OF 21,000 SQ. FT.	_____	1 STORY
PARKING SPACES (MINIMUM PER ONE THOUS. RETAIL, 47 PER 10,000 SQ. FT. OFFICE)	_____	SPACES
PARKING SPACES PROVIDED BY DEVELOPER	_____	SPACES
RELOCATED EXISTING GARAGE @ LEVEL 2	_____	SPACES

(SEE DETAIL, ELEVATION, AND TABULATION ON THIS SHEET)

SCALE 1"=100'



Copyright © 2003 by Dowberry & Deak LLC. All Rights Reserved. This Center Numbered 10407. 10/10/03 10:00 AM.

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

DESCRIPTION OF THE APPLICATION

Proposal:

The applicant, Uniwest Group, LLC, requests approval to rezone 7.48 acres (Tax Maps 49-4 ((1)) 4, 8, 9, 9A, 10, 11, 11A and a portion of Strawberry Lane to be vacated and/or abandoned) from the I-5 (General Industrial) and HC (Highway Corridor Overlay) Districts to the PRM (Planned Residential Mixed Use) and HC Districts. The Conceptual/Final Development Plan (CDP/FDP) depicts two “U” shaped seven-story buildings (95 feet in height) for multi-family residential and retail uses west of Gallows Road, north and south of Strawberry Lane. Retail and other non-residential uses will be provided in the first and some second floors of the buildings and five floors of residential uses will be provided above the retail. The retail uses will consist of 105,500 square feet (24%) and the residential uses will consist of 327,518 square feet (76%) or 265 dwelling units, including nine affordable dwelling units (35.4 dwelling units per acre); for a total of 433,018 square feet (1.33 FAR) and 23% open space. The floor area ratio (FAR) above 1.2 will consist of affordable dwelling units (ADUs) and bonus market rate units. Parking will be provided in underground and internal parking structures within each building.

A copy of the draft proffers, final development plan conditions, applicant’s affidavit and statement of justification are contained in Appendices 1-4, respectively.

Waivers/Modifications:

The applicant has requested a modification of the loading space requirement to permit the provision of three loading spaces for the southern building; the Zoning Ordinance requires the provision of five loading spaces. The northern building will be meeting the Zoning Ordinance loading space requirement of five spaces.

The applicant will be requesting from the Department of Public Works and Environmental Services (DPWES) at site plan, a waiver to permit underground stormwater management (SWM) and best management practices (BMPs) in a residential development. If the waiver is not granted, a Proffered Condition Amendment (PCA) will be required to provide above ground stormwater management and BMPs.

LOCATION AND CHARACTER

Site Description:

The site is located on the west side of Gallows Road, north and south of Strawberry Lane, within the Merrifield Revitalization Area. The site currently contains a U-Haul center, the Merrifield Tailor shop, vehicle storage facilities and minimal natural vegetation. Strawberry Lane is proposed to be vacated and/or abandoned in its current location and relocated to the north to align with Porter Road; however, Strawberry Lane will continue be located on the applicant’s site.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Mobil, Mattress Discounters, Just Tires, Merrifield Gardens	I-5	Merrifield Town Center – Mixed Use
South	Fairfax Plaza, Former Levitts Furniture Store, KFC	I-5	Merrifield Town Center – Mixed Use
East	Merrifield Plaza Commercial Properties	C-6 C-3	Retail and Other Office, Retail and Other
West	National Amusements Theater	I-4	Merrifield Town Center – Mixed Use

BACKGROUND

There are no relevant land use cases associated with the subject site.

COMPREHENSIVE PLAN PROVISIONS (Appendix 5)

- Plan Area:** Area I
- Planning District:** Merrifield Suburban Center
Land Unit F, Sub-Unit F-1
- Plan Map:** Mixed Use
- Plan Text:** Fairfax County Comprehensive Plan, Area I Volume, 2003 Edition, Merrifield Suburban Center, as amended through July 21, 2003, under the heading, Land Unit F, on pages 76-81, the Plan states:

“Sub-Units F1 and F2 (Town Center Area):

Sub-Unit F1 is the eastern portion of the Land Unit that is oriented to Gallows Road and is planned for community-serving retail up to .35 FAR. Additional freestanding single tenant uses and “drive-through” uses, such as fast-food

restaurants and car washes, are discouraged because each may disrupt pedestrian access. Drive-through uses that are low traffic generators, such as financial institutions and drug stores, may be considered provided that the drive-through facility is integrated within a multi-tenant building and is designed in a manner that does not impede pedestrian access. In any new retail center, an office component could be provided, if it does not exceed .10 FAR (or approximately 30% of the development's gross square feet), with any office component designed as an integral part of the retail center. Furthermore, any new retail center(s) should be designed in a manner that is consistent with the town center concept.

.....

Any modification, expansion, and/or reuse of the existing buildings should be consistent with guidelines for Existing Uses and Buildings under the Area-Wide Land Use section. Any additional development in Sub-unit F1 and F2 at this base level should have consolidation or a coordinated development plan that provides for circulation improvements and streetscape improvements, as well as addresses urban design and other planning objectives which include implementing the town center concept. Also for any additional development at this base level on property in Sub-Units F1 and F2 abutting Sub-Unit G1, inter-parcel access between these sub-units should be considered and provided if needed to improve access to the school.

Option 1: As an option, in both Sub-units F1 and F2, redevelopment within these sub-units to office and retail up to .65 FAR may be appropriate if the redevelopment creates a component of the envisioned "Town Center." The retail component should comprise, at a minimum, 30% of the total development. Any development proposal under this option must address all applicable Area-Wide recommendations as well as the following guidelines.

- Consolidations of at least eight contiguous acres are encouraged. As an alternative, coordinated development plans with a combined land area of at least eight acres may be appropriate if the consolidation objectives are met. In any instance, it must be demonstrated that any unconsolidated parcels are able to develop in conformance with the Plan as described under the Land Use Guidelines in the Area-Wide Land Use section.
- Development proposals in these sub-units should provide for or contribute to road improvements as described in the Transportation Section of the Area-Wide recommendations. This area's recommended grid street system includes: the Eskridge Road extension south to Williams Drive and its realignment with Merrilee Drive to the north; the improvement of Strawberry Lane and its extension to Eskridge Road; the movie theater access road to connect with Williams Drive or Gatehouse Road. With the extension of the movie theater access road to either Williams Drive or Gatehouse Road, improvements to the intersection of Route 50/Williams Drive/Service Road

should be made. Within this area, at least one road should function as the "Festival Street" that will have a concentration of retail and pedestrian activity (i.e., plazas, retail browsing areas and outdoor dining). See Figure 28 for an illustration of the grid system with the "Festival Street." Since a key transportation issue is the improvement of Eskridge Road and its realignment to Merrilee Drive, all development proposals under this option should contribute towards the Eskridge Road improvement in addition to providing other road improvements that improve circulation within this and adjacent areas as recommended in the Area-wide Transportation section.

- Development proposals should provide for inter-parcel access as well as other improvements that improve circulation within this and adjacent sub-units. For example, development proposals in Sub-Units F1 and F2 that abut Sub-Unit G1 should provide inter-parcel access to Sub-Unit G1 if needed to provide access to the school.
- Buildings should have retail and service uses located on the ground level that are designed to have a pedestrian orientation.
- Development should be designed with a pedestrian orientation, including open space amenities such as public plazas or greens as described under the Pedestrian and Transit Oriented Development Guidelines in the Urban Design section.
- Development should provide or contribute to the purchase of one to two acres of land for a public park within Sub-Units F1 and F2. This urban park should function as a public meeting and gathering place and should have a focal point such as a pavilion and/or fountain. As an alternative, this open space amenity could be a private facility if the space has public access and is available for public activities.
- Development should be designed with parking structures behind and/or under buildings.

Option 2: As an alternative to the office and retail option, mixed-uses with residential use and/or hotel use may be appropriate up to 1.2 FAR, if the redevelopment creates a component of the envisioned "Town Center." Development proposals should be in conformance with the Area-Wide Recommendations for alternative uses (see the Area-Wide Recommendations, Land Use Guidelines), and development proposals under this option must address the previous option's guidance, all applicable Area-Wide guidelines, as well as provide for the following:

- The alternative uses appropriate in this sub-unit are limited to residential, institutional, hotel, major entertainment uses, as well as retail and service uses. Only the portions of retail and service uses that exceed 20% of the total development's square footage are considered alternative uses as described under the Alternative Use Guidelines. Retail and service uses may comprise up to 35% of the development's square feet and may include employee amenities such as health clubs, day care and food services, all of which should be an integral part of the office, hotel and/or residential buildings.
- Major entertainment uses could include a "theater complex" and/or retail entertainment centers. These uses combined with retail and service uses should not exceed 55% of the development's total square footage.
- Institutional, cultural, recreational, and/or governmental uses are encouraged within the Town Center and should be provided consistent with the Area-Wide guidance.
- If residential development is proposed, affordable dwelling units should be provided on-site or as indicated under the Land Use Guidelines in the Area-Wide Land Use Section.
- Any proposed residential development should demonstrate that it is an integral component of the Town Center through design, architecture, materials, access and parking and should create a viable living environment by providing recreation and other amenities for the residents as indicated under the Land Use Section of the Area-Wide Recommendations.

Height Limit: Under the options, maximum building height is 95 feet when development is not integrated with structured parking. In order to encourage structured parking to be located under buildings, a height bonus of up to 20 feet (or a maximum height of 115 feet) is appropriate when at least 2 levels of structured parking are provided under the building, either at or below grade. The building height bonus should be contingent on increasing the amount of open space amenities...."

ANALYSIS

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

Title of CDP/FDP: "Uniwest/Merrifield Town Center"

Prepared By: Dewberry and Davis LLC

Original and Revision Dates: January 14, 2003, as revised through December 12, 2003

Description of the Plan:

Sheet #	Description
Sheet 1	Cover Sheet, Vicinity Map
Sheet 2	Notes and Tabulations, Existing Vegetation, Condition and Vicinity Map, Angle of Bulk Plane Detail, Soils Map
Sheet 3	Conceptual/Final Development Plan Layout, Alternative Streetscape/Ulimate Road Improvement, Building Height and Mass Detail
Sheet 4	Town Center Illustrative, Non-Consolidated Parcel Detail
Sheet 5	Parking Level Detail (352 Foot Elevation)
Sheet 6	Parking and Retail Level Detail (362 Foot Elevation)
Sheet 7	Parking and Retail Level Detail (374 Foot Elevation)
Sheet 8	Parking and Retail Level Detail (384 Foot Elevation)
Sheet 9	Roof Top Garden and Recreation Amenity Detail
Sheet 10	Parking and Retail Building Sections
Sheet 11	Building Elevations
Sheet 12	Partial Building Elevations
Sheet 13	Partial Building Elevations
Sheet 14	Streetscape, Park and Plaza Cross Sections and Detail
Sheet 15	North Loading Area Detail and Cross Section
Sheet 16	Interim Road Improvements
Sheet 17	Ultimate Road Improvements
Sheet 18	Stormwater Management Narrative and Detail

- The 7.48 acre site is located west of Gallows Road, north and south of relocated Strawberry Road. Two “U” shaped residential mixed-use buildings are proposed for the site. The building north of Strawberry Lane is seven levels (95 feet in height) and consists of 200,221 square feet for residential uses (162 units) and 65,136 square feet in retail uses on the first two floors, for a total of 265,357 square feet. The building south of Strawberry Lane consists is seven levels (95 feet in height) and consists of 124,297 square feet of residential uses (103 units) and 40,364 square feet of retail uses on the first and second floors, for a total of 167,661 square feet. The entire site consists of 327,518 square feet of residential uses (76%) consisting of 265 units, including nine affordable dwelling units, and twenty-five bonus market rate units, and 105,500 square feet of retail and other non-residential uses (24%) for a total of 433,018 square feet or a floor area ratio of 1.33 with 23% open space. The square footage in excess of 1.2 FAR will be ADUs and bonus market rate units.
- In addition to the retail uses, the first and second floors of the building could consist of accessory services uses; billiard and pool halls; business service and supply service establishments; eating establishments; fast food restaurants; financial institutions; garment cleaning establishment; health clubs; community uses; personal service establishments; private clubs and public benefit associations; public uses; quick service food

stores; unmanned bank teller machines; offices; repair service establishments; and private schools of special and general education. The development would not include any drive through facilities.

- The Gallows Road elevation is higher than the western elevation and there will be one level of retail along Gallows Road that transitions to two levels of retail along the western portion of Strawberry Lane and the side streets parallel to Gallows Road. There is a small retaining wall (2-3 feet in height) proposed along the northwestern portion of the site adjacent to the northern side street. There are five levels of residential uses on top of the retail levels. Parking is provided in underground and internal parking structures and access to the parking garages is provided from the side streets parallel to Gallows Road. Loading is provided to the north and south of the buildings; the northern loading area is screened by a six to eight foot wall and landscaping that is detailed on Sheet 15. The applicant has proffered to design the northern loading area to permit the access to be shared with the non-consolidated parcels to the north (Tax Maps 49-4 ((1)) 5, 6, 7, and 7A).
- Sheets 5-10 depict the building levels for the site. The lowest level of the garage depicted on Sheet 5 (elevation 352 feet) is accessed from the northernmost and southernmost portions of the side streets. The second level of the garage depicted on Sheet 6 (elevation 362 feet) is accessed from the side street entrances nearest Strawberry Lane. The third and fourth levels of the parking garage are depicted on Sheets 7 and 8 (elevations 374 and 384 feet). There is at-grade retail provided along Gallows Road and Strawberry Lane and a second floor of retail provided at the intersection of Strawberry Lane and the side street. On top of the parking garages are rooftop amenities that are detailed on Sheet 9. The southern building provides a pool and landscape plaza and the northern building provides a landscaped plaza. The buildings are connected by a pedestrian bridge, subject to VDOT approval, and recreational amenities, including a fitness room, party room and library, are provided on either side of the pedestrian bridge. Sheet 10 depicts the cross section of the buildings to demonstrate how the parking garage works within the retail/residential buildings.
- On top of the retail are five levels of residential units and Sheets 11-13 depict the building elevations from Gallows Road and Lee Highway. The buildings consist of brick and glass on the first floor and brick, metal panels, masonry, hardi-board, EIFS or stucco on the upper levels. The portion of the first floor retail along the Gallows Road and Strawberry Lane intersection will be recessed approximately twelve feet to permit a wider sidewalk. This area will have the residential area overhanging the recessed area and would not permit landscaping next to the retail store fronts.

- A 16,733 square foot urban park is provided in the southwest portion of the site as detailed on Sheet 14. This is the first portion of the 1-2 acre park envisioned by the Plan to be provided in the town center and could be extended to the west by others. The urban park provides seat walls, benches, plantings, landscaping, special pavers and a water feature; cross sections for the Gallows Road and Strawberry Lane streetscape and the plaza areas are also detailed on Sheet 14. The plaza design includes the sidewalk, seating area and plantings and browsing area.
- Sheet 3 depicts an alternative streetscape for Gallows Road that assumes a seven foot narrower road section which permits a wider streetscape for Gallows Road. This streetscape/road widening scenario is preferred by the applicant, but would require VDOT to accept smaller lane widths for Gallows Road. Under this scenario a nineteen foot wide landscape strip is provided next to Gallows Road that transitions down to approximately nine feet to provide for the southbound right turn lane onto Strawberry Lane, an eight foot wide sidewalk and a twelve foot wide landscape strip adjacent to the building that transitions down to 8.5 feet to provide for the right turn lane. In the area adjacent to the right turn lane on Gallows Road, the first level of the building is recessed by twelve feet to provide for walkways under the residential levels as detailed on Sheet 11. This scenario provides for a total of thirty-seven to thirty-nine feet of streetscape. The alternative streetscape for Gallows Road provides a twelve foot wide landscape strip next to the curb, an eight foot sidewalk and twelve foot wide seating and landscape area next to the building, for a total of thirty-two feet of streetscape. However, under this option the right turn lane for southbound Gallows Road would require the removal of the landscape strip next to the building and a portion of the plaza. This option would be provided only if VDOT was unwilling to accept the road section with smaller lane widths. Strawberry Lane provides a two foot wide refuge strip and seven foot wide landscape strip next to the curb, a six foot wide sidewalk and slightly over seven foot wide landscape and seating area next to the building.
- Sheet 16 details the proposed interim improvements for Gallows Road and Sheet 17 details the ultimate improvements for Gallows Road and Strawberry Lane. Sheet 3 details the preferred ultimate improvement for Gallows Road that would still provide the same number of lanes but reduce the width of the lanes by a total of seven feet. This option would permit an increased streetscape along Gallows Road. Since the development does not include the parcels at the intersection of Gallows Road and Lee Highway (Tax Map 49-4 ((1)) 5, 6, 7 and 7A) and the areas to the south of the site, either ultimate improvements can not be easily constructed without creating potentially confusing lane transitions. Strawberry Lane will be relocated to the north to align with Porter Road

and is designed as a four lane undivided roadway with right and left turn lanes onto Gallows Road. The interim improvements for Gallows Road consist of a southbound through lane, right turn lane onto Strawberry Lane, and dual lefts from northbound Gallows onto Strawberry Lane. The ultimate improvements consist of three through northbound and three through southbound lanes, dual lefts onto Strawberry Lane from northbound Gallows, left turn lane from southbound Gallows onto Porter Road and a sub-standard right turn lane for southbound Gallows onto Strawberry Lane.

- Sheet 18 provides the stormwater management narrative, drainage divide and best management practice location. The applicant intends to provide stormwater management in underground facilities which will require a waiver of the Public Facilities Manual.
- Sheet 4 depicts the overall Merrifield Town Center area to demonstrate that the adjacent parcels could develop in accordance with the Comprehensive Plan. The area subject to the current application is shaded in gray and does not include the two acres at the intersection of Gallows Road and Lee Highway. Sheet 4 also details the possible development of the four non-consolidated parcels (Tax Maps 49-4 ((1)) 5, 6, 7, 7A) to the north of the site at the intersection of Gallows Road and Lee Highway. These parcels consist of two acres; however, after the widening of Lee Highway and Gallows Road it is anticipated that approximately 1.33 acres (58,062 square feet) will remain. The applicant assumes there will be dedication of the property and density credit accrued for the dedicated area. The applicant has further assumed a 1.2 FAR development or 105,000 square foot, five-story building with underground parking. Since those parcels have not been consolidated, it is likely that VDOT would have to acquire them to provide the road improvements and no density credit would be retained for the portion of the site that is acquired by VDOT. It is also likely that the maximum intensity for these parcels would be 0.65 FAR (Option 1 under the Comprehensive Plan) or 37,658 square feet for office/retail uses, not the 105,000 square feet, as assumed by the applicant for mixed-uses at 1.2 FAR (Option 2 under the Comprehensive Plan). Based on a 20,000 square foot footprint the building could consist of two floors instead of the five floors assumed by the applicant. In addition, parking would still need to be provided below grade or within the building to be able to accommodate the building.

Comprehensive Plan/Land Use Analysis (Appendix 5)

The applicant is requesting a mixed-use development in accordance with Option 2 of the Comprehensive Plan that permits a mixed-use development, including residential, up to 1.2 FAR and subject several guidelines. The site

specific Comprehensive Plan guidelines are discussed below and within the Residential Development Criteria analysis which follows.

Issue: Consolidation

The Comprehensive Plan states: "Consolidations of at least eight contiguous acres are encouraged. As an alternative, coordinated development plans with a combined land area of at least eight acres may be appropriate if the consolidation objectives are met. In any instance, it must be demonstrated that any unconsolidated parcels are able to develop in conformance with the Plan....."

Resolution:

The applicant has only consolidated 7.48 acres; however, the applicant has provided conceptual plans to demonstrate how the unconsolidated parcels potentially could develop. This issue is discussed in detail under Residential Development Criterion 1 for Site Design.

Issue: Road improvements

The Comprehensive Plan states: "Since a key transportation issue is the improvement of Eskridge Road and its realignment to Merrilee Drive, all development proposals under this option should contribute towards the Eskridge Road improvement in addition to providing other road improvements that improve circulation within this and adjacent areas as recommended in the Area-wide Transportation section." The Plan further states: "Development proposals should provide for inter-parcel access as well as other improvements that improve circulation within this and adjacent sub-units."

Resolution:

The applicant has proffered to contribute \$10,000 for the improvement of Eskridge Road. Furthermore, the applicant has proffered to provide interparcel access to the west and the unconsolidated parcels to the north. These commitments and other road improvement issues are discussed in detail under Residential Development Criterion 5 for Transportation.

Issue: Building Design

The Comprehensive Plan states: "Buildings should have retail and service uses located on the ground level that are designed to have a pedestrian orientation. Development should be designed with a pedestrian orientation, including open space amenities such as public plazas or greens....." The Plan further states: "Development should be designed with parking structures behind and/or under buildings."

Resolution:

The first and some second floors of the building consist of retail and service uses. The applicant provides for pedestrian plazas at the major intersections in addition to the urban park, as gathering places for pedestrians. The buildings are designed with parking located under and within the buildings. These issues are discussed in detail under Residential Development Criterion 1 for Site Design.

Issue: Park Dedication

The Comprehensive Plan states: "Development should provide or contribute to the purchase of one to two acres of land for a public park.... This urban park should function as a public meeting and gathering place and should have a focal point such as a pavilion and/or fountain."

Resolution:

The applicant has proffered to dedicate, construct and maintain a 16,733 square foot urban park that has the potential to be expanded to the west. This urban park has a water feature and seating areas and is further discussed under Residential Development Criterion 6 for Public Facilities.

Issue: Non-Residential Uses

The Comprehensive Plan states: "Retail and service uses may comprise up to 35% of the development's square feet and may include employee amenities such as health clubs, day care and food services, all of which should be an integral part of the office, hotel and/or residential buildings." The Plan further states: "Major entertainment uses could include a "theater complex" and/or retail entertainment centers. These uses combined with retail and service uses should not exceed 55% of the development's total square footage." The Plan further states: "Institutional, cultural, recreational, and/or governmental uses are encouraged within the Town Center and should be provided consistent with the Area-Wide guidance."

Resolution:

The retail, service and other non-residential uses consist of 24% of the development and are integrated within the buildings. There are no major entertainment, institutional, cultural, recreational, and/or governmental uses proposed by the applicant.

Issue: Affordable Dwelling Units (ADUs)

The Plan states: "If residential development is proposed, affordable dwelling units should be provided on-site....."

Resolution:

The applicant has proffered to provide ADUs under the provisions of Part 8 of Article 2 of the Zoning Ordinance. The applicant has stated that it is their intention to request that the ADU Advisory Board approve the provision of nine ADU units.

Issue: Architecture

The Plan states: "Any proposed residential development should demonstrate that it is an integral component of the Town Center through design, architecture, materials, access and parking and should create a viable living environment by providing recreation and other amenities for the residents....."

Resolution:

This is the first application within the Town Center and will help set the standards for future developments. The applicant has provided for buildings where parking is located within the building and generally hidden from the streets. The building design consists of predominately bricks and pre-cast materials. The development provides for recreational amenities for the residents within the rooftop plazas and pool, the fitness and recreation rooms, in addition to the urban park located adjacent to the buildings. The applicant has generally provided for the streetscape indicated by the Comprehensive Plan. These issues are discussed in detail under Residential Development Criterion 1 for Site Design.

Residential Development Criteria Analysis

The application is for a mixed-use development that is predominately residential; therefore, the Residential Development Criteria adopted by the Board of Supervisors, which is located in Appendix 9 of the Land Use Section of the Policy Plan has been used to evaluate the application as a whole. (A complete copy of the text of the Residential Development Criteria is contained in Appendix 16 of this report.)

Fairfax County expects new residential development to enhance the community by: fitting into the fabric of the neighborhood and addressing land use issues, respecting the environment, addressing transportation impacts, addressing impacts on other public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing and, being responsive to the unique site specific considerations of the property. To that end, the following criteria are used in evaluating zoning requests for new residential development.

Site Design

Criterion 1 states that all rezoning applications should be characterized by high quality site design. Rezoning proposals, regardless of the proposed density, should be evaluated based upon the following principles, although not all of the principles may be applicable for all developments. (Specific site design issues are discussed in the Land Use Analysis contained in Appendix 5.)

Consolidation: Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan and not preclude nearby properties from developing as recommended by the Plan.

The Plan states: "Consolidations of at least 8 contiguous acres are encouraged and, at a minimum, it must be demonstrated that any unconsolidated parcels are able to develop in conformance with the Plan." The applicant proposes a consolidation of land area totaling 7.48 acres, which falls short of the Plan recommendation. The applicant illustrates a conceptual layout which attempts to illustrate how the surrounding, unconsolidated areas could redevelop as part of a Merrifield "Town Center". The areas to the west and south have a significant amount of land area in order to develop in accordance with the Plan. However, the applicant has failed to consolidate Tax Maps 49-4 ((1)) 5, 6, 7 and 7A (2.0 acres) to the north, at the intersection of Lee Highway and Gallows Road. The applicant has provided a detailed conceptual design for an office/retail building at the non-consolidated site to the north. The applicant has assumed a five-story 105,000 square foot building. The non-consolidated parcels could be acquired by VDOT as part of the widening for Lee Highway and not be dedicated, so no density credit would be retained. In addition, it is unlikely a 1.33-acre site would be able to utilize the Comprehensive Plan for mixed-use development at 1.2 FAR. The non-consolidated parcels to the north could be expected to develop with 37,658 square feet of uses (0.65 FAR) in two stories and not a 105,000 square foot building with five stories as illustrated. The applicant's proposed design orients the site to Gallows Road and Strawberry Lane and provides a major loading area, building side and parking garage along the northern portion of the site and the failure to consolidate the four parcels to the north also raises concerns on the orientation of the buildings. The parking deck, loading area and the rooftop amenities could be exposed to the Lee Highway and Gallows Road intersection. Redevelopment for the town center area should include a very high quality image at the intersection of Gallows Road and Lee Highway, since it represents the entrance and transition into the future town center. Absent consolidation of properties in this northern corner of the sub-unit, the potential to ensure a high quality design and a strong visual focus on this area is diminished.

Layout: The layout should provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences); provide dwelling units that are oriented

appropriately to adjacent streets and homes; provide convenient access to transit facilities; identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; and encourage utility co-location where feasible.

The development plan proposes two "U" shaped buildings that front on Gallows Road, Strawberry Lane and the side street that parallels Gallows Road. The Comprehensive Plan states: "Buildings should have retail and service uses located on the ground level that are designed to have a pedestrian orientation. Development should be designed with a pedestrian orientation, including open space amenities such as public plazas or greens....." The development provides first and some second floor retail and other non-residential uses along the street frontages. The residential units are located above the retail uses. The residential uses have access to the rooftop greens and amenities and the adjacent urban park. The development provides for integrated parking structures per the Plan guidance.

The Plan states: "Undergrounding of utilities should be encouraged and should be coordinated with future roadway improvements and the rebuilding of sidewalks to foster a pedestrian environment and other Plan objectives. New development should provide underground utility conduits or provide commitments to construct these improvements in the future." The applicant has proffered to underground utilities and stormwater facilities.

Open Space: Developments should provide usable, accessible, and well-integrated open space.

The Comprehensive Plan states: "Usable open space in the form of plazas, urban greens, courtyards or parks should be provided throughout the Merrifield Suburban Center, especially in the Transit Station Area and the Town Center, in order to create a strong pedestrian focus. Developments should provide these pedestrian amenities, which include landscaped areas with shade trees, seating areas, public art and other amenities that make attractive gathering places for the local workforce, shoppers, and residents. In some instances, these open space amenities should be large enough and designed in a manner to accommodate informal activities as well as programmed events during lunch-hours and after-work hours." The applicant has proffered to develop, maintain and dedicate the 16,733 square foot urban park to the Park Authority. The urban park is potentially the first portion of the recommended 1-2 acre park site within the Merrifield Town Center. Park design issues are further discussed under the Park Authority Analysis under Criterion 6 below. The applicant has provided for a streetscape plan for Gallows Road, Strawberry Lane and the side streets that generally meets the Plan guidance. In addition to the urban park and streetscape, the applicant has proffered to provide rooftop amenities such as a pool, outdoor patio, fitness room and party room in the southern building and outdoor patio/passive recreation area, library and recreation room in the northern

building and a pedestrian bridge to connect the buildings and recreation facilities. Overall the development provides for 23% open space.

Landscaping: Developments should provide appropriate landscaping: for parking lots, open space areas, and along streets.

The Merrifield Suburban Center Plan contains specific recommendations for providing a unifying streetscape theme to facilitate the creation of a functional, attractive pedestrian system that integrates landscaping, street furniture (lighting, signs, benches, trash receptacles, kiosks, etc.) and public plaza/open space areas. Guidance for Gallows Road and for a Town Center Main Street (Strawberry Lane) is contained in the Plan and includes recommended dimensions for pedestrian activity areas, sidewalks and landscaping strips.

Gallows Road: The streetscape concept for Gallows Road recommends a 28-30 foot wide streetscape area which includes a double row of street trees on either side of a sidewalk. Specifically, a twelve foot wide pedestrian activity area and/or landscape strip next to an eight foot wide sidewalk with a second landscape area eight to ten feet wide adjacent to the curb is recommended. Vegetation should include major shade trees, ground covers, understory plantings, ornamental shrubs and grass and flowering plants.

The application proposes to generally provide a minimum thirty-two foot wide area along Gallows Road for streetscape and walkways with two staggered rows of trees, except for a 150 foot long area near the Gallows Road and Strawberry Lane intersection, where the southbound right turn lane for Gallows Road would be provided, resulting in the potential narrowing of the streetscape and the removal of the landscaping adjacent to the building. The applicant has proffered to work with VDOT to determine if a smaller road section could be provided to permit a wider streetscape section along Gallows Road and permit the retention of the two rows of landscaping along the entire frontage of Gallows Road. The applicant has proffered to provide understory plantings, ornamental and/or flowering plants as well as seating areas and a bus shelter. The major shade trees are provided in ground; planter boxes are provided for the understory shrubs, flowering and/or seasonal plantings to accent the streetscape. The applicant has proffered to provide public plazas at the major intersections to include special pavers, landscaping and seating areas. In addition, the retail portion of the building adjacent to the right turn lane is proposed to be recessed by twelve feet to permit a sidewalk/browsing area to be located adjacent to the retail and under the residential portion of the building. While the recessed building does not permit the landscape strip next to the building, it does provide for a wider pedestrian walkway system. Staff strongly encourages the applicant to work with VDOT on the design of Gallows Road to permit a reduced width and wider streetscape section.

Strawberry Lane: The Streetscape Guidelines also provide a specific design concept for a Town Center Main Street such as Strawberry Lane. The

streetscape area is recommended to be twenty-two feet in width and incorporate an eight foot wide pedestrian activity or landscape area, a six foot wide sidewalk, a second six foot wide landscape area, and a two foot wide refuge strip immediately adjacent to the curb. A mix of street trees, supplemental understory plantings, ornamental shrubs, grasses, flowering plants and ground covers is recommended. The application now generally depicts a streetscape that meets the recommended streetscape along both sides of Strawberry Lane. A planted road median is a recommended feature of the streetscape for this road, but not provided by the applicant

Amenities: Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

The applicant has proffered to construct a 16,733 square foot public urban park that will consist of landscaping, seating areas and a water feature. In addition to the at-grade facilities, the applicant will provide recreational amenities such as a pool, patios and outdoor areas on the rooftops of the parking garages and interior to the buildings. The applicant has proffered to provide pedestrian plazas at the intersections of Strawberry Lane and Gallows Road and Strawberry Lane and the side streets adjacent to the parking garages. Furthermore, the applicant has proffered to provide streetscape for Gallows Road and Strawberry Lane generally in accordance with the Plan. Within the streetscape the applicant has provided for special pavers, landscaping and seating areas and twelve park benches. As stated previously, staff strongly encourages the applicant to work with VDOT to determine if the road section could be decreased in width to permit the alternative streetscape section to provide two rows of landscaping along the entire frontage of Gallows Road.

Neighborhood Context

Criterion 2 states that all rezoning applications, regardless of the proposed density, should be designed to fit into the community within which the development is to be located. Developments should fit into the fabric of their adjacent neighborhoods, as evidenced by an evaluation of: transitions to abutting and adjacent uses; orientation of the proposed dwelling units to adjacent streets and homes; architectural elevations and materials; pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses; existing topography and vegetative cover and proposed changes to them as a result of clearing and grading. It is not expected that developments will be identical to their neighbors, but that the development will fit into the fabric of the community. (Specific neighborhood context issues are discussed in the Land Use Analysis contained in Appendix 5.)

This application is the first redevelopment proposal for an area that is planned to become a Town Center for the Merrifield Suburban Center. As such, it is paramount that the pattern and character of development established reflect the

urban design vision outlined in the Comprehensive Plan. The original development plan did not contain sufficient design information to discern a design theme or style; however, the applicant has submitted revised plans that now provide sufficient detail to review the proposal. The application proposes both buildings to be at the maximum height of ninety-five feet and incorporates parking both underground and interior to the buildings. The buildings are oriented towards Strawberry Lane and Gallows Road. The buildings consist of brick, glass, metal panels, masonry, hardi-board, stucco and EIFS. The applicant has provided for the streetscape and pedestrian amenities generally as recommended by the Plan. As discussed previously, the properties at the intersection of Lee Highway and Gallows Road are not a part of the application; without consolidation of these parcels the focal point of the intersection may be the rear of this development.

Environment

Criterion 3 states that all rezoning applications for residential development should respect the environment. Rezoning proposals, regardless of the proposed density, should be consistent with the policies and objectives of the environmental element of the Policy Plan, and will also be evaluated on the following principles, where applicable. (Specific environmental issues are discussed in detail in the Environmental Analysis contained in Appendix 6.)

Preservation: Developments should conserve natural environmental resources by protecting, enhancing, and/or restoring the habitat value and pollution reduction potential of floodplains, stream valleys, EQCs, RPAs, woodlands, wetlands and other environmentally sensitive areas.

There are no floodplains, stream valleys, EQC, RPA, significant trees, wetlands or other identified natural resources contained on the site; therefore this principle is not applicable.

Slopes and Soils: The design of developments should take existing topographic conditions and soil characteristics into consideration.

Due to the intensity of the development, the entire site will be cleared and graded. The site slopes down from Gallows Road to the west by approximately one building level. The building design will follow the slope of the site and the first floor along Gallows Road will be level with the second floor along the western portion of Strawberry Lane. The applicant's site will be 2-3 feet higher than the adjacent development and a retaining wall is needed to facilitate the development without grading into the adjacent site. It appears that this retaining wall would not prohibit the parcels to the west from fronting or accessing the side street, since the adjacent developer could fill to the side street to coincide with the applicant's street level. The applicant has proffered to provide the necessary easements for the adjacent development to tie into the side streets. There are no significant soil constraints on the site.

Water Quality: Developments should minimize off-site impacts on water quality by commitments to state of the art best management practices for stormwater management and low-impact site design techniques.

The applicant has proffered that water quality and quantity requirements will be handled by an underground detention facility, subject to approval of such by the Department of Public Works and Environmental Services. The subject property is currently developed and qualifies as a redevelopment activity under the requirements for the County's Chesapeake Bay Preservation Ordinance (CBPO). The applicant has provided a stormwater management narrative that indicates the site has three primary stormwater outfalls and that the proposed development will tie into these outfalls along the western portion of the site. The CBPO stipulates a 10% phosphorous removal requirement for redevelopment activities and the applicant has proffered to exceed the requirement by the provision of 20% phosphorous removal through the implementation of innovative Best Management Practices. Staff notes that the applicant must receive a waiver from DPWES to permit the underground stormwater facilities. The applicant has proffered to maintain the facilities if approved or request a Proffered Condition Amendment if the underground facilities are not approved.

Drainage: The volume and velocity of stormwater runoff from new development should be managed in order to avoid impacts on downstream properties. Where drainage is a particular concern, the applicant should demonstrate that off-site drainage impacts will be mitigated and that stormwater management facilities are designed and sized appropriately. Adequate drainage outfall should be verified, and the location of drainage outfall (onsite or offsite) should be shown on development plans.

The Comprehensive Plan states; "As development (i.e., new development, redevelopment and building expansions) occurs in the Merrifield Suburban Center, storm water management and Best Management Practices (BMPs) will need not only to meet on-site requirements, but also to help alleviate existing downstream drainage issues that are identified during the development review process." The applicant indicates that stormwater management will be provided per the Public Facilities Manual, subject to a waiver to permit underground facilities, and the applicant has proffered to provide innovative BMPs to provide a 20% phosphorous removal. The applicant has proffered to demonstrate that adequate outfall is provided prior to site plan approval but did not proffer to provide additional detention to help alleviate potential downstream drainage issues. Staff notes that the Stormwater Planning Division indicates that there are no downstream complaints on file or deficiencies identified in the Fairfax County Master Drainage Plan.

Noise: Developments should protect future and current residents and others from the adverse impacts of transportation generated noise.

Staff performed a highway noise analysis for Gallows Road and found that the entire site falls within the 65-70 dBA L_{dn} impact area and may be adversely affected by projected traffic noise. In order to reduce noise in interior areas to 45 dBA L_{dn} or less, the applicant has proffered to the construction of the buildings with materials that are sufficient to provide acoustical mitigation and reduce interior levels to 45 dBA L_{dn} . The urban park is screened by the buildings from Gallows Road and the rooftop open space is partially protected by the building; the applicant has proffered to provide noise barriers, if required, to ensure the rooftop open space does not exceed 65 dBA.

Lighting: Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.

To ensure consistency with the Comprehensive Plan policy to minimize unfocused light emissions and to ensure conformance with the Merrifield Suburban Center Streetscape Design, the applicant has provided a typical street light and has proffered to provide fully shielded lights outdoor lighting in accordance with Part 9 of Article 14 of the Zoning Ordinance. Staff has proposed a final development plan condition for garage lighting to minimize the glare on adjacent properties.

Energy: Developments should use site design techniques such as solar orientation and landscaping to achieve energy savings, and should be designed to encourage and facilitate walking and bicycling.

The applicant has proffered to provide construction of the building to meet energy efficient guidelines. In addition, the applicant has proffered to provide bicycle racks, bus shelter and sidewalks to encourage walking and biking.

Tree Preservation and Tree Cover Requirements

Criterion 4 states that all rezoning applications, regardless of the proposed density, should be designed to take advantage of the existing quality tree cover. If quality tree cover exists on site as determined by the County, it is highly desirable that developments meet most or all of their tree cover requirement by preserving and, where feasible and appropriate, transplanting existing trees. Tree cover in excess of ordinance requirements is highly desirable. Proposed utilities, including stormwater management and outfall facilities and sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas. (Tree preservation issues are discussed in the Environmental Analysis contained in Appendix 6.)

The site is primarily void of quality natural tree cover and the entire site is proposed to be cleared and graded. The applicant is proposing to provide landscaping within the streetscape for Gallows Road and Strawberry Lane generally in accordance with the Comprehensive Plan.

Transportation

Criterion 5 states that all rezoning applications should implement measures to address transportation improvements and that applicants should offset their impacts to the transportation network. (Specific transportation issues are discussed in the Transportation Analysis contained in Appendix 7.)

Transportation Improvements: Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following: capacity enhancements to nearby arterial and collector streets; street design features that improve safety and mobility for non-motorized forms of transportation; signals and other traffic control measures; development phasing to coincide with identified transportation improvements; right-of-way dedication; construction of other improvements beyond ordinance requirements; monetary contributions for improvements in the vicinity of the development.

Gallows Road

The applicant has dedicated sufficient right-of-way for the ultimate improvement of Gallows Road, including a fourteen foot wide right turn lane on southbound Gallows Road onto Strawberry Lane and a bike lane on Gallows Road. To accommodate the turn lane, the applicant has provided an option to decrease the streetscape by fourteen feet from what is provided elsewhere on Gallows Road by eliminating the landscaping strip adjacent to the building and reducing the size of the landscaping strip next to Gallows Road. The retail portion of the building adjacent to the right turn lane is proposed to be recessed by twelve feet to permit a wider sidewalk to be located under the residential portion of the building. While the recessed building does not permit the landscape strip next to the building, it does provide for a wider pedestrian walkway system. The applicant has also depicted an option to provide a wider streetscape in the event that the road section for Gallows Road is decreased in width by up to seven feet. Under this option, a twenty-five foot wide streetscape section would be provided with two landscape strips in addition to the twelve feet of walkways located under the residential overhang adjacent to the retail building. Staff strongly encourages the applicant to work with VDOT to determine if the road section could be decreased in width to permit the alternative streetscape/road improvement section.

The applicant has proffered to construct the interim improvements for Gallows Road and escrow the costs of the ultimate improvements. The applicant should revise the proffers to permit VDOT and DPWES to determine whether it is appropriate to construct the interim improvement instead of the ultimate road section. At this time the interim improvements would be preferred since Gallows Road is not likely to be widened in the near future; however, this condition may change at the time the applicant will be submitting site plans.

Strawberry Lane

Staff originally recommended that the applicant provide fourteen foot wide outer lanes on Strawberry Lane and twelve foot wide through lanes. In addition, staff had originally requested that the receiving dual left lanes on Strawberry Lane be fifteen feet in width. The applicant, VDOT and County staff met several times to discuss the proposed improvements for Strawberry Lane and staff now supports the design depicted by the applicant that provides eleven and twelve foot wide through lanes and thirteen foot wide outer lanes. The applicant has proffered to provide traffic signal pole and equipment easements on Strawberry Lane and Gallows Road. The applicant has proffered language for Strawberry Lane for its design for public street standards and its changeover from private to public street status. Staff notes that the provision of stamped crosswalks and an overhead walkway would be subject to VDOT approval.

Eskridge Road

The Comprehensive Plan states: "Since a key transportation issue is the improvement of Eskridge Road and its realignment to Merrilee Drive, all development proposals under this option should contribute towards the Eskridge Road improvement in addition to providing other road improvements that improve circulation within this and adjacent areas as recommended in the Area-wide Transportation section." The applicant has proffered \$10,000 towards the improvement of Eskridge Road.

Transit/Transportation Management: Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by: provision of bus shelters; implementation and/or participation in a shuttle bus service; participation in programs designed to reduce vehicular trips; incorporation of transit facilities within the development and integration of transit with adjacent areas; provision of trails and facilities that increase safety and mobility for non-motorized travel.

The Plan states that: "TDM programs should be provided that facilitate a non-SOV (Single Occupancy Vehicle) mode split of at least 15%." The applicant has proffered to transportation management strategies to reduce single occupancy vehicles by a minimum of 15%. To facilitate the 15%, the applicant has proffered to designate an individual to act as the transportation coordinator, participation in the Fairfax County Ride Share Program; disseminate information regarding Metrorail, Metrobus, ridesharing and other relevant transit options in residential sale/lease packages; make Metro maps, schedules and forms available to owners/tenants and employees in common areas of each building for Metrobus, ridesharing and other relevant transit options; providing bicycle storage; provide SmarTrip cards to residents; provide a sidewalk system designed to encourage/facilitate pedestrian circulation and a shuttle bus to and from the Dunn Loring Metro Station, if such service is not already provided by others. In

the event that the shuttle service is discontinued or not established, the Applicant has proffered to contribute \$10,000 towards a Merrifield shuttle. Staff notes that the size of the shuttle and frequency is not known and service would be determined by the applicant utilizing a survey of residents and employees. In addition, the applicant has proffered to contribute towards the provision and maintenance of a bus shelter along Gallows Road. If the annual multi-modal transportation split survey indicates that a reduction of SOV trips by 15% during peak hours has not occurred, the applicant has proffered to provide five cents per square foot annually towards a TDM program until such time as the reduction has occurred.

Interconnection of the Street Network: Vehicular connections between neighborhoods should be provided.

The applicant has provided for interparcel access to the existing service drive along Lee Highway to the east and access to the non-consolidated parcels to the west. The northwestern portion of the applicant's site will be 2-3 feet higher than the adjacent development and the retaining wall is needed to facilitate the development without grading into the adjacent site. It appears that this retaining wall would not prohibit the parcels to the west from fronting on or accessing the side street, since the adjacent developer could fill to the side street to coincide with the applicant's street level. The applicant has proffered to provide the necessary easements for the adjacent development to access the side streets. The applicant has also proffered to design the northern loading area to permit a combined access for loading activities with the non-consolidated parcels to the north.

Streets: Public streets are preferred.

Gallows Road and Strawberry Lane will be public streets. Strawberry Lane is being designed as a public street, but will not be providing a cul-de-sac at its terminus, which would either require a waiver from the Virginia Department of Transportation or it would need to be maintained by the applicant until such time that the roadway is extended to the west. The applicant has proffered to maintain Strawberry Lane until it is extended to the west or accepted by VDOT without the cul-de-sac. The north/south roads that access the parking garages are designed as private streets.

Non-motorized Facilities: Non-motorized facilities, such as those listed below, should be provided: connections to transit facilities; connections between adjoining neighborhoods; connections to existing non-motorized facilities; connections to off-site retail/commercial uses, public/community facilities and natural and recreational areas; an internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the

Comprehensive Plan; offsite non-motorized facilities, particularly those included in the Comprehensive Plan; construction of non-motorized facilities on both sides of the street is preferred.

The Plan states: "In development proposals which entail new development or redevelopment, increased intensity/density, increased building heights, and/or which substantially change the design of a previously approved development commitment, pedestrian linkages should be provided to adjacent development and to the countywide trail system where feasible. The goal is to connect local sites with the larger community and to enhance the continuity of the pedestrian system. Pedestrian linkages could include sidewalks, trails, plazas, courtyards and parks with path systems." The applicant has provided for sidewalks along the frontage of the site in accordance with the Plan guidelines and for pedestrians plazas and seating areas within the streetscape. Furthermore, the applicant has provided for stamped crosswalks to place an emphasis on pedestrians.

Alternative Street Designs: Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

The applicant has proffered language for Strawberry Lane for its design for public street standards and maintain until dedicated as a public street.

Public Facilities

Criterion 6 states that residential development impacts public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). All rezoning applications are expected to offset their public facility impact and to first address public facility needs in the vicinity of the proposed development. Impact offset may be accomplished through the dedication of land suitable for the construction of an identified public facility need, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. Selection of the appropriate offset mechanism should maximize the public benefit of the contribution. (Specific public facilities issues are contained in Appendices 8-13.)

Sanitary Sewer Analysis (Appendix 8)

The site is located in the Cameron Run watershed (I-1) and would be sewered into the Alexandria Sanitation Authority Treatment Plant. Based on current and committed flow there is excess capacity and an existing eight inch line located in an easement in Gallows Road, approximately thirty feet from the property is adequate for the proposed use.

Water Service Analysis (Appendix 9)

The site is not located with the Fairfax County Water Authority service area and would be serviced by the City of Falls Church.

Fire and Rescue Analysis (Appendix 10)

The site is serviced by the Merrifield Station (#30) of the Fairfax County Fire and Rescue Department and currently meets fire protection guidelines.

Stormwater Management Analysis (Appendix 11)

There are no downstream complaints on file or deficiencies identified in the Fairfax County Master Drainage Plan. The applicant must receive a waiver of the Public Facilities Manual at site plan to provide underground stormwater detention; if the waiver is denied, a Proffer Condition Amendment will be required to provide above ground stormwater detention. Prior to the waiver being granted, the applicant must demonstrate to the satisfaction of DPWES that the underground facilities are adequate for two and ten year storms and will provide BMPs for the site. Staff notes that the site is within the "Watershed Restoration Level II" management category as determined by the Stream Protection Strategy baseline report 2001. The primary goal of this category is to maintain areas to prevent further degradation and implement measures to improve water quality to comply with regulations and water quality standards. In this regard, the applicant was requested to provide innovative BMPs and reduction of imperviousness. Further, the Comprehensive Plan states: "As development (i.e., new development, redevelopment and building expansions) occurs in the Merrifield Suburban Center, storm water management and Best Management Practices (BMPs) will need not only to meet on-site requirements, but also to help alleviate existing downstream drainage issues that are identified during the development review process." The applicant has proffered to provide a minimum of 20% phosphorus removal, which is in excess of the required 10%, but has not proffered to provide detention in excess of the requirement.

Schools Analysis (Appendix 12)

The Fairfax County Public Schools Facilities Planning Branch analysis projects that the proposed application would increase enrollment for Fair Hill Elementary by seventeen students, three students for Luther Jackson Middle and eight students for Falls Church High School, for a total increase of twenty-eight students. At \$7,500 per student, this would equate to a contribution of cash or in-kind equipment in the amount of \$210,000. The applicant has proffered to donate \$127,500 for the Fairhill Elementary School to be applied towards the purchase of Wireless Networking and Mobile Lab Units in support of Fairhill's

Technology Project, donate \$22,500 for the Luther Jackson Middle School and the sum of \$60,000 to the Board of Supervisors for Falls Church High School for the purchase of computer equipment for a total of \$210,000.

Park Authority Analysis (Appendix 13)

The future residents of this development will need access to outdoor recreational facilities which include playgrounds/tot lots, basketball, tennis, and volleyball courts and athletic fields. The applicant is required by the Zoning Ordinance to provide \$955 per unit in on-site recreational facilities or may contribute that money to the Park Authority. The Comprehensive Plan states: "In order to meet park and recreation needs within the Merrifield Suburban Center, recreation facilities should be provided as part of new residential development with on-site facilities. Contributions should be made by both new residential and non-residential for off-site public park facilities that serve the Merrifield Suburban Center." The Plan further states that a 1-2 acre park site should be provided within the town center.

The applicant was originally requested to provide the required contribution, an additional contribution of \$168,878 and to dedicate the 16,733 square foot Urban Park, which is potentially the first section of the 1-2 acre park for the town center. Since the original request, staff has worked closely with the applicant on the design of the urban park. The applicant has proffered to provide the required \$955 contribution for on-site recreation facilities within the recreation center, rooftop pool and plaza areas. The applicant has also proffered to construct, maintain in perpetuity and dedicate the urban park to the Park Authority and the value of these facilities was deemed sufficient by the Park Authority to offset any additional contribution that would be expected of the applicant.

Affordable Housing

Criterion 7 states that the ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County.

The residential structure is non-combustible building and is exempt from the requirement to provide Affordable Dwelling Units. However, the site specific Plan language states: "If residential development is proposed, affordable dwelling units should be provided on-site or as indicated under the Land Use Guidelines in the Area-Wide Land Use Section." The Comprehensive Plan under the Land Use Guidelines Area-Wide Recommendations states: "County policies include promoting the development of multi-family housing in mixed-use centers in an effort to diversify the County's housing stock and to encourage lower cost housing options near employment opportunities. In order to implement these policies within the Merrifield Suburban Center, development proposals having a residential component should provide for Affordable Dwelling Units (ADUs)... For those areas planned for residential development, the provision of ADUs should

be a condition for attaining the high end of the development range...For those areas planned for mixed-use with residential units, such as the town center and the transit station area, ADU and bonus units should be provided for the residential component as a condition for attaining the high end of the area's mixed-use potential. The amount of ADU and bonus units should utilize the ADU Ordinance formula.....”

Since the application is for mixed-use residential development in the Town Center and the applicant requests approval at the high end, they should provide ADUs on-site (even though ADUs are not required for this unit type). When the multi-family with structured parking ADU formula is applied to the development, it results in 5% (14 units) as ADUs and permits twenty-five bonus market rate units to off-set the cost of the ADUs. The applicant has proffered to provide ADUs in accordance with the Zoning Ordinance, and has stated their intent to request the ADU Advisory Board to permit the provision of nine ADUs. It is staff's belief that this commitment adequately addresses the intent of the Plan language for the Merrifield Suburban Center and this criterion.

Heritage Resources

Criterion 8 states that heritage resources should be protected from deterioration or destruction until they can be documented, evaluated, and/or preserved.

The site does not contain any known heritage resources; therefore, this criterion is not applicable.

Housing and Community Development Analysis (Appendix 14)

The Department of Housing and Community Development (HCD) reviewed the application solely on the proposal's potential ability to contribute to the revitalization of the area. The Department of Housing and Community Development memo states that the department is pleased with the provision of ADUs, but recommends that the ADUs be provided in conformance with the ADU Program rules and regulations. HCD noted concerns on the potential costs of the rooftop recreation and pedestrian bridge and the potential costs for maintenance for ADU residents. HCD further stated that additional detail is needed related to the residential and retail and how they relate to each. The applicant has provided staff with this additional detail on the retail and will be working closely with HCD in determining the sales price of the ADU units. However, as previously stated, the number of ADUs to be provided is still an issue and the applicant has not responded to HCD's concern on the potentially high association dues for ADU owners.

ZONING ORDINANCE PROVISIONS (Appendix 15)

The requested rezoning of the 7.48 acre site to the PRM District must comply with the applicable regulations of the Zoning Ordinance found in Article 6, Planned Development District Regulations, Section 16-101, General Standards, and Section 16-102, Design Standards, among others.

Article 6

Sect. 6-401; Purpose and Intent: This section states that the PRM District was established to provide for high density, multiple family residential development (generally with a minimum density of forty dwelling units per acre) and mixed-use developments consisting of primarily multiple family residential development (with a minimum density of twenty dwelling units per acre) with secondary office and/or commercial uses. PRM Districts should be located in those limited areas where such high-density residential or residential mixed-use development is in accordance with the adopted Comprehensive Plan such as delineated Transit Station Areas, and Urban and Suburban Centers. The PRM District regulations are designed to promote high standards in design and layout, to encourage compatibility among uses within the development and integration with adjacent developments, and to otherwise implement the stated purpose of this Ordinance.

The proposed mixed-use development is within the Town Center of the Merrifield Suburban Center. The mixed-use development consists of 1.33 FAR and contains 265 dwelling units or 35.4 dwelling units per acres (du/ac) and first and some second floor non-residential uses. The applicant has provided for building elevations, streetscape details and proffer commitments to promote a high standard of design for their site. Absent consolidation of properties in the northeastern corner of the sub-unit, the potential to ensure a high quality design and a strong visual focus on this area is diminished.

Par. 2 of Sect. 6-406; Use Limitations: The conceptual and final development plans shall specify the uses and gross floor area for the proposed development and shall provide site and building designs that will integrate with the adjacent communities and complement existing and planned development by incorporating high standards of urban design. The plan shall also be in general accordance with any specific urban design concepts and streetscape plans for the area, including the provision of convenient and accessible pedestrian walkways and connections, all as set forth in the adopted Comprehensive Plan.

The development plan specifies the uses and gross floor areas with the proposed buildings. The applicant has provided for detailed building elevations and streetscape design to demonstrate a high quality design. The streetscape is generally in accordance with the streetscape designs set forth in the Comprehensive Plan. In staff's opinion, this section is adequately addressed with the alternative streetscape depicted.

Par. 3 of Sect. 6-406; Use Limitations: The principal residential use shall be multiple family dwelling units. Single family attached dwellings may be allowed at the periphery of the development to provide a transition from the high density development to adjacent lower density development.

The applicant proposes to provide 76% of the mixed-use development as multi-family dwelling units and no single family attached units are proposed. In staff's opinion, this standard has been met.

Par. 4 of Sect. 6-406; Use Limitations: All uses shall be designed to be harmonious with and not adversely affect the use or development of neighboring properties.

This development is the first revitalization effort within the Merrifield Town Center and will set the tone for the rest of the center. In general the application provides for a well designed mixed-use development. However, the failure to consolidate the four parcels to the north may affect the ultimate development of this prominent corner and the ability to fulfill the intent of the Plan.

Par. 6 of Sect. 6-406; Use Limitations: Secondary uses may be permitted only in a PRM District where at least fifty percent of the total gross floor area in the development is devoted to multiple family dwellings.

The applicant proposes to provide 76% of the mixed use development as multi-family dwelling units, which exceeds the minimum 50% requirement to provide secondary uses. In staff's opinion, this standard has been met.

Par. 1 of Sect. 6-407; Minimum District Size: This section states that a minimum of two acres is required for approval of the PRM District.

The development plan is for 7.48 acres, which is greater than the minimum requirement. In staff's opinion, this standard has been met.

Par. 2 of Sect. 6-408; Maximum Floor Area Ratio: The maximum intensity for the PRM District 3.0 FAR.

The development plan provides 1.33 FAR, including the ADUs and bonus units; the application is below the permitted FAR in the PRM District.

Par. 1 of Sect. 6-409; Open Space: A minimum of 20% open space is required for the PRM District.

The development plan provides for 23% open space, which exceeds the minimum required. In staff's opinion, this standard has been met.

Par. 2 of Sect. 6-409; A minimum of \$955 per unit is required for on-site recreational facilities.

The applicant has proffered to contribute the required recreational amenities of a minimum of \$955 per unit. In staff's opinion, this standard has been met.

Section 16-101

General Standard 1 requires substantial conformance with the Comprehensive Plan. As stated previously, in staff's opinion, the application is in conformance with the Comprehensive Plan.

General Standard 2 requires that the design of the proposed planned development result in a more efficient use of the land and in a higher quality site design than could be achieved in a conventional district. In staff's opinion, the application has generally provided a high quality site design and the PRM District is the only district that would permit the density proposed by the applicant and anticipated by the Plan.

General Standard 3 requires that the design of the proposed development protect and preserve the natural features (i.e. stream, trees, topography) on the site. As stated previously, there are no environmental features worth of preservation.

General Standard 4 requires that the proposed development be designed to prevent substantial injury to the use and value of existing surrounding development and not to hinder, deter, or impede development of surrounding undeveloped properties in accordance with the adopted Comprehensive Plan. As stated previously, while staff still has some outstanding concerns related to consolidation, this standard is satisfied.

General Standard 5 requires that the planned development be located in an area where transportation, police, fire protection and other public facilities are available and adequate for the proposed use. The site has adequate fire, sewer and water services. In addition, the applicant has proffered to provide contributions and/or dedications to the Park Authority and School Board.

General Standard 6 requires that the planned development coordinate linkages among internal facilities and services as well as provide connections to major external facilities and services, at a scale appropriate to the development. As previously stated, the applicant has provided for adequate vehicular and pedestrian linkages. The applicant is encouraged to work with VDOT to determine if the road section could be decreased in width to permit the alternative streetscape section and provide two rows of landscaping adjacent to the sidewalk.

All planned developments must meet the Design Standards of Section 16-102 of the Zoning Ordinance.

Sect. 16-102 Design Standards:

Design Standard 1 states that, in order to complement development on adjacent properties, at all peripheral boundaries of the planned development, the bulk regulations and landscaping and screening provisions should generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration. The most comparable district is the R-30 District with Affordable Dwelling Units. The following table depicts the R-30 District requirements and the proposed setbacks.

Standard	Required (R-30)	Requested
Building Height	150 feet	95 feet
Front Yard	20° ABP, but not less than 15 feet ¹	16 feet - Gallows Road 20 feet - Strawberry Lane 14 feet - side streets
Rear Yard	15° ABP, but not less than 15 feet ²	10 feet - north building 0 feet - south building

1. 20° ABP (Angle of Bulk Plane) for 95 foot building = 35 feet.
2. 15° ABP (Angle of Bulk Plane) for 95 foot building = 25 feet.

As depicted in the table above, the proposed height is less than permitted by the R-30 District. The site generally provides a twenty-foot setback along Strawberry Lane and sixteen to thirty-nine foot setback along Gallows Road. The development's yards are less than what would be required in an R-30 District. However, in Merrifield the Comprehensive Plan encourages buildings to be located close to roadways and to allow for streetscape amenities to provide a more urban environment.

Design Standard 2 states the development must provide adequate open space, parking and loading spaces as set forth in the Zoning Ordinance. The applicant will be providing the required parking within two parking garages that are attached to the residential buildings. The Zoning Ordinance requires a minimum of 20% open space and the applicant has provided 23%. The applicant has requested a modification of the loading space requirements, which is discussed below. In staff's opinion, this standard has been met.

Design Standard 3 states the streets and driveways shall be designed to conform to the Zoning Ordinance, and that a network of trails and sidewalks shall provide access to recreational amenities and open space. In staff's opinion, this standard has been met.

Waiver/Modification:Loading Spaces

The applicant has requested a modification of loading space requirement for southern building. The Zoning Ordinance requires the provision of five loading spaces for each building and the applicant provides five for the northern building and three for the southern building. Staff has no objection to the modification.

Stormwater Management

The applicant will be requesting a waiver to allow underground stormwater management (SWM) and best management practice (BMPs) in a residential development. This waiver will be reviewed at site plan submission to permit the Department of Public Works and Environmental Services to review the engineering data for the underground facility to determine whether the facility will adequately function. If the waiver is not granted, a Proffer Condition Amendment will be required to provide above ground stormwater management and BMPs. The applicant has proffered to maintain the underground facility if approved.

CONCLUSIONS AND RECOMMENDATIONS**Staff Conclusions**

The applicant requests approval to rezone 7.48 acres from the I-5 and HC Districts to the PRM and HC Districts. The Conceptual/Final Development Plan depicts two seven-story buildings oriented towards the street for multi-family residential and retail uses west of Gallows Road, north and south of Strawberry Lane. Retail and other non-residential uses will be provided in the first and some of the second floors of the buildings; and five floors of residential uses will be provided above the retail, for a total of 433,018 square feet (1.33 FAR) and 23% open space. The floor area ratio above 1.2 will consist of affordable dwelling units and bonus market rate units.

The Chesapeake Bay Preservation Ordinance stipulates a 10% phosphorous removal requirement for redevelopment activities and the applicant has proffered to exceed the requirement and provide a 20% phosphorous removal through innovative Best Management Practices. The applicant has proffered to the construction of the buildings with materials that are sufficient to provide acoustical mitigation and reduce interior and exterior noise. The applicant has proffered to transportation management strategies to reduce single occupancy vehicles by a minimum of 15%. The applicant has provided for interparcel access to the existing service drive along Lee Highway to the east and access to the non-consolidated parcels to the west and contributed \$10,000 towards the improvements of Eskridge Road. The applicant has adequately provided for parks and school contributions to offset the impacts of the additional residents.

The application generally provides a minimum thirty-two foot wide area along Gallows Road for streetscape and walkways, except for the Gallows Road and Strawberry Lane intersection. The applicant should work with VDOT to determine if the road section could be decreased in width to permit the alternative streetscape section and provide two rows of landscaping.

The application consolidates 7.48 acres, instead of the minimum 8 acres recommended by the Comprehensive Plan. The applicant's proposed design orients the site to Gallows Road and Strawberry Lane and provides a major loading area and parking garage along the northern portion of the site. Redevelopment for the town center area should include a very high quality image at this very visible corner, since it represents the entrance and transition into the future town center. While the applicant has provided a conceptual design for an office/retail building for the unconsolidated parcels at the intersection of Lee Highway and Gallows Road, staff continues to believe that full consolidation would be desirable. The applicant has provided for ADUs in order to reach the high end of the Plan for the mixed-use development with bonus units.

Based on the foregoing, in staff's opinion, as submitted the development meets the purpose and intent of the PRM District and several general and design standards. Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends approval of RZ 2003-PR-009, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2003-PR-009, subject to the proposed final development plan conditions contained in Appendix 2 and the Board of Supervisors approval of RZ 2003-PR-009.

Staff recommends approval of a modification of the loading space requirement to permit three spaces instead of five spaces in the southern building.

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

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

APPENDICES

1. Draft Proffers
2. Proposed Final Development Plan Conditions
3. Affidavit
4. Statement of Justification
5. Plan Citations and Land Use Analysis
6. Environmental Analysis
7. Transportation Analysis
8. Sanitary Sewer Analysis
9. Water Service Analysis
10. Fire and Rescue Analysis
11. Stormwater Management Analysis
12. Schools Analysis
13. Park Authority Analysis
14. Housing and Community Development Analysis
15. Applicable Zoning Ordinance Provisions
16. Residential Development Criteria
17. Glossary of Terms

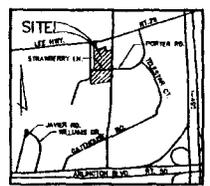
—

—

Uniwest/Merrifield Town Center

Providence District Fairfax County, Virginia

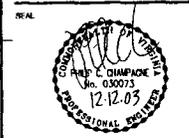
Conceptual/Final Development Plan



VICINITY MAP
 SCALE: 1" = 2,000'

Applicant:
 **UNIWEST** Group, LLC.
 2900 Telestar Ct., Suite 300
 Falls Church, VA 22042

- Sheet Index**
1. COVER SHEET
 2. EXISTING VEGETATION AND CONDITIONS MAP - NOTES AND TABULATION
 3. CONCEPTUAL/FINAL DEVELOPMENT PLAN/OVERALL PLAN 50 SCALE
 4. PARTIAL MERRIFIELD TOWN CENTER ILLUSTRATIVE
 5. RESIDENTIAL PARKING - PD LEVEL - 352±
 6. RETAIL / PARKING - PC LEVEL - 362±
 7. RETAIL / PARKING - PB LEVEL - 374±
 8. RETAIL / PARKING - PA LEVEL - 384±
 9. RESIDENTIAL FIRST FLOOR PLAN WITH ROOF TOP GARDEN - 394±
 10. BUILDING SECTIONS
 11. BUILDING ELEVATIONS
 12. PARTIAL ELEVATION
 13. NORTH ELEVATION
 14. PARK PLAN AND STREETCAPE DETAILS
 15. LOADING BAY SECTIONS
 16. INTERIM ROADWAY IMPROVEMENTS
 17. ULTIMATE ROADWAY IMPROVEMENTS
 18. SWM EXHIBIT AND DRAINAGE DIVIDES



January 14, 2003
 Rev. May 20, 2003
 Rev. July 18, 2003
 Rev. Sept. 3, 2003
 Rev. Oct. 2, 2003
 Rev. Nov. 14, 2003
 Rev. Nov. 19, 2003
 Rev. Dec. 12, 2003

Uniwest/Merrifield Town Center
 Conceptual/Final Development Plan

January 14, 2003
 Rev. May 20, 2003
 Rev. July 18, 2003
 Rev. Sept. 3, 2003
 Rev. Oct. 2, 2003
 Rev. Nov. 14, 2003
 Rev. Nov. 19, 2003
 Rev. Dec. 12, 2003

SUBMISSION DATE

M-10407

Dewberry & Davis LLC
 1000 International Drive, Suite 200
 Houston, TX 77058
 Tel: 713.865.1000
 Fax: 713.865.1001
 www.dewberry.com

DAVIS - CARTER - SCOTT
 ARCHITECTS AND INTERIOR DESIGNERS
 100 International Drive, Suite 200
 Houston, TX 77058
 Tel: 713.865.1000
 Fax: 713.865.1001
 www.davis-carter-scott.com

MERRIFIELD
 TOWN CENTER
 CONCEPTUAL / FINAL
 DEVELOPMENT PLAN
 PROVIDER
 FAIRFAX COUNTY



KEY PLAN

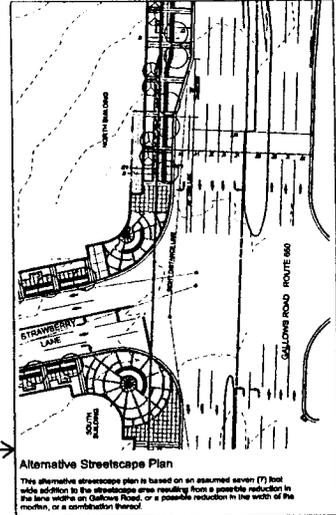
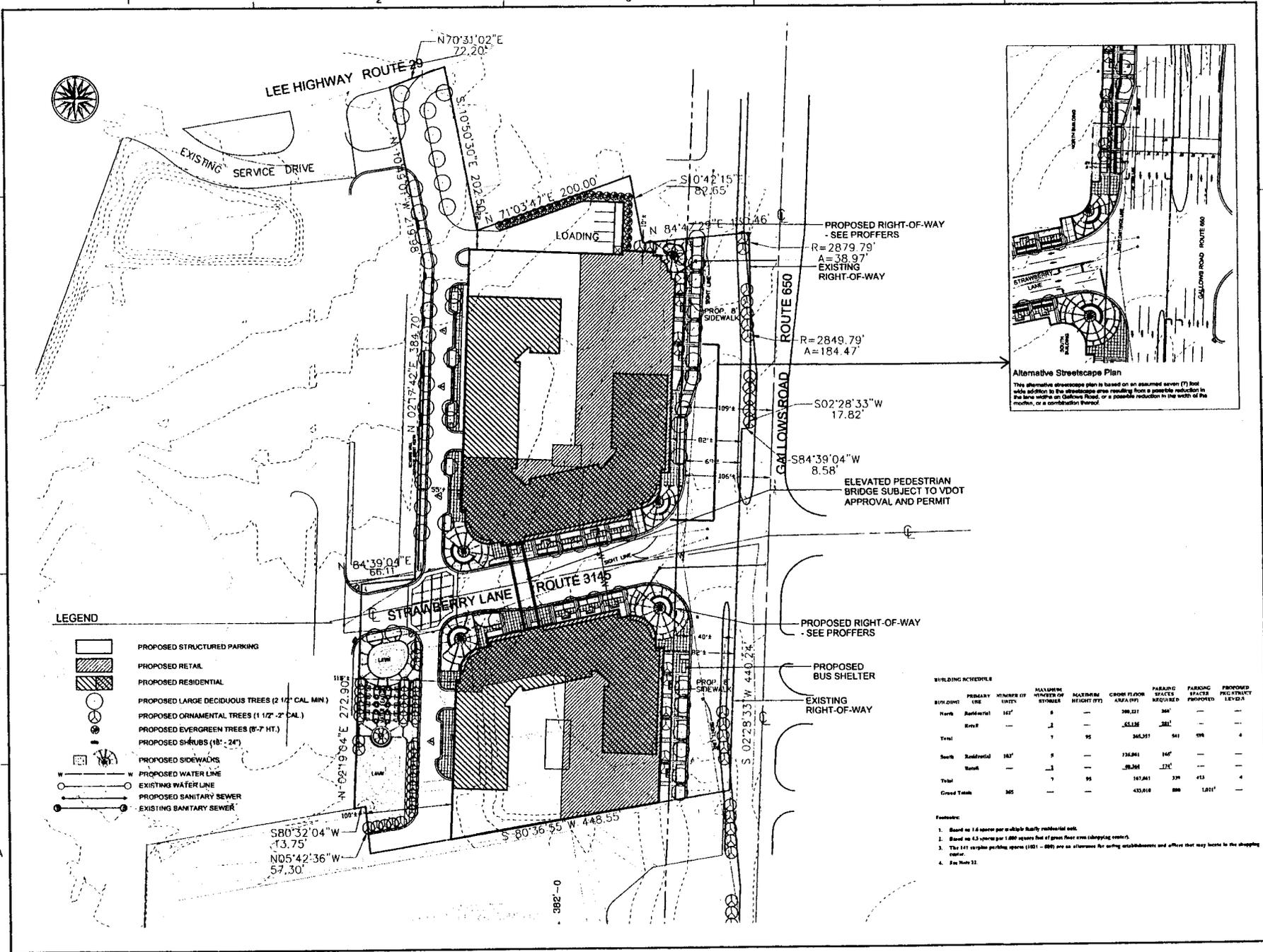
SCALE
 0 50 100
 SCALE 1"=50'

NO.	DATE	BY	DESCRIPTION
1	10/20/03	JMC	REVISION
2	7/18/03	JMC	REVISION
3	8/3/03	JMC	REVISION
4	10/02/03	JMC	REVISION
5	11/14/03	JMC	REVISION
6	11/18/03	JMC	REVISION
7	12/12/03	JMC	REVISION

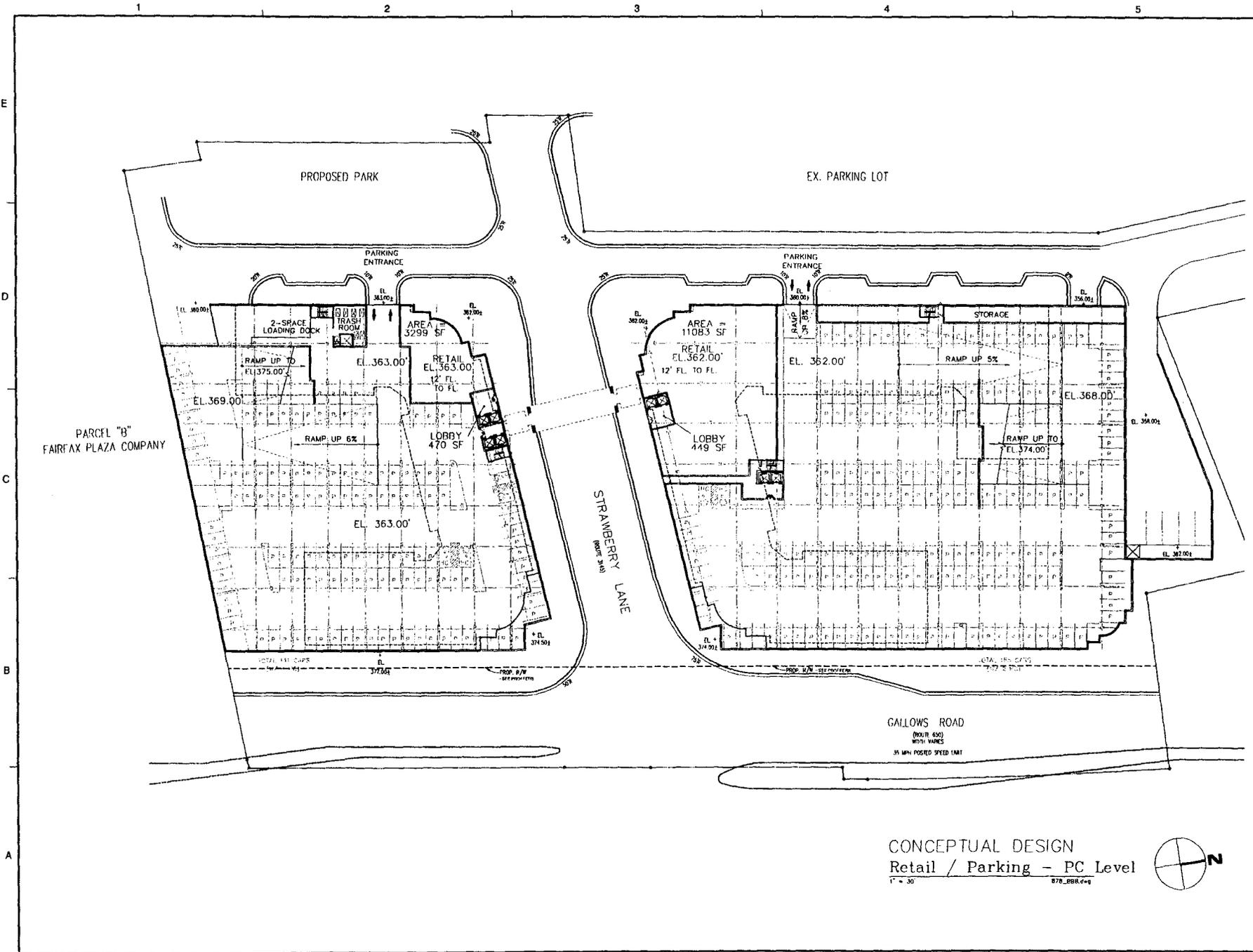
DRAWN BY: JMC
 APPROVED BY: PCY
 CHECKED BY: PCY
 DATE: 1/14/03

TITLE
**CONCEPTUAL / FINAL
 DEVELOPMENT PLAN**

PROJECT NO: M-10407



C:\PROJECTS\Merrifield\TDC\DWG\DWG\Merrifield_Town_Center.dwg, 1/14/03 10:28:50 PM, JMC



PARCEL "B"
FAIRFAX PLAZA COMPANY

STRAWBERRY LANE
(ROUTE 316)

GALLOW'S ROAD
(ROUTE 430)
WITH MARKS
35 MPH POSTED SPEED LIMIT

CONCEPTUAL DESIGN
Retail / Parking - PC Level
1" = 30' 878_088.dwg



Dewberry & Davis L.L.C.
1001 WESTBURY BLVD
FAIRFAX, VA 22031
PHONE: 703.848.0100
FAX: 703.848.0118
www.dewberry.com

DAVID C. CARTER, P.E., S.C.P.T.
1015 Westborough Blvd. #100
McLean, VA 22101
703.848.0275
200 Flanders Street, N.W., Suite 1100
Westborough, U.C. 01581 508.862.5700

MERRIFIELD TOWN CENTER
RETAIL / PARKING - PC LEVEL
PROVIDED BY FAIRFAX CO. VA



KEY PLAN

SCALE
AS NOTED

No.	DATE	BY	Description
5	12/12/03	JMC	
4	11/18/03	JMC	
3	11/14/03	JMC	
2	10/23/03	JMC	
1	8/3/03	JMC	

REVISIONS
DRAWN BY: DCY
APPROVED BY: PCY
CHECKED BY: PCY
DATE: 7/18/03

TITLE
Retail / Parking
PC Level
362'±

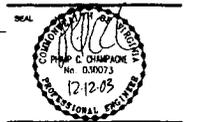
PROJECT NO: M-10407

Dewberry & Davis LLC
 1801 PARKWAY DRIVE, SUITE 200
 FAIRFAX, VA 22031
 PHONE: 703.286.5140
 FAX: 703.286.5118
 www.dewberry.com

DAVIS + CARTER + SCOTT
 ARCHITECTURAL FIRM INCORPORATED

100 International Drive, Suite 200
 Oak View, VA 22129
 800 Fiferth Road, N.W., Suite 100
 Washington, D.C. 20007-3000

MERRIFIELD
 TOWN CENTER
 RETAIL / PARKING -
 PB LEVEL
 PROVIDER
 FAIRFAX CO. VA



KEY PLAN

SCALE

AS NOTED

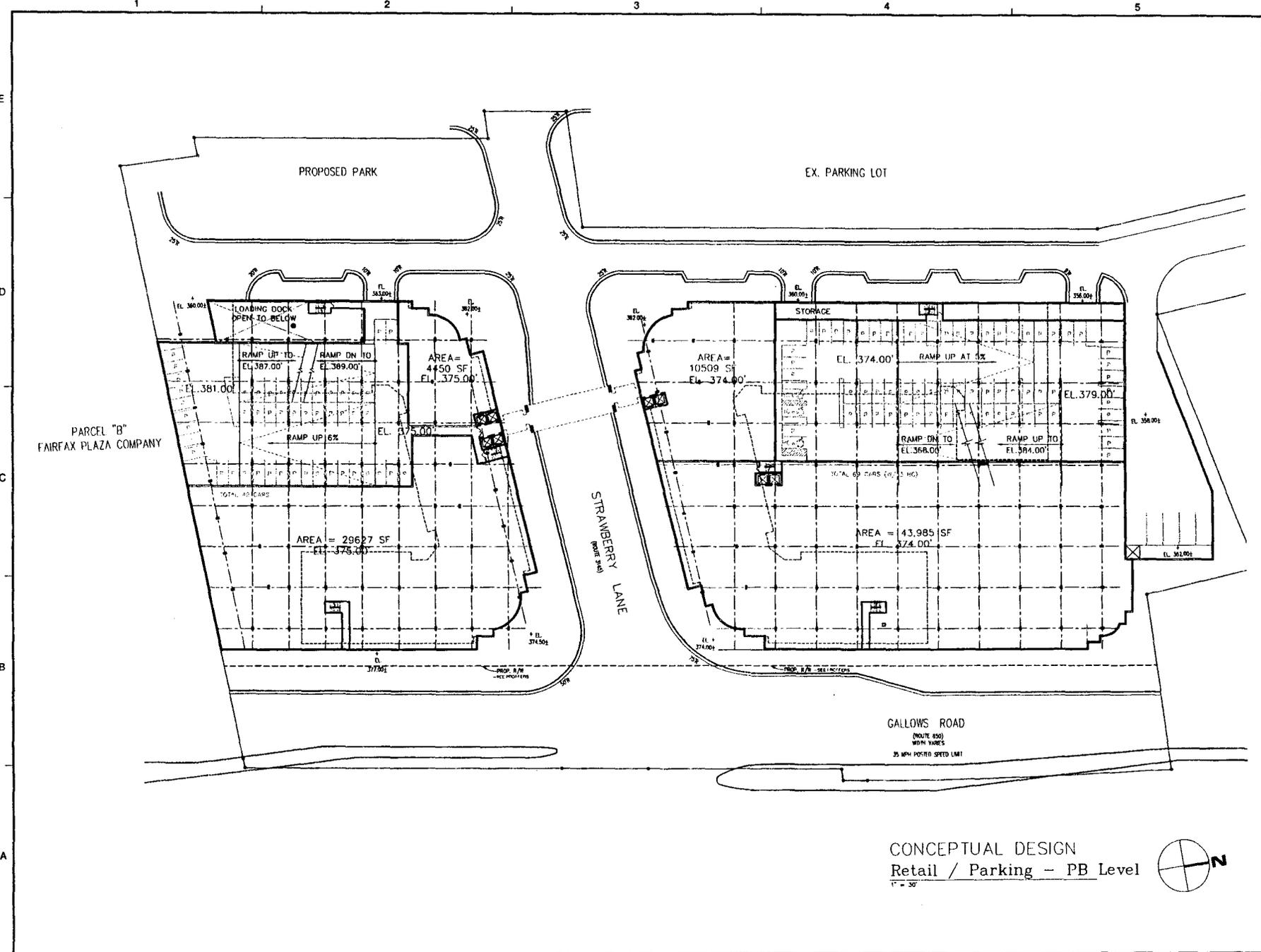
No.	DATE	BY	Description
5	12/12/03	JMC	
4	11/19/03	JMC	
3	11/14/03	JMC	
2	10/27/03	JMC	
1	9/23/03	JMC	

REVISIONS

DRAWN BY: DCS
 APPROVED BY: PCY
 CHECKED BY: PCY
 DATE: 7/18/03
 TITLE:

Retail / Parking
 PB Level
 374'±

PROJECT NO. M-10407



CONCEPTUAL DESIGN
 Retail / Parking - PB Level
 1" = 30'

Dewberry & Davis LLC
 1000 International Plaza, Suite 300
 Fairfax, VA 22031
 PHONE: 703.248.2100
 FAX: 703.248.6718
 www.dewberry.com

DAVIS • CARTER • SCOTT
 ARCHITECTURE AND INTERIOR DESIGNERS

1874 International Plaza, Suite 300
 McLean, VA 22101
 800.368.6800
 703.441.1100
 Washington, D.C. 20004 302.987.7700

MERRIFIELD
 TOWN CENTER
 Residential First Floor Plan
 with Roof Top Garden
 PROVIDENT
 FAIRFAX COUNTY



KEY PLAN

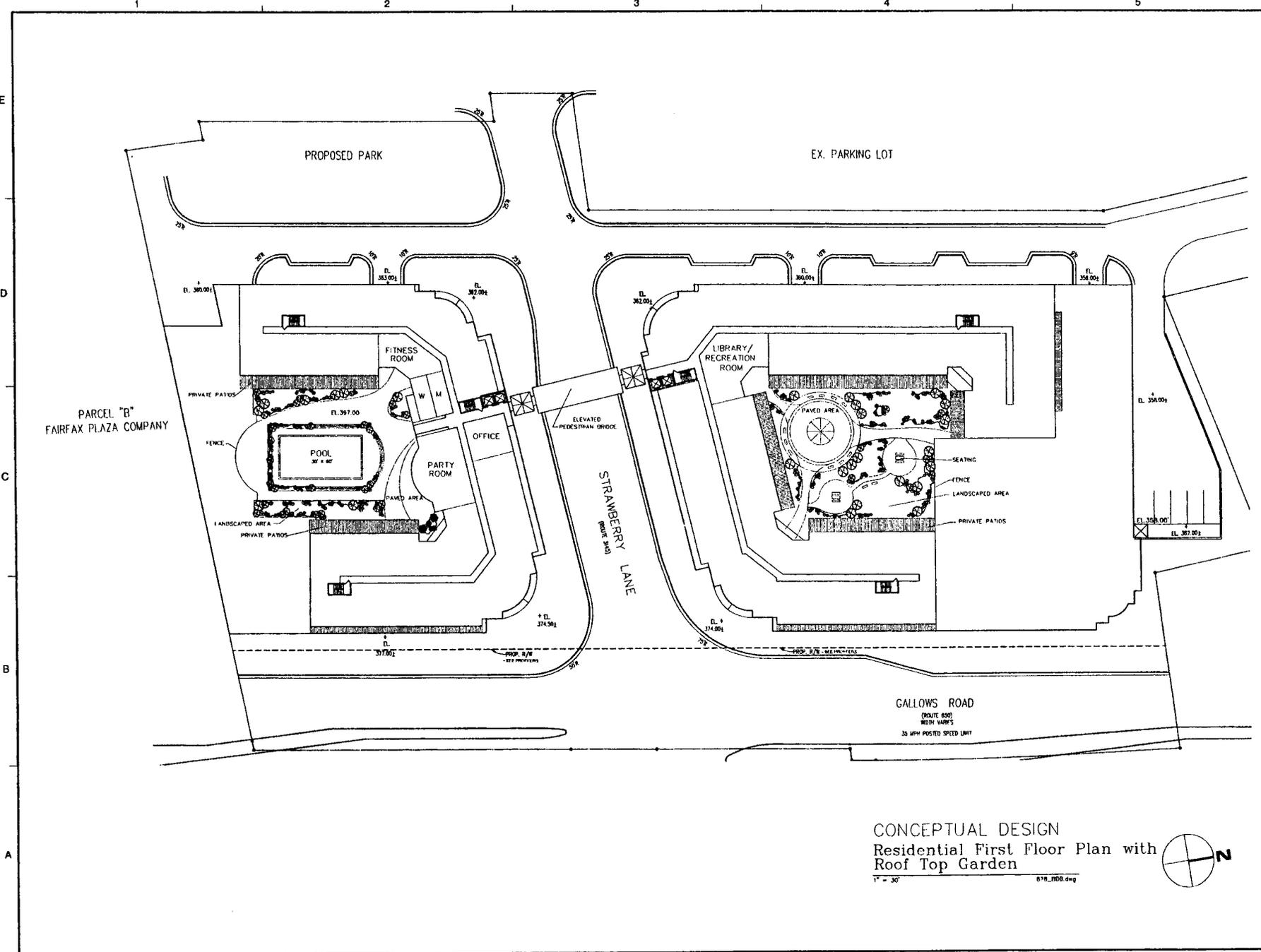
SCALE

AS NOTED

No.	DATE	BY	Description
3	12/12/03	JAC	
4	11/18/03	JAC	
3	11/14/03	JAC	
2	10/27/03	JAC	
1	9/23/03	JAC	

REVISIONS
 DRAWN BY: DCS
 APPROVED BY: PCH
 CHECKED BY: PCH
 DATE: 7/18/03

TITLE
Residential First Floor Plan with Roof Top Garden
 PROJECT NO. M-10407



CONCEPTUAL DESIGN
 Residential First Floor Plan with
 Roof Top Garden
 1" = 30' 618_R08.dwg



E
D
C
B
A

1 2 3 4 5

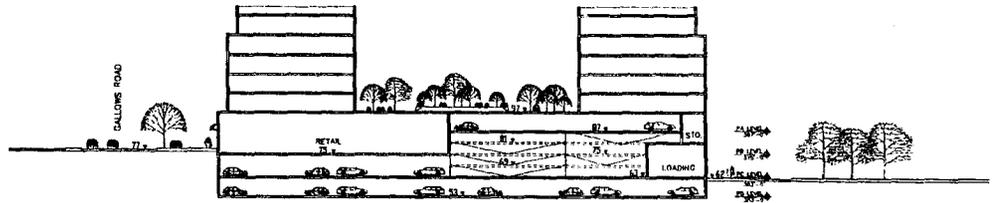
PARCEL "B"
 FAIRFAX PLAZA COMPANY

STRAWBERRY LANE
 (ROOF 2nd)

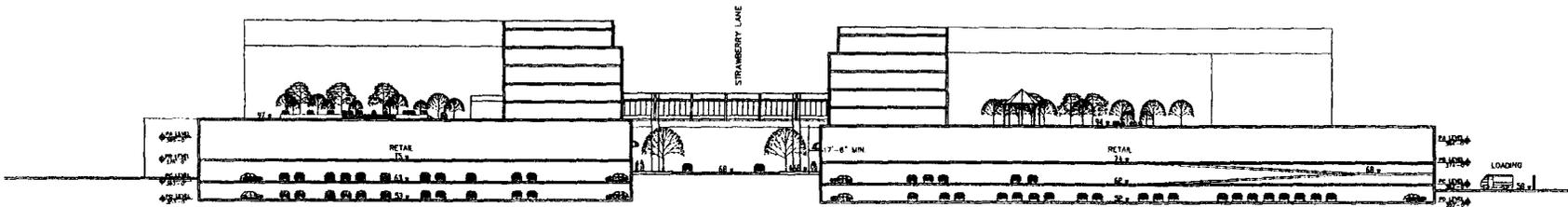
GALLOWS ROAD
 (ROUTE 650)
 35 MPH POSTED SPEED LIMIT

1 2 3 4 5

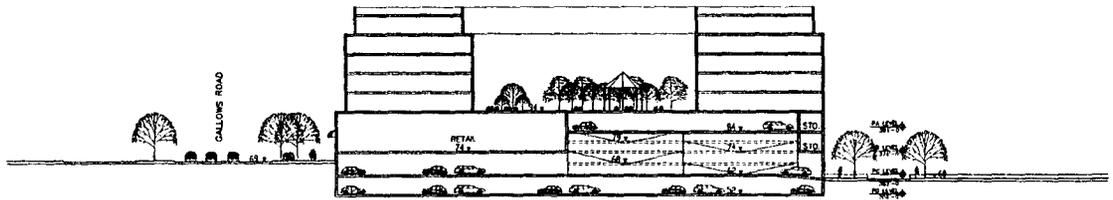
E
D
C
B
A



SECTION THROUGH SOUTH BAY
(PERPENDICULAR TO GALLOWS ROAD)



SECTION PARALLEL TO GALLOWS ROAD



SECTION THROUGH NORTH BAY
(PERPENDICULAR TO GALLOWS ROAD)

CONCEPTUAL DESIGN
BUILDING SECTIONS

1" = 30'



Dewberry & Davis LLC
INCORPORATED IN VA
P.O. BOX 1000
FARMAC, VA 22031
PHONE: 703.881.2100
FAX: 703.881.9115
www.dewberry.com

DAVIS • CARTER • SCOTT

1916 Pennsylvania Drive, Suite 200
McLean, VA 22101-2900
800 Parkway, Second, N.W., Suite 1100
Washington, D.C. 20004-3020

MERRIFIELD
TOWN CENTER
BUILDING SECTIONS
PROPOSED
FARMAC, VA



KEY PLAN

SCALE
AS NOTED

No.	DATE	BY	Description
6	12/12/03	JMC	
5	11/19/03	JMC	
4	11/14/03	JMC	
3	10/02/03	JMC	
2	9/3/03	JMC	
1	7/18/03	JMC	

REVISIONS
DRAWN BY: JMC
APPROVED BY: PCY
CHECKED BY: PCY
DATE: 5/20/03

TITLE
BUILDING SECTIONS

PROJECT NO. M-10407

10

SHEET NO. 10 OF 18

Dewberry & Davis LLC
 800 ANN STREET, SUITE 200
 FARMINGDALE, NY 11737
 PHONE: 760.888.7400
 FAX: 760.888.0118
 www.dewberry.com

DAVIS • CARTER • SCOTT
 ARCHITECTS AND INTERIOR ARCHITECTS
 1800 BOWENWOOD DRIVE, SUITE 300
 WASHINGTON, VA 22192
 PHONE: 703.499.7000
 200 PRINCE STREET, SUITE 1100
 WASHINGTON, D.C. 20002 202.638.7300

MERRIFIELD
 TOWN CENTER
 BUILDING ELEVATIONS
 PRINCEDALE DISTRICT
 PARKLAND COUNTY, TEXAS



KEY PLAN

SCALE

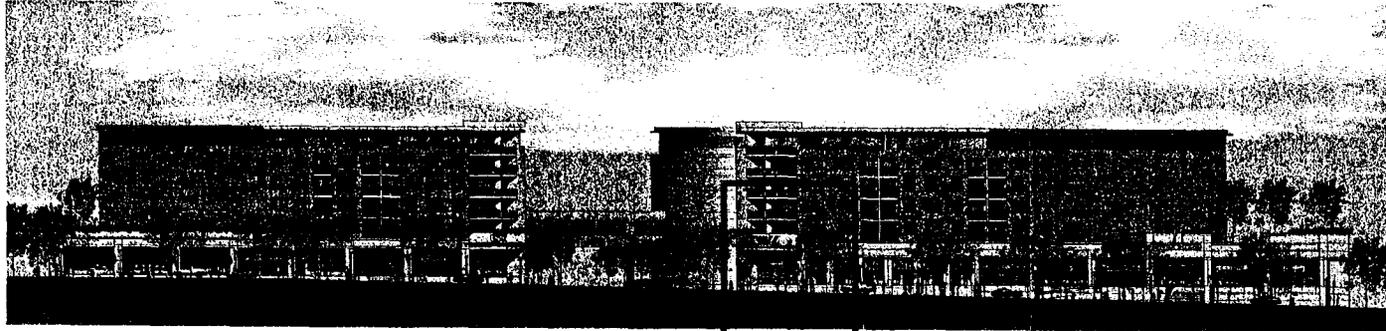
No.	DATE	BY	Description
8	12/12/03	JMC	
5	1/19/03	JMC	
4	1/14/03	JMC	
3	10/2/03	JMC	
2	9/3/03	JMC	
1	7/18/03	JMC	

REVISIONS

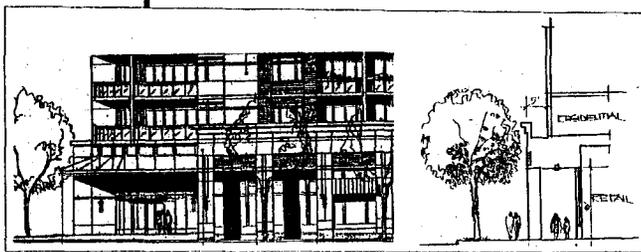
DRAWN BY: JMC
 APPROVED BY: PCY
 CHECKED BY: PCY
 DATE: 5/20/03

TITLE
BUILDING ELEVATIONS

PROJECT NO: M-10407



ELEVATION ON GALLOWS ROAD



LIMITED FRONTAGE ELEVATION REFINEMENT



ELEVATION FROM PARK

Dewberry & Davis LLC
 640 ANNAPOLIS BLVD
 ANNAPOLIS, VA 20701
 PHONE: 410.291.8100
 FAX: 410.291.8110
 www.dewberry.com

DAVIS + CARTER + SCOTT
 1878 International Drive, Suite 300
 Millersville, VA 22110 703.880.8975
 800 Research Triangle Blvd., Suite 1100
 Washington, D.C. 20002 202.462.9200

MERRIFIELD
 TOWN CENTER
 PARTIAL ELEVATION
 ARCHITECTURAL FIRM
 ANNAPOLIS, MARYLAND



KEY PLAN

SCALE

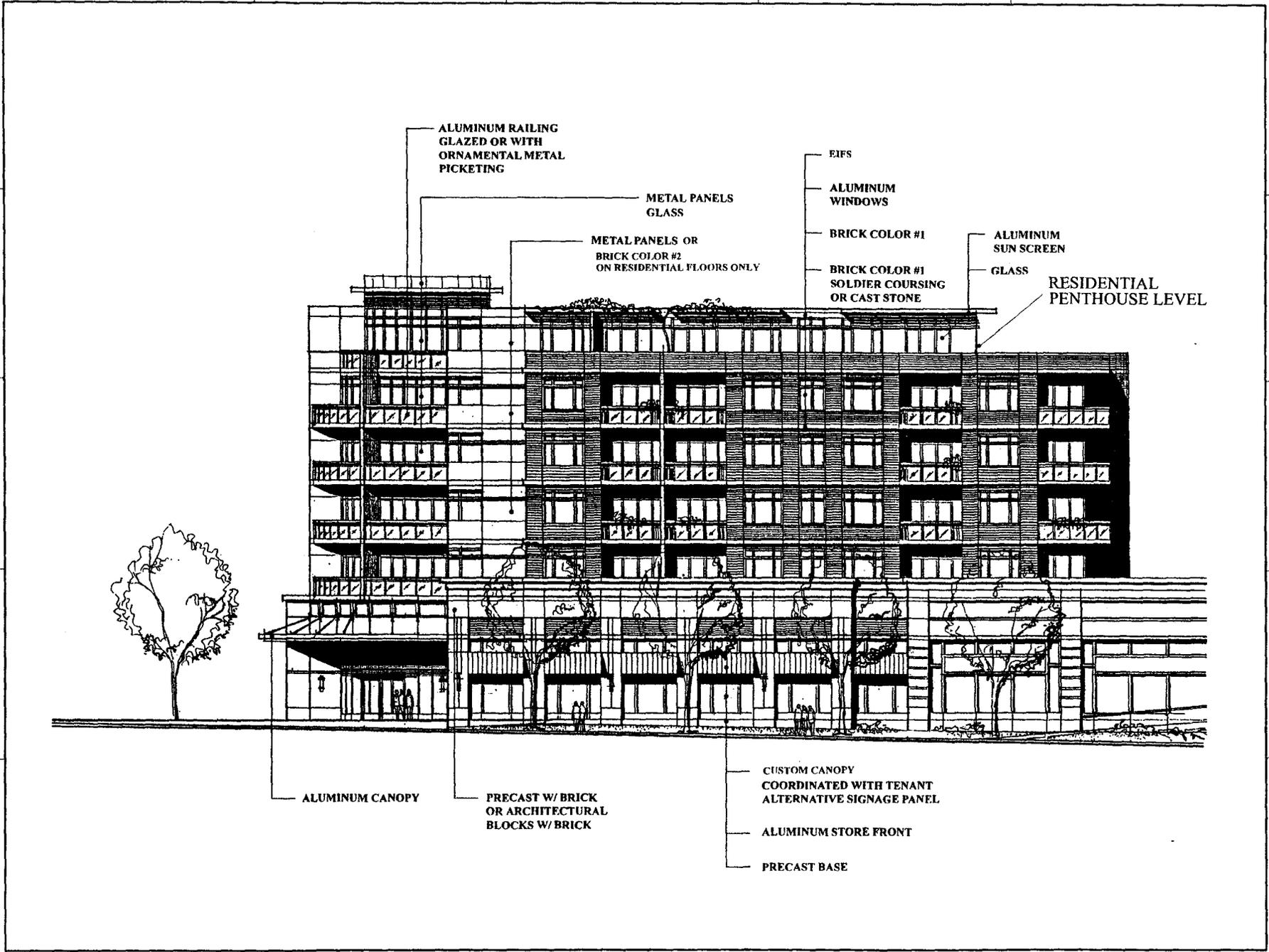
NOT TO SCALE

No.	DATE	BY	Description
5	12/12/03	JMC	
5	11/18/03	JMC	
4	11/14/03	JMC	
3	10/22/03	DCS	
2	9/5/03	JMC	
1	7/18/03	JMC	

DESIGNED BY: JMC
 DRAWN BY: JMC
 APPROVED BY: PGY
 CHECKED BY: PGY
 DATE: 5/26/05

TITLE: PARTIAL ELEVATION

PROJECT NO: M-10407



ALUMINUM RAILING
 GLAZED OR WITH
 ORNAMENTAL METAL
 PICKETING

METAL PANELS
 GLASS

METAL PANELS OR
 BRICK COLOR #2
 ON RESIDENTIAL FLOORS ONLY

EIFS

ALUMINUM
 WINDOWS

BRICK COLOR #1

BRICK COLOR #1
 SOLDIER COURSING
 OR CAST STONE

ALUMINUM
 SUN SCREEN

GLASS

RESIDENTIAL
 PENTHOUSE LEVEL

ALUMINUM CANOPY

PRECAST W/ BRICK
 OR ARCHITECTURAL
 BLOCKS W/ BRICK

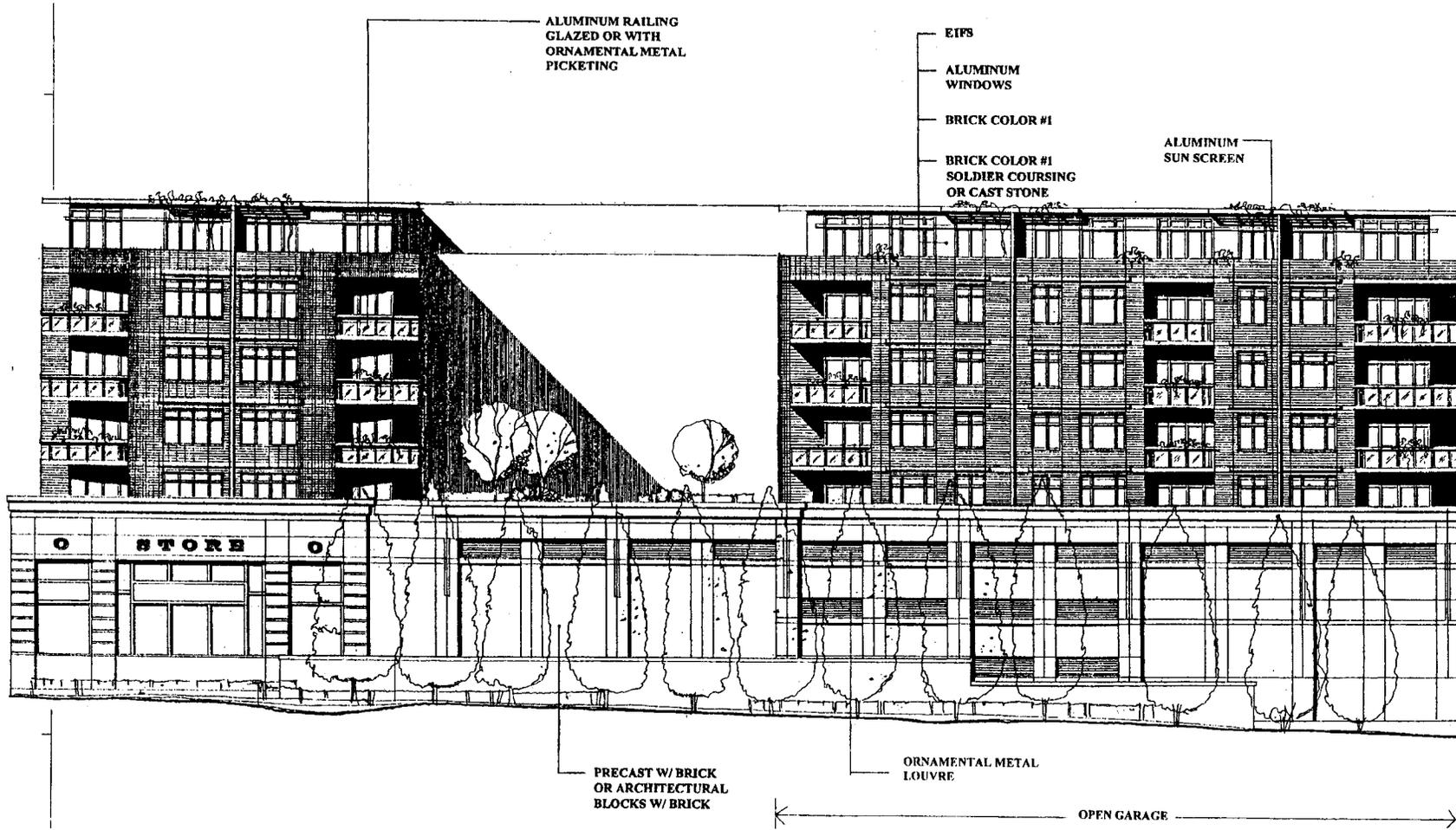
CUSTOM CANOPY
 COORDINATED WITH TENANT
 ALTERNATIVE SIGNAGE PANEL

ALUMINUM STORE FRONT

PRECAST BASE

1 2 3 4 5

E
D
C
B
A

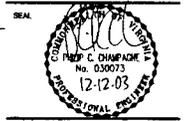


Dewberry

Dewberry & Davis LLC
 6401 ANNAPOLIS BLVD
 FORT LEE, VA 22041
 PHONE: 703 846-1100
 FAX: 703 846-1110
 www.dewberry.com

DAVIS • CARTER • SCOTT
 ARCHITECTS AND INTERIORS, INC.
 1479 International Drive, Suite 200
 Midlothian, VA 23113 P.O. Box 2170
 800 Phoenix Blvd. 4th Fl. Suite 1100
 Washington, D.C. 20008 703 887 7300

MERRIFIELD
TOWN CENTER
NORTH ELEVATION
PROVIDENCE DISTRICT
FAIRFAX CO., VIRGINIA



KEY PLAN

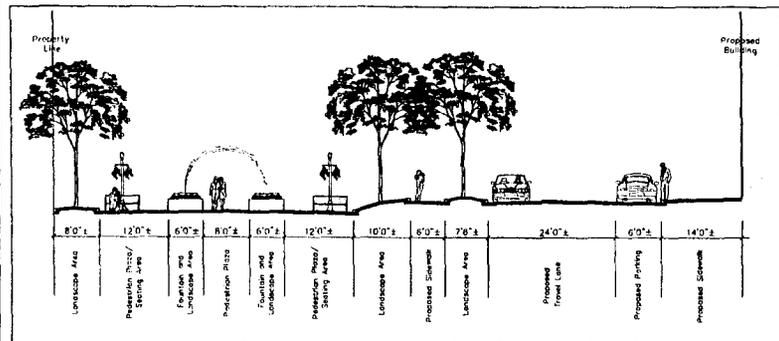
SCALE
 NOT TO SCALE

No.	DATE	BY	Description
6	12/12/03	JMC	
5	11/18/03	JMC	
4	11/14/03	JMC	
3	10/02/03	DCS	
2	9/5/03	JMC	
1	7/18/03	JMC	

REVISIONS
 DRAWN BY: DCS
 APPROVED BY: PCY
 CHECKED BY: PCY
 DATE: 5/20/03

TITLE
NORTH ELEVATION

PROJECT NO. M-10407



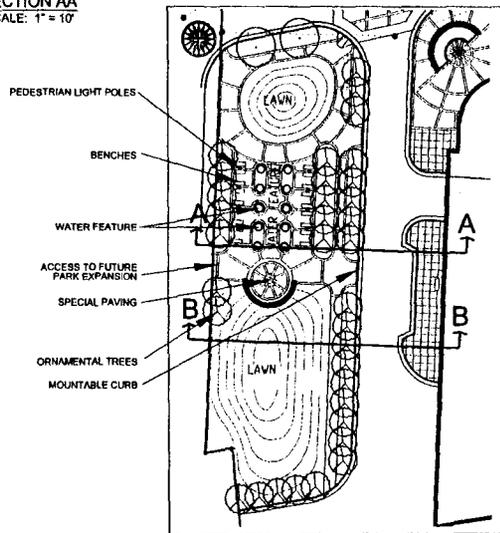
SECTION AA
SCALE: 1" = 10'



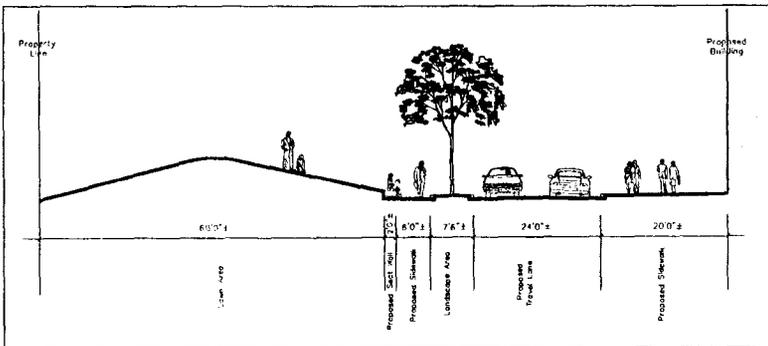
BENCH



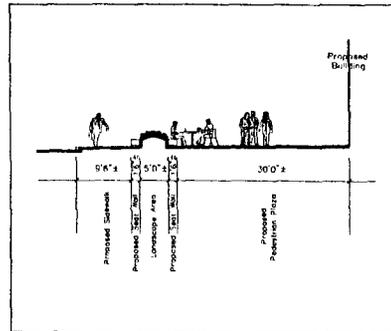
PEDESTRIAN LIGHT POLE



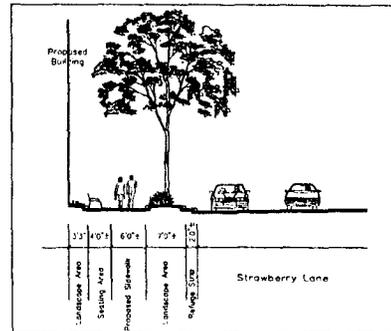
PARK DETAIL
SCALE: 1" = 30'



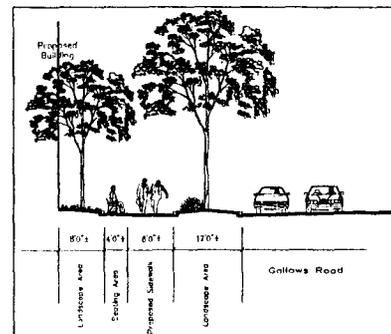
SECTION BB
SCALE: 1" = 10'



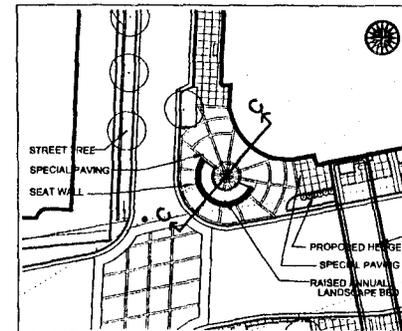
SECTION CC
SCALE: 1" = 10'



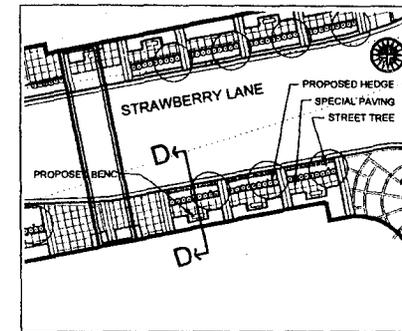
SECTION DD
SCALE: 1" = 10'



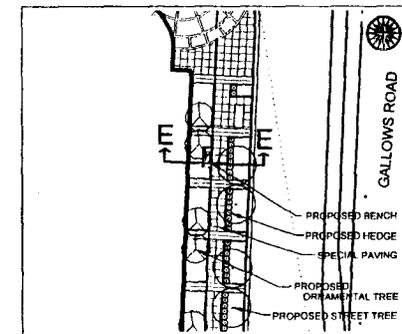
SECTION EE
SCALE: 1" = 10'



DETAIL
SCALE: 1" = 30'



DETAIL
SCALE: 1" = 30'



DETAIL
SCALE: 1" = 30'



KEY PLAN

ROAD

No.	DATE	BY	Description
5	12/12/03	JMC	
4	11/19/03	JMC	
3	11/14/03	JMC	
2	10/02/03	JMC	
1	09/03/03	geh	

REVISIONS

DRAWN BY: JMC
APPROVED BY: PCV
CHECKED BY: PCV
DATE: 7/18/03

TITLE
Merrifield Town Center

Park Plan and
Streetscape Details

PROJECT NO. M-10407

Dewberry & Davis LLC
 1875 Pennsylvania Blvd, Suite 200
 Fairfax, VA 22031
 PHONE: 703.288.0100
 FAX: 703.288.0110
 www.dewberry.com

DAVIS + CARTER + SCOTT
 ARCHITECTS AND INTERIOR DESIGNERS
 1875 Pennsylvania Blvd, Suite 200
 Fairfax, VA 22031
 400 Pennsylvania Blvd, Suite 1100
 Washington, D.C. 20004 202.682.2200

MERRIFIELD TOWN CENTER
 LOADING BAY SECTIONS
 PHOENIX DISTRICT VIRGINIA
 FAIRFAX



KEY PLAN

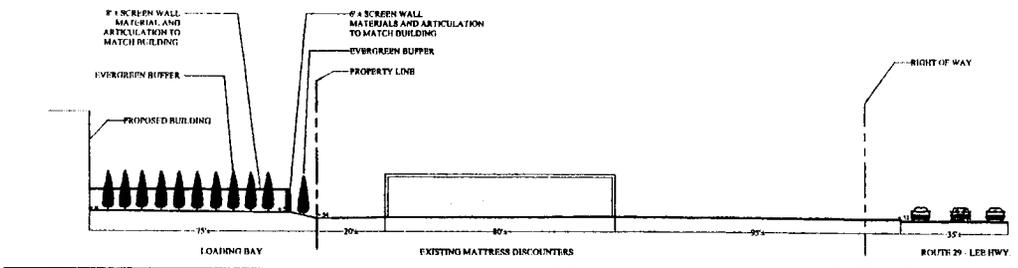
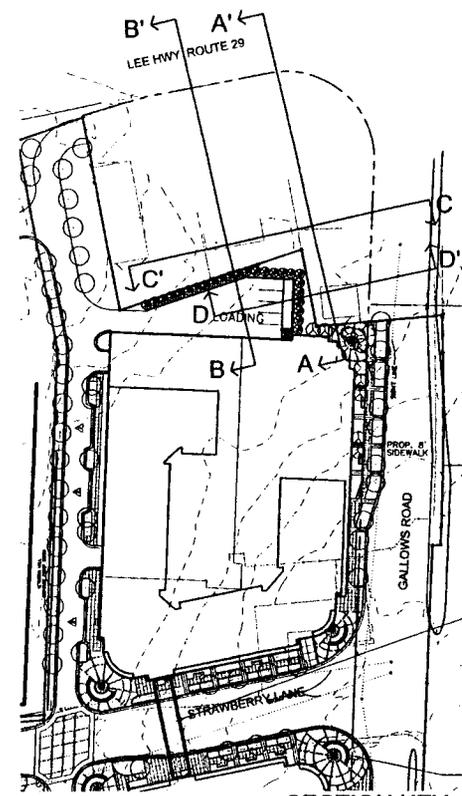
SCALE

No.	DATE	BY	Description
5	12/12/03	JMC	
4	11/18/03	JMC	
3	11/14/03	JMC	
2	10/2/03	JMC	
1	8/23/03	JMC	

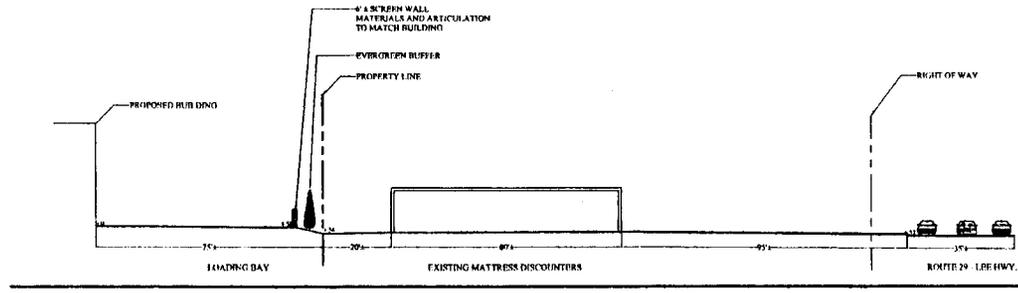
REVISIONS
 DRAWN BY: JMC
 APPROVED BY: PCT
 CHECKED BY: PCT
 DATE: 7/18/03

TITLE
**Merrifield Town Center
 Loading Bay Sections**

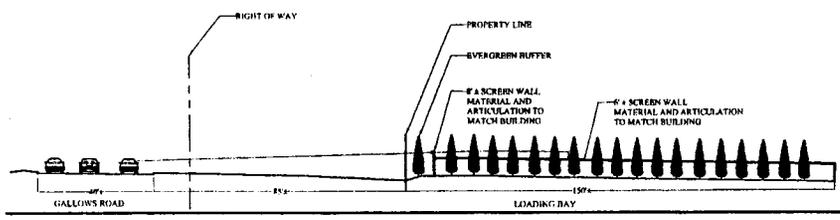
PROJECT NO. M-10407



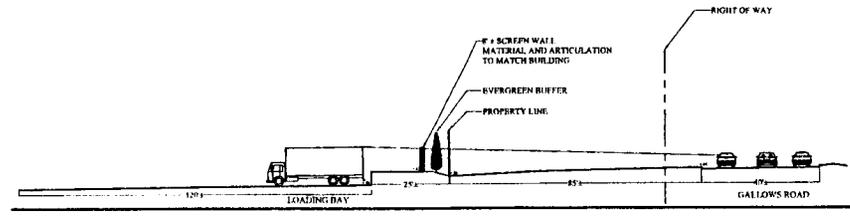
SECTION A-A'
 Scale: 1" = 20'



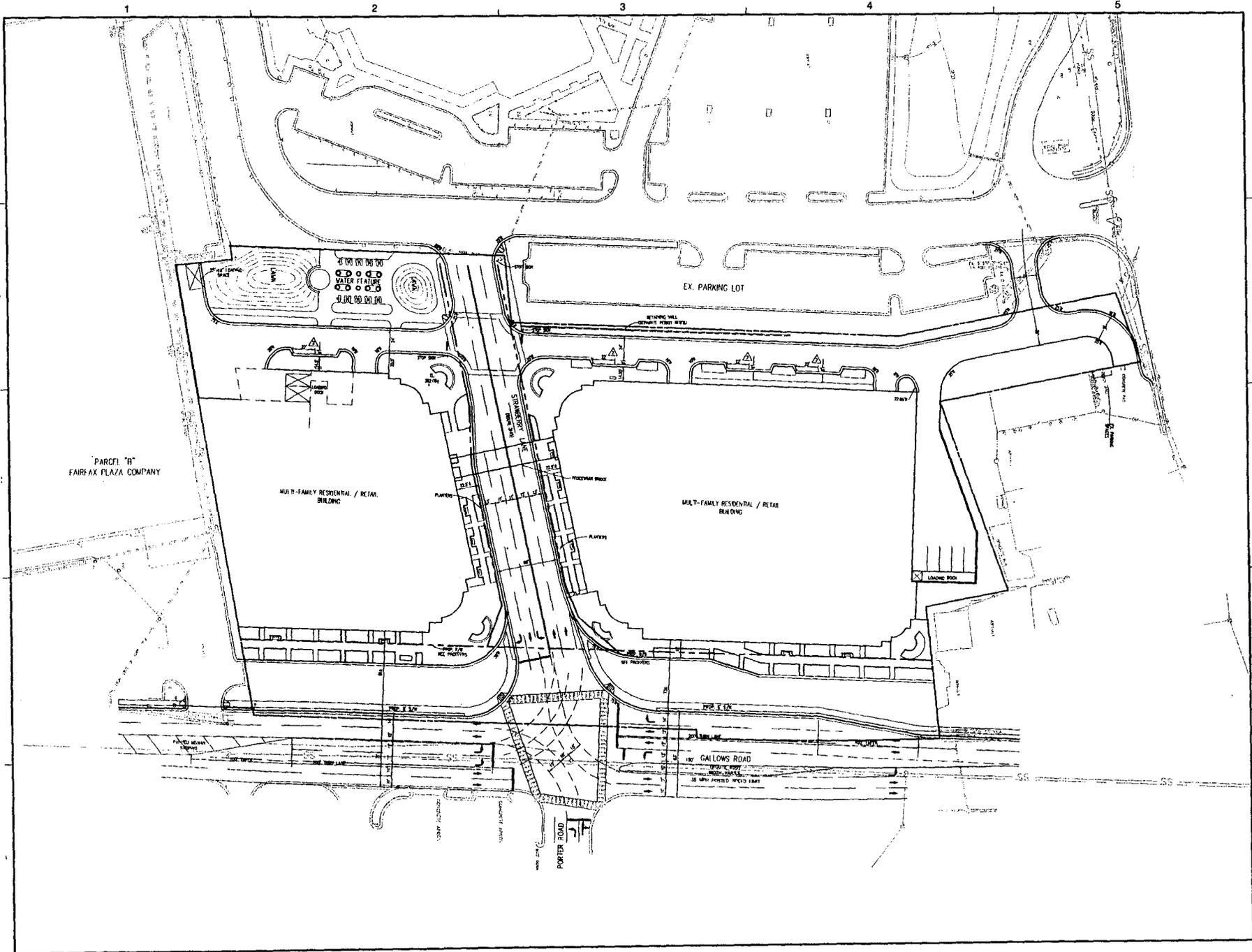
SECTION B-B'
 Scale: 1" = 20'



SECTION C-C'
 Scale: 1" = 20'



SECTION D-D'
 Scale: 1" = 20'



PARCEL "B"
FAIRFAX PLAZA COMPANY

MULTI-FAMILY RESIDENTIAL / RETAIL BUILDING

MULTI-FAMILY RESIDENTIAL / RETAIL BUILDING

EX. PARKING LOT

GALLOW'S ROAD

PORTER ROAD



Dewberry & Davis LLC
1400 Commonwealth Drive, Suite 300
Arling, VA 22202
Tel: 703.444.0000
Fax: 703.444.0010
www.dewberry.com

DAVIS • CARTER • SCOTT
1400 Commonwealth Drive, Suite 300
Arling, VA 22202
Tel: 703.444.0000
Fax: 703.444.0010
www.dewberry.com

MERRIFIELD TOWN CENTER
INTERIM ROADWAY IMPROVEMENTS
PROVIDENCE DISTRICT
FAIRFAX COUNTY



KEY PLAN

SCALE
SCALE 1"=40'

NO.	DATE	BY	DESCRIPTION
4	12/12/03	JAC	
3	11/18/03	JAC	
2	11/14/03	JAC	
1	9/3/03	JAC	

REVISIONS
DRAWN BY H.D.
APPROVED BY P.C.C.
CHECKED BY P.C.C.
DATE JULY 18, 2005

TITLE
PROPOSED INTERIM DEVELOPMENT PLAN

PROJECT NO. M-10407

16

SHEET NO. 16 of 18

**PROFFERED CONDITIONS
("PROFFERS")**

**Uniwest/Merrifield Town Center
RZ/FDP 2003-PR-009**

December 29, 2003

Pursuant to Section 15.2-2303 (A), Code of Virginia, 1950 as amended, Uniwest Group LLC, and the owners, for themselves, their successors and assigns (hereinafter referred to as the "Applicant"), for RZ 2003-PR-009, filed for property identified on Fairfax County Tax Map 49-4 ((1)) as Parcels 4, 8, 9, 9A, 10, 11 and 11A, and a portion of Strawberry Lane (Route 3145) to be vacated/abandoned and relocated (hereinafter referred to as the "Application Property"), agree to the following proffered conditions, provided that the Fairfax County Board of Supervisors (hereinafter referred to as the "Board") approves a rezoning of the Application Property from the General Industrial (I-5) and Highway Corridor Overlay (HC) Districts to the Planned Residential Mixed Use (PRM) and HC Districts. The proffered conditions ("Proffers") are:

I. CONCEPTUAL/FINAL DEVELOPMENT PLAN (CDP/FDP)

1. Substantial Conformance. Subject to the Proffers and the provisions of Article 16 of the Zoning Ordinance, under which minor modifications to an approved development plan are permitted, the development shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan (CDP/FDP), containing eighteen (18) sheets prepared by Dewberry & Davis LLC, dated January 14, 2003 and revised through December 12, 2003.

2. Minor Modifications. Minor modifications from what is shown on the CDP/FDP and these Proffers which may become occasioned as a part of final architectural and engineering design may be permitted as determined by the Zoning Administrator in accordance with the

provisions set forth in Sect. 16-403 of the Zoning Ordinance. Building footprints may be decreased and the number of units in each building may be reduced, so long as the minimum open space identified on the CDP/FDP tabulation and the minimum dimensions to the peripheral lot lines of the PRM District are not substantially diminished. It shall further be understood that the Property may be developed in phases subject to market conditions.

3. Maximum Density and Permitted Uses. A maximum of 265 multiple family dwelling units may be provided in two (2) buildings, which will also include approximately 65,136 square feet dedicated to retail uses to be located on the first and second floor(s) of the North building and approximately 40,364 square feet dedicated to retail uses to be located on the first and second floor(s) of the South Building. The site shall not exceed 1.33 FAR and as depicted in the tabulations on Sheet 2 of the CDP/FDP the FAR increase over 1.2 shall consist of ADUs and related bonus units as defined in Part 8 of Article 2 of the Zoning Ordinance. The primary uses shall be multiple family dwelling units, affordable dwelling units and retail uses, which retail uses are limited to the first and second floors. The following secondary uses located on the first and second floor of the buildings may also be included within the designated areas of structures shown on the CDP/FDP:

- A. Accessory uses and accessory services uses.
- B. Billiard and pool halls
- C. Business service and supply service establishments.
- D. Eating establishments (not drive through).
- E. Fast food restaurants (not drive through).
- F. Financial institutions (not drive through).
- G. Garment cleaning establishment (not drive through).

- H. Health clubs.
- I. Community uses.
- J. Personal service establishments.
- K. Private clubs and public benefit associations.
- L. Public uses.
- M. Quick service food stores.
- N. Unmanned bank teller machines (not drive through).
- O. Offices.
- P. Retail sales establishments.
- Q. Repair service establishments
- R. Affordable dwelling units
- S. Private schools of special and general education (which do not require outdoor recreation areas)

II. GENERAL

1. Escalation. All monetary contributions required by these Proffers shall be adjusted upward or downward, based on changes to the Construction Cost Index published in the Engineering News Record occurring subsequent to the date of rezoning approval and up to the date of payment.

2. Signs. No temporary signs (including "popsicle" paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or by any builder or at the Applicant's or any builder's direction to assist in the initial and future marketing and/or sale/rental of dwelling units on the subject

property. The Applicant shall direct its agents and employees involved in marketing the Property to adhere to this proffer.

3. School Contributions. Prior to approval of the first Building Permit for the approved development, the Applicant shall provide documentation to the Department of Public Works and Environmental Services (“DPWES”) that the Applicant has donated the sum of \$127,500.00 to the Board of Supervisors for the Fairhill Elementary School. These funds are to be applied towards the purchase of Wireless Networking and Mobile Lab Units in support of Fairhill’s Technology Project. At the time the funds are received, other equivalent or more advanced technologies may be substituted, at the discretion of the principal, for the actual purchases that will be made and installed through the Fairfax County Public School System.

Prior to approval of the first residential use permit (RUP) the Applicant shall provide documentation to DPWES that the Applicant has donated the sum of \$22,500.00 to the Board of Supervisors for the Luther Jackson Middle School and the sum of \$60,000.00 to the Board of Supervisors for Falls Church High School. These funds are to be applied towards needed improvements and purchases for the computer labs, and a LCD projector, respectively. At the time the funds are received, other equivalent items may be substituted, at the discretion of the principal, for the actual purchases that will be made and installed through the Fairfax County Public School System.

4. Density Credit. Advanced density credit is reserved consistent with Sect. 2-308 of the Fairfax County Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or VDOT pursuant to the Public Facilities Manual (PFM), at the time of subdivision and/or site plan approval for the Property.

5. Affordable Dwelling Units (“ADUs”). The applicant shall provide affordable

dwelling units under the provisions of Part 8 of Article 2 of the Zoning Ordinance; however, the specific number of ADUs to be provided shall be determined by the ADU Advisory Board.

The FAR increase over 1.2 FAR shall consist of the gross floor area of the ADUs and the related bonus units.

In consideration of the proposed Building Construction Type 1 and related below-surface parking structure, the Applicant will work with the Fairfax County Redevelopment and Housing Authority to establish an equitable sales and/or rent price(s) for the ADU's.

6. Architectural Compliance. The architectural design of the buildings shall be in substantial conformance with the elevations and sections shown on the CDP/FDP. Modifications may be made with the final architectural design if they are determined to be in substantial conformance with the elevations shown on the CDP/FDP. The provision of the pedestrian bridge shall be subject to VDOT approval. All sides of the buildings shall be architecturally consistent and constructed with substantially similar materials. The building materials will be a combination of materials to include pre-cast, glass, metal panels, masonry, hardi-board, cementitious panel, E.I.F.S., or stucco.

If EIFS is used, the Applicant shall utilize licensed E.I.F.S. contractors for installation. The installation of any E.I.F.S. shall be inspected by manufacturer's representative or independent testing consultant to verify that the installation is per the manufacturer's requirements. E.I.F.S. shall be routinely maintained to preserve the appearance.

Use of E.I.F.S. shall be limited as follows:

- A. E.I.F.S. shall not be used below twelve feet (12') above grade on lower commercial floors.
- B. E.I.F.S. may be used on the top floor for cornice or other accent features.

7. Maximum Building Height. The maximum building height of the proposed buildings shall not exceed 95 feet as shown on the Development Plan. This height limit does not include penthouses or mechanical equipment rooms covering less than 25% of the roof area.

8. Administrative Review. Concurrent with the submission of site plans to DPWES, the Applicant shall submit copies of the site plans to the Providence District Supervisor and Planning Commissioner for the purpose of administrative review and comment.

9. Utilities. Utilities shall be provided underground within conduits and located in a manner not to adversely affect the landscaping depicted on the CDP/FDP. The Applicant shall work with the public utility companies to allow them to make reasonable provisions through Applicants property to serve future development of other contiguous parcels so long as such provisions do not negatively impact Applicant's development.

III. RECREATION

1. Recreation Contribution. Pursuant to Sect. 6-409 of the Zoning Ordinance, the Applicant shall provide recreational facilities to serve the Application Property. Recreational facilities such as swimming pools, exercise rooms, or health clubs which are located on rooftops, deck areas and/or areas within a building may be used to fulfill this requirement. At the time of site plan review, the Applicant shall demonstrate that the value of any proposed recreational amenities is equivalent to a minimum of \$955.00 per unit as required by Sect. 6-409 of the Zoning Ordinance. In the event it is demonstrated that the proposed facilities do not have sufficient value, the Applicant shall have the option to: (1) provide additional on-site recreational amenities within the approved structures, or within the open space areas shown on the CDP/FDP, if it is determined that the location would be in substantial conformance with the CDP/FDP; and/or (2) contribute funds to the Fairfax County Park Authority for off-site recreational

purposes in the proposed Merrifield Town Center that are reasonably expected to serve the future residents of the approved development.

2. Urban Park. The Applicant shall construct the improvements in the Urban Park generally as detailed on Sheet 14 of the CDP/FDP and following construction, dedicate to the Fairfax County Park Authority the Urban Park in fee simple, prior to final bond release. The dedication of the Urban Park, construction, facilities and maintenance provided within the Urban Park shall not be counted against the requirement of recreation under Sect. 6-409 as referenced above. The Applicant shall work with the Fairfax County Park Authority ("Park Authority") for a final design that will facilitate expansion of the park to the west. The Applicant shall provide a sign identifying the Park as being owned by the Park Authority and maintained by the Applicant (or its designee). Said sign may be integrated into the park improvements. In addition, the Applicant shall provide a mountable curb to allow the delivery of equipment to the Park.

3. Park Maintenance. The Applicant shall enter into an Agreement with the Fairfax County Park Authority whereby the Applicant shall assume the permanent responsibility to maintain the Urban Park and pay for all utilities used at the Urban Park. The Park Authority and Applicant shall cooperate and coordinate in establishing maintenance standards for the Park. The Agreement shall be reviewed and approved by the County Attorney, executed and recorded among the land records prior to issuance of the first Non-RUP or RUP.

4. Bicycle Racks. A minimum of two (2) bicycle racks shall be provided for each building in the parking garages.

5. Benches. A minimum of twelve (12) park benches shall be disbursed throughout the site as generally shown on the CDP/FDP. Illustrations of benches have been provided with the CDP/FDP to demonstrate the character and quality of the benches to be used on the site.

IV. ENVIRONMENTAL

1. Stormwater Management. Stormwater Management (SWM) and Best Management Practices (BMP) facilities and measures shall be provided in accordance with the PFM and in addition in accordance with the following standards as may be approved by DPWES.

- A. The facilities will provide a minimum of 20% phosphorous removal.
- B. The proposed underground detention facilities will detain the proposed condition ten (10) year storm back to a rate that the existing outfall can convey safely.
- C. In addition to detaining the two (2) and ten (10) year storms as described above and prescribed by existing County regulations, given approval by DPWES, the outlet devices on the proposed underground SWM facilities will be designed to maximize the detention of the runoff from the proposed development program for approximately 0.85" of rainfall which equates to a storm frequency of less than one (1) year.
- D. In addition, if approved by DPWES, the proposed SWM facilities will be designed to capture a volume of runoff large enough to fully detain the runoff generated by the proposed development program for the mean annual storm.

Prior to site plan approval, the Applicant shall demonstrate to the satisfaction of DPWES that an adequate outfall is provided.

The Applicant proposes to utilize underground detention and BMP facilities as the primary means of detaining and treating the stormwater runoff. The location of the underground

stormwater management facilities may be modified as depicted on the CDP/FDP but shall be subject to approval of DPWES. In lieu of a standard sand filter device, the Applicant may utilize other innovative BMP devices to meet the BMP requirements, subject to the approval of DPWES and engineering design requirements. The primary storage and filter facilities will be located where the proximity to an adequate outfall allows the most approvable design, so as not to interfere with other aspects of the CDP/FDP, but smaller facilities, integrated into storm catch basin structures, may be utilized elsewhere on the site, subject to the approval of DPWES. The use of such facilities is subject to the granting of a waiver of current County policies to permit these underground facilities in a residential/mixed use project. If the proposed facilities, or viable alternatives that do not significantly affect the site layout, are not approved by DPWES, the Applicant recognizes that it may be necessary to request an amendment to the proffers ("PCA") and/or approved CDP/FDP to alter the site design.

The Applicant, and its successors, will assume the responsibility for the perpetual maintenance of all underground storm water management facilities and will execute an agreement with the County in a form satisfactory to the County to this effect at the time of site plan approval. Said agreement shall address the following issues:

- A. Future replacement when warranted;
 - B. Liability and insurance in an amount acceptable to Fairfax County;
 - C. Restriction that the Applicant or successors or assigns shall not in the future petition DPWES for maintenance; and D. County inspection to ensure that the facilities are maintained by the Applicant in good working order.
2. Landscaping. The landscaping shall be provided in substantial conformance with

the location, quality, and quantity of planting depicted on the CDP/FDP. The Applicant shall submit a landscape plan as a part of each site plan submission. This plan shall be coordinated with, and approved by, the Urban Forestry Division, DPWES. The Applicant shall maintain all landscaping, including the landscaping located within VDOT right-of-way along Gallows Road and Strawberry Lane. All new shade trees provided as a part of the streetscape shall be minimum of 2 ½ to 3.0 inches in caliper at the time of planting; all new flowering trees shall be a minimum of 2 inch caliper at the time of planting; and all new evergreen trees shall be a minimum of six (6) to eight (8) feet in height at the time of planting. The landscape strip adjacent to Gallows Road and Strawberry Lane shall contain shade trees, ground cover, under story planting, ornamental shrubs, grass and/or flowering plants subject to the review and approval of the Urban Forester as shown on the CDP/FDP. The secondary landscape strip adjacent to the buildings shall include flowering trees, ornamental shrubs, ground cover, flowering plants and/or grasses, subject to the initial review and approval of the Urban Forester. The cost of providing the single row of street trees and landscaping adjacent to Gallows Road may be escrowed, if determined appropriate by DPWES; this area may be planted by others after the ultimate Gallows Road improvements. The secondary landscaping strip adjacent to the buildings and the sidewalks shall be completed prior to issuance of the first Non-RUP or RUP for that building in which the landscaping is abutting.

The proposed streetscape along Gallows Road as represented on the CDP/FDP is based on the current plans for the ultimate improvement plan for Gallows Road. The Applicant shall coordinate with VDOT to determine if a reduced road section for Gallows Road ultimate improvement is appropriate (i.e. smaller lane widths) as exemplified by the Alternative Streetscape Plan on Sheet 3 of the CDP/FDP. If the Alternative Streetscape Plan can not be

implemented prior to site plan approval the Applicant shall demonstrate to DPWES the failed efforts with VDOT to revise the ultimate road section and then may provide the streetscape as depicted on the CDP/FDP.

3. Energy Conservation. The Residential Units shall meet the thermal standards of the CABO Model Energy Program for energy efficient homes, or its equivalent, as determined by DPWES for either electric or gas energy dwellings as applicable.

4. Noise Attenuation. The Applicant shall provide the following noise attenuation measures:

A. In order to reduce the maximum interior noise to a level of approximately 45 dBA Ldn, the Applicant proffers that all residential units shall have the following acoustical attributes:

- (1) Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39;
- (2) Doors and glazing shall have a laboratory STC rating of at least 28. If glazing constitutes more than 20% of any façade they shall have the same laboratory STC rating as walls; and
- (3) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
- (4) Prior to issuance of Building Permits, the Applicant reserves the right pursue other methods of mitigating highway noise impacts that can be demonstrated through an independent noise study as reviewed and approved by DPWES, that these methods will be

effective in reducing interior levels to 45 dBA Ldn or less.

- B. In order to reduce the maximum exterior noise below 65 dBA Ldn in the rooftop pool and common area, noise attenuation barriers shall be provided, if needed. Prior to issuance of Building Permits, the Applicant reserves the right to demonstrate through an independent noise study as reviewed and approved by DPWES, that these areas will not be impacted by transportation generated noise in excess of 65 dBA Ldn.

5. Lighting. All on-site outdoor and parking garage lighting shall comply with the Outdoor Lighting Standards set forth in Part 9 of Article 14 of the Zoning Ordinance. Street lights shall be full cut off.

6. Pedestrian Facilities. The pedestrian facilities and related streetscape design for Gallows Road, Strawberry Lane and the proposed side street, including the entry plazas, shall be in substantial conformance with the CDP/FDP and the attachments to these Proffers.

V. TRANSPORTATION

1. Transportation Management Strategies. Mass transit, ride-sharing and other transportation strategies will be utilized to attempt to reduce single occupancy vehicular (SOV) traffic during peak hours by a minimum of 15% of the trips generated according to the Institute of Transportation Engineers (ITE) Trip Generation Manual, 6th Edition. Residents and employees of the residential development shall be advised of this transportation strategy. Transportation coordination duties shall be carried out by a designated property manager(s) or transportation management coordinator(s). The transportation strategy management position may be a part of other duties assigned to the individual(s). The transportation management strategies will be implemented prior to the 185th RUP being issued. The following is a list of

potential strategies that shall be implemented:

- A. Designating an individual to act as the transportation coordinator (property management staff person) for the Application Property whose responsibility will be to implement the transportation management strategies;
- B. Participation in the Fairfax County Ride Share Program;
- C. Dissemination of information regarding Metrorail, Metrobus, ridesharing and other relevant transit options in residential sale/lease packages;
- D. Making Metro maps, schedules and forms, ridesharing and other relevant transit option information available to owners/tenants and employees in a common area(s) of each building;
- E. Providing amenities for bicycle storage; and
- F. Providing a sidewalk system designed to encourage/facilitate pedestrian circulation.
- G. Providing Smart Trip cards (or a similar fare card) to new residents of the Application Project.

The Applicant shall notify DOT the date that the transportation strategies are implemented. One year after the transportation management strategies are implemented, the Applicant shall conduct a survey of residents and employees in the residential development to determine their transportation characteristics. This survey will help form the basis of the transportation management program for development. The survey shall be submitted to the Fairfax County Department of Transportation for review.

Annually thereafter, the Applicant shall conduct a multi-modal transportation split survey

of the residents and employees of the residential development to demonstrate whether such goal of reducing SOV trips by 15% has been met during peak hours. The yearly report shall be submitted to the Fairfax County Department of Transportation for review. The terms of this proffer shall expire fifteen (15) years after the last RUP is issued.

If the annual multi-modal transportation split surveys indicate that a reduction of SOV trips by 15% during peak hours has not occurred, five cents (\$0.05) per square feet of occupied residential gross floor area shall be contributed annually to the transportation demand management fund until such time as the reduction has occurred.

2. Shuttle. Prior to the issuance of the first Non-RUP or RUP, the Applicant, individually, or in conjunction with other property owners within the immediate vicinity of the Merrifield Town Center area, shall operate or contract with a third party to operate and maintain a shuttle bus service for use by the residents and employees of the Application Property to provide access to and from the Dunn Loring Metro Station. Such service shall be available during the morning peak (6:30 a.m. to 9:30 a.m.) and evening peak (4:30 p.m. to 6:30 p.m.) excluding Saturday, Sundays, national holidays and snow emergency days. Seating capacity of such shuttle bus(es), the frequency of trips and number of such bus(es) shall be coordinated to reasonably meet demand as determined by the results of the surveys. The shuttle bus program shall be periodically updated as demand is reassessed, and the program shall be coordinated with the Fairfax County Department of Transportation.

3. Shuttle Contribution. Should a Merrifield Shuttle Service be established from the Dunn Loring Metro Station to a location adjacent to the Property (as distinguished from the existing routine Metro Bus Route) then the Applicant may discontinue or not establish such service and shall contribute \$10,000.00 to the Merrifield Shuttle Service. Said contribution shall

be made upon the earlier to occur: (1) the 185th RUP has been issued, or the service is discontinued subsequent the 185th RUP having been issued.

4. Traffic Calming. To the extent permitted by VDOT and DPWES, the Applicant shall install stamped walkways on the proposed roads as shown on the CDP/FDP. The Applicant shall enter into a maintenance agreement for these walkways.

5. Bus Shelter. If requested by VDOT or DOT prior to site plan approval, the Applicant shall construct and maintain a bus shelter at an agreed upon location on the subject property. If the bus shelter is not requested, the Applicant shall escrow \$20,000.00 for a bus shelter in the Merrifield Town Center area prior to site plan approval.

6. Right-of-Way Vacation. Notwithstanding the submission for processing of any applications, plans or plats in furtherance of the development of the Application Property, the Applicant acknowledges that no such plan or plat shall be approved by Fairfax County until or unless the vacation of right-of-way proposed as part of the Application Property is approved by the Board of Supervisors and is final. In the event that such vacation is not approved by the Board of Supervisors, or in the event that Board's approval is overturned by a court of competent jurisdiction, any development of the Application property under the PRM District shall require a proffered condition amendment and the Applicant acknowledges that such amendment may result in a loss of density. The Applicant hereby waives any right to claim or assert a taking or any other cause of action that otherwise may have arisen out of a Board decision to deny in whole or in part the right-of-way vacation.

7. Gallows Road. The Applicant shall dedicate land in fee simple to the Board of Supervisors sufficient for the right-of-way for the ultimate improvement of Gallows Road at the time of final site plan approval or upon written demand, whichever occurs first. Notwithstanding

the representation on the CDP/FDP, the location of the dedicated right-of-way shall generally follow the back of curb of the ultimate improvement as may be approved by DPWES and VDOT. Prior to issuance of a RUP or Non-RUP, the interim roadway improvements as depicted on Sheet 16 of the CDP/FDP and as may be approved by DPWES shall be constructed and the Applicant shall escrow an amount equivalent to the additional construction cost associated with improving the interim roadway improvements to the ultimate frontage improvements as shown on the CDP/FDP.

8. Strawberry Lane. As shown on the CDP/FDP, subject to the vacation of Strawberry Lane, the Applicant shall dedicate land in fee simple to the Board of Supervisors for the right-of-way of Strawberry Lane at the time of final site plan approval or upon written demand, whichever occurs first. Prior to issuance of the first RUP or Non-RUP, roadway improvements shall be made on Strawberry Lane as shown on the CDP/FDP. Strawberry Lane shall be designed and built to VDOT standards but shall not be dedicated until Strawberry Lane is extended to the west by others, unless requested by VDOT or the County and accepted without a cul-de-sac.

9. Traffic Signals. The Applicant shall perform the interim modifications to the traffic signal at the intersection of Strawberry Lane and Gallows Road to accommodate the traffic generated by the proposed development and the interim improvements to Gallows Road subject to the approval of VDOT. Said modifications may include the relocation of signal poles and pedestrian activation, as necessary. The Applicant shall provide the necessary easements for the traffic signals. Said modifications shall be completed prior to the issuance of the first Non-RUP or RUP for the Application Property. An amount equal to the ultimate modifications to the traffic signal, minus the cost of these interim modifications which will be utilized in the ultimate

modification, shall be escrowed, with the amount to be approved by DPWES.

10. Interparcel Access. Interparcel access shall be provided to Tax Maps 49-4 ((1)) 5, 6, 7 and 7A to the North. The service drive located at Tax Map 49-3 ((1)) 80A and 80B may be extended to the side street to permit access to Route 29; however, no direct access to Route 29 shall be provided. Interparcel access to the side street will be provided to Tax Map 49-3 ((1)) 80A to the west. The Applicant shall provide public access easements in a form approved by the County Attorney to permit interparcel access on the side street and service drive. Temporary construction easements shall be granted to facilitate interparcel access.

In addition to interparcel access, the proposed entrance to the loading area on the north side of the proposed north building will be so designed that it can provide access to a loading area for a proposed consolidated development program on the adjacent Lots 5, 6, 7 and 7A.

11. Notification. Notification in the Public Offering Statement shall be provided to the future purchasers/renters of the units that Gallows Road is approved to be expanded in front of the site and that a portion of the existing open space along Gallows Road is only an interim condition.

12. Eskridge Road. The Applicant shall contribute \$10,000.00 towards the future improvements of Eskridge Road.

V. MISCELLANEOUS

1. Signage. Signage shall be provided in accordance with Article 12 of the Zoning Ordinance. If lighted, signage shall be internally lit only. The Applicant reserves the right to make application for a comprehensive signage plan in accordance with the provisions set forth in Sect. 12-210 of the Zoning Ordinance.

2. The homeowners association documents shall detail the maintenance

responsibilities of the urban park, SWM facility and bus shelter.

3. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and his successors and assigns. Each reference to “Applicant” in this proffer statement shall include within its meaning and shall be binding upon Applicant’s successor(s) in interest and/or developer(s) of the site or any portion of the site.

4. Counterparts. These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.

[SIGNATURE PAGES TO FOLLOW]

UNIWEST GROUP LLC, APPLICANT

By: Norman R. Pozez, Managing Member

By: _____

FAIRFAX COUNTY BOARD OF SUPERVISORS,
A BODY CORPORATE AND POLITIC OWNER,
STRAWBERRY LANE

By: _____

Name: _____

Title: _____

MERRIFIELD TOWN CENTER LIMITED PARTNERSHIP
OWNER 49-4 ((1)) 10, 11, 11A

By: Uniwest Group, LLC, its General Partner

By: Norman R. Pozez, Managing Member

By: _____

CIRCLE PROPERTIES, A VIRGINIA LIMITED
PARTNERSHIP

By: Foster Family Limited Partnership, its General Partner

By: Foster Family Corporation, its General Partner

By: _____
Earl E. Shaffer, President of Foster Family Corporation

PROPOSED FINAL DEVELOPMENT PLAN CONDITIONS

FDP 2003-PR-009

January 2, 2004

If it is the intent of the Planning Commission to approve FDP 2003-PR-009 for a mixed use development at Tax Maps 49-4 ((1)) 4, 8, 9, 9A, 10, 11, 11A and a portion of Strawberry Lane to be vacated/abandoned, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions.

1. Development of the property shall be in substantial conformance with the CDP/FDP entitled "Uniwest/Merrifield Town Center" consisting of eighteen sheets prepared by Dewberry and Davis LLC and dated January 14, 2003, as revised through December 12, 2003.
2. The southern and northern parking garages shall provide designated parking spaces for the retail, service and any other secondary uses located in the buildings at the ratio required by the Zoning Ordinance.
3. Lights located within the garage levels that are open to air shall be located between the beams to prevent glare onto adjacent properties to the north and south.

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



REZONING AFFIDAVIT

APPENDIX 3

DATE: December 30, 2003
(enter date affidavit is notarized)

I, William B. Lawson, Jr., do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

in Application No.(s): RZ/FDP 2003-PR-009
(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)
Uniwest Group, LLC	2900 Telestar Court, Suite 300	Applicant
Norman R. Pozez	Falls Church, VA 22042	
Michael D. Collier		
Merrifield Town Center, LP	c/o Uniwest Group, LLC	former Contract Purchaser
Norman R. Pozez	2900 Telestar Court, Suite 300	effective settlement
Michael D. Collier	Falls Church, VA 22042	date of January 9, 2004:
		049-4-01-0004,8,9,9A

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

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

Rezoning Attachment to Par. 1(a)

DATE: December 30, 2003
(enter date affidavit is notarized)for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Merrifield Town Center, LP	c/o Uniwest Group, LLC	Title Owner
Norman R. Pozez	2900 Telestart Court, Ste. 300	effective settlement
Michael D. Collier	Falls Church, VA 22042	date of January 9, 2004
		049-4-01,0004,8,9,9A
		Title Owner:
		049-4-01-0010,11,11A
Circle Properties	c/o Earl E. Shaffer	former Title Owner
	2007 N. 15th Street, Suite 106	effective Settlement
	Arlington, VA 22201	date of January 9, 2004
		049-4-01-0004,8,9,9A
Dewberry & Davis, LLC	8401 Arlington Boulevard	Engineer/Agent
Philip G. Yates	Fairfax, VA 22031	
Timothy C. Culleiton, PE		
P. Christopher Champagne		
Lawson & Frank, P.C.	6045 Wilson Boulevard, Suite 100	Attorney/Agent
William B. Lawson, Jr.	Arlington, VA 22205	
P. David Tarter		
Sonia N. Martinez, Asst.		
Jason C. Fleming, Asst.		
Davis Carter Scott, Ltd.	1676 International Drive	Architect/Agent
Douglas N. Carter	Suite 500	
Jasma Bijelic	McLean, VA 22101	

(check if applicable)

[]

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

REZONING AFFIDAVIT

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(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)

Lawson & Frank, P.C.
6045 Wilson Boulevard, Suite 100
Arlington, VA 22205

DESCRIPTION OF CORPORATION: (check one statement)

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

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

William B. Lawson, Jr.
Alan B. Frank

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

William B. Lawson, Jr., President/Secretary
Alan B. Frank, Vice President/Treasurer

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

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

Rezoning Attachment to Par. 1(b)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

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

Uniwest Group LLC
2900 Telearstar Court, Suite 300
Falls Church, VA 22042

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Norman R. Pozez
Michael D. Collier
Dennis M. McDonald

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

Michael D. Collier, Managing Member

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

Dewberry & Davis LLC
8401 Arlington Boulevard
Fairfax, VA 22031

DESCRIPTION OF CORPORATION: (check one statement)

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

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

The Dewberry Companies, L.C. Steven A. Curtis
Larry J. Keller
Dennis M. Couture

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

N/A

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

Rezoning Attachment to Par. 1(b)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

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

The Dewberry Companies, L.C.
8401 Arlington Boulevard
Fairfax, VA 22031

DESCRIPTION OF CORPORATION: (check one statement)

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

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

<u>Sidney O. Dewberry</u>	<u>Michael S. Dewberry</u>
<u>Barry K. Dewberry</u>	<u>Thomas L. Dewberry</u>
<u>Karen A. Grand Pre</u>	

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

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

N/A

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

<u>Foster Family Corporation</u>	<u>2007 N. 15th Street</u>
<u>c/o Earl E. Shaffer</u>	<u>Suite 106</u>
	<u>Arlington, VA 22201</u>

DESCRIPTION OF CORPORATION: (check one statement)

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

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

<u>D.A. Foster Trust</u>	
<u>Virginia Smith</u>	

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

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

<u>Earl E. Shaffer, President</u>	
<u>Lesley Durham, Secretary</u>	
<u>Charles Johnson, Treasurer</u>	

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

Rezoning Attachment to Par. 1(b)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Leejor Associates, LLC 2723 N Street, NW
c/o Susan Hepner Washington, DC 20007-3324

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

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

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

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
S-H Investments, Inc. 7100 Glenbrook Road
c/o Jerry H. Herman Bethesda, MD 20814

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.
Robert I. Silverman Revocable Trust dtd. 1/21/93,

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
Jerry H. Herman, Linda Herman, Robert A. Silverman, Patricia Silverman, 2d Irrevocable Trust F/B/O Erika S. Herman 2d Irrevocable Trust F/B/O David B. Herman, Elliot Morris Silverman Trust, Bennett Richard Silverman Trust.

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Jerry H. Herman, Mngr. Patricia Silverman, Mngr.
Linda Herman, Mngr.
Robert A. Silverman, Mngr.

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

Rezoning Attachment to Par. 1(b)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Cooke LLC 8403 Honeywood Court
c/o Kim D. Cooke McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Kim D. Cooke _____

Kathryn A. Cooke _____

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

Kim D. Cooke, Managing Member _____

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

Davis Carter Scott, Ltd. _____

1676 International Drive, Suite 500 _____

McLean, VA 22102 _____

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Douglas N. Carter _____

Lena I. Scott _____

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

Douglas N. Carter, Pres. & Treasurer _____

Lena I. Scott, VP & Secretary _____

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

REZONING AFFIDAVIT

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(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)

Herbiffeld TownsCenter Limited Partnership 2900 Telestar Court
c/o Uniwest Group, LLC Suite 300
Falls Church, VA 22042

(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)

General Partner: Uniwest Group, LLC

Limited Partners, cont.:

Limited Partners:

Dennis & Monique Deschaine

Norman R. Pozez

William B. Lawson, Sr.

Melinda Bieber F/B/O Ham Alexander

Marjory P. Lawson

Pozez, UGMA

Dianne K. Lawson

Melinda Bieber F/B/O Samuel Lawrence

Sarah H. Pittleman

Pozez, UGMA

James B. Pittleman, Trustee

Melinda Bieber F/B/O Eli Bieber

F/B/O Ethan J. Pittleman

Pozez, UGMA

James B. Pittleman, Trustee

Michael D. Collier

F/B/O Jacey M. Pittleman

Dennis M. McDonald

James B. Pittleman, Trustee

Leejor Associates, LLC

F/B/O Jed I. Pittleman

James A. Lancaster

J. Randolph & Janice K. Lawson, Trustees of the

Dennis Ratner

Braedon Kline Lawson Trust

Cortland Kline Lawson Trust

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

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

Rezoning Attachment to Par. 1(c)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
Merrifield Town Center Limited Partnership 2900 Telestar Court
c/o Uniwest Group LLC Suite 300
Falls Church, VA 22042

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

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

- Limited Partners, cont.:
Sidney H. Schwartz & Sandra Perlstein
Marilyn Freidkin
David E. & Marlin A. Feldman
Ann Ratner
Mitra Mamdouhi
Mitchell & Robin Pozez Exempt Trust
Neil O. Kleinman Exempt Trust
Jane Horn
Gregory J. & Marlen J. Bien
Gregory J. Bien IRA
Marlene J. Bien IRA
Gregory J. Bien 72T IRA
Marlene J. Bien 72T IRA
Andrea L. Pozez
Bruce Glassman
Samuel Steiner
Cooke LLC
Melanie Pozez & Jay Blumberg

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

Rezoning Attachment to Par. 1(c)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
Braedon Kline Lawson Trust
20648 Longpier Way
Potomac Falls, VA 20165

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

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

Trustee: J. Randolph Lawson
Janice K. Lawson
Beneficiary: Braedon Kline Lawson

Multiple sets of horizontal lines for listing names and titles of partners.

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

Rezoning Attachment to Par. 1(c)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

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

Cortland Kline Lawson Trust
20648 Longpier Way
Potomac Falls, VA 20165

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

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

Trustee: J. Randolph Lawson
Janice K. Lawson
Beneficiary: Cortland Kline Lawson

Multiple sets of horizontal lines for entering partner names and titles.

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

Rezoning Attachment to Par. 1(c)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

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

Neil O. Kleinman Exempt Trust

5995 East Grant Road, #100

Tuscon, AZ 85712

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

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

Trustee: Neil O. Kleinman

Beneficiary: Neil O. Kleinman

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

Rezoning Attachment to Par. 1(c)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

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

Mitchell & Robin Pozez Exempt Trust
8499 East Woodland Road
Tuscon, AZ 85749

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

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

Trustees: Mitchell & Robin Pozez

Beneficiaries: Mitchell & Robin Pozez

Multiple horizontal lines for listing additional partners and their titles.

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

Rezoning Attachment to Par. 1(c)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

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

The Second Irrevocable Trust F/B/O Erika S. Herman
7100 Glenbrook Road
Bethesda, MD 20814

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

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

Trustee: Linda S. Herman

Beneficiary: Erika S. Herman

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

Rezoning Attachment to Par. 1(c)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
The Elliott Morris Silverman Trust
7010 Holyrood Drive
McLean, VA 22101

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

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

Trustee: Robert A. Silverman
Beneficiary: Elliott Morris Silverman

Multiple horizontal lines for listing additional partners and their titles.

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

Rezoning Attachment to Par. 1(c)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

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

The Bennett Richard Silverman Trust
7010 Holyrood Drive
McLean, VA22101

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

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

Trustee: Robert A. Silverman
Beneficiary: Bennett Richard Silverman

Multiple horizontal lines for listing additional partners and their details.

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

Rezoning Attachment to Par. 1(c)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
The Robert I. Silverman Revocable Trust dated 1/21/93 as Amended
7010 Holyrood Drive
McLean, VA 22101

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

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

Trustee: Robert A. Silverman

Beneficiary: Robert I. Silverman

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

Rezoning Attachment to Par. 1(c)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

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

Circle Properties
c/o Earl E. Shaffer
2007 N. 15th Street, Suite 106, ARLington, VA 22201

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

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

General Partner:
Foster Family Limited Partnership

Limited Partner:
Evalene P. Foster Trust

Multiple horizontal lines for listing additional partners.

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

Rezoning Attachment to Par. 1(c)

DATE: December 30, 2003
 (enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
 (enter County-assigned application number (s))

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

<u>Foster Family Limited Partnership</u>	<u>2007 N. 15th Street</u>
<u>c/o Earl E. Shaffer</u>	<u>Suite 106</u>
	<u>Arlington, VA 22201</u>

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

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

<u>General Partner: Foster Family Corporation</u>	<u>Meagan Hinson</u>
<u>Limited Partners:</u>	<u>Morgan Hinson</u>
<u>Barbara Eastridge</u>	<u>Trevor Hinson</u>
<u>Eileen Honeycutt</u>	<u>Ryan Hinson</u>
<u>Kay Hinson</u>	<u>John Ross Neil</u>
<u>Carole Ann Waters</u>	<u>D.A. Foster Trust</u>
<u>Donna Yachechko</u>	
<u>Diana Short</u>	
<u>Robert Eastridge</u>	
<u>LeeAnn Henderson</u>	
<u>Scott Hinson</u>	
<u>Pamela Neil</u>	
<u>Lynne Honeycutt</u>	
<u>Steven Hinson</u>	
<u>Brian Honeycutt</u>	
<u>Elyssa Short</u>	
<u>Mikayla Henderson</u>	
<u>Keith Hinson</u>	
<u>Kathryn Perez</u>	
<u>Robert Waters</u>	
<u>Mary Berrier</u>	
<u>Christopher Yachechko</u>	
<u>Melissa Short</u>	
<u>Amanda Waters</u>	
<u>Andrea Eastridge</u>	
<u>Dunham Short</u>	
<u>Joseph Eastridge</u>	
<u>Nathan Short</u>	
<u>Kevin Waters</u>	
<u>Brandon Honeycutt</u>	

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

Rezoning Attachment to Par. 1(c)

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(enter County-assigned application number (s))

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

Evalene P. Foster Trust 2007 N. 15th Street
c/o Earl E. Shaffer Suite 106
Arlington, VA 22201

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

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

Trustee: Earl E. Shaffer

Beneficiaries:

Michael & Dale Clabaugh

Margaret Clabaugh

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

REZONING AFFIDAVIT

DATE: December 30, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2003-PR-009
(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:

Multiple horizontal lines for listing individuals.

[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
Horizontal lines for listing exceptions.

(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: December 30, 2003
(enter date affidavit is notarized)

RZ/FDP 2003-PR-009

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

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$200 or more, with any of those listed in Par. 1 above. EXCEPT AS FOLLOWS: (NOTE: If answer is none, either "NONE" on line below.) M.J. Wells & Associates, LLC and Supervisor Elaine McConnell have a business relationship; however, the business relationship is not related to any party to this application.

(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

William B. Lawson, Jr., Attorney
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 30th day of December 2003, in the State/Comm. of Virginia, County/City of Arlington.

Notary Public signature

My commission expires: 3/31/04

LAWSON & FRANK

APPENDIX 4

WILLIAM BARNES LAWSON, JR.
ALAN B. FRANK
INA CHRISTINA CHARVET
P. DAVID TARTER
PIER-ALYSIA M. COYNE

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
SUITE 100
6045 WILSON BOULEVARD
ARLINGTON, VIRGINIA 22205-1546
(703) 534-4800
FACSIMILE (703) 534-8225

OF COUNSEL
WILLIAM BARNES LAWSON

RECEIVED
Department of Planning & Zoning

MAY 23 2003

Zoning Evaluation Division

May 22, 2003

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

RE: Rezoning Application (RZ/FDP 2003-PR-009)
Applicant: UNIWEST Group, LLC
Tax Map No.: 49-4 ((1)) 4, 8, 9, 9A, 10, 11, and 11A (the "Property")

Dear Ms. Byron:

Please consider this letter to be the revised statement of justification for the above referenced applications that are to be amended. The current applications, which are on file with the County, are requesting a rezoning of 15.515 acres from the I-5 District to the PDC District and concurrent approval of a Conceptual Development Plan (CDP) and Final Development Plan (FDP). The Applicant is amending these applications to change the land area from 15.515 acres to 7.48 acres, to rezone from the I-5 District to the PRM District, and to seek approval of a related CDP/FDP.

The Property is Zoned I-5 and has been used for retail/industrial uses for many years. The Property has become run down and is in need of revitalization. It presently supports several interim uses, one of which is new vehicle storage. The County recently completed a two-year re-planning effort of the Merrifield area; the result of this effort was the vision for a town center on the Property. This application fulfills that vision, with the first phase of a town center proposal that integrates retail and residential development.

The Applicant, UNIWEST Group, LLC ("UNIWEST") also developed the Silver Diner, Homewood Suites Hotel and two office buildings directly across Gallows Road from the Property. UNIWEST is currently headquartered in Merrifield and has been a good corporate citizen in Fairfax in general and Merrifield in particular. UNIWEST welcomes the opportunity to continue this trend by developing the first phase of this town center.

Ms. Barbara A. Byron
May 22, 2003
Page 2 of 2

This rezoning application is the collaboration of years of effort on the part of the Applicant, citizens of the Providence District and others, and we respectfully request favorable consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read 'W. B. Lawson, Jr.', written in a cursive style.

William B. Lawson, Jr.

Cc: Norman R. Pozez, UNIWEST Group, LLC
Philip G. Yates, Dewberry & Davis, LLC

STATEMENT OF COMPLIANCE
RESIDENTIAL DEVELOPMENT CRITERIA

REZONING APPLICATION R7/FDP 2003-PR-009
FILED BY
UNIWEST GROUP, LLC

July 21, 2003

1. Site Design

The proposed development program is a mixed use development that is designed to implement the first phase of the planned Merrifield Town Center in accordance with the recommendations set forth in the Merrifield Suburban Center Comprehensive Plan.

The proposed development program encompasses seven (7) separate parcels of record as well as the right-of-way of Strawberry Lane which is proposed to be relocated as part of the planned development program. The total land area of the application is 7.48 acres.

It is our judgment the proposed development program provides a logical, functional and appropriate relationship of uses, structures and infrastructure for its respective portion of the planned Town Center.

In recognition that the proposed development program is a portion of the planned Merrifield Town Center, it is our judgment that the proposed multiple family dwelling units and retail uses are oriented appropriately to both existing and proposed uses on adjacent properties. In addition, convenient access to transit facilities is/will be provided and adequate attention has been and will be directed to collocate utilities on site and provide adequate underground stormwater management facilities on site as well as adequate outfalls.

Open space will be provided in the form of an urban park which will be useable, accessible and well-integrated for enjoyment by all of the residents, tenants and visitors to the site. In addition, indoor, possible rooftop and/or other recreational amenities will be provided for the residents of the proposed multiple family dwelling units.

Landscaping for the proposed development program will be provided in accordance with the guidelines set forth in the Merrifield Suburban Center component of the Fairfax County Comprehensive Plan.

Amenities in the form of benches, street furniture, special paving treatments, walls, lighting and possible water features and/or art/sculpture displays will be incorporated into the proposed development program.

2. Neighborhood Context

It is our judgment that the proposed development program which, as noted above, will be a portion of the planned Merrifield Town Center, has been designed to fit within both the existing and planned community.

Appropriate transitions to abutting and adjacent uses have been recognized; the lot sizes, bulk and mass of the proposed buildings and their setbacks and orientations have all been designed to form an integral component of the planned Town Center; architectural elevations/sketches have been prepared and submitted to demonstrate the proposed character and quality of the planned development; both pedestrian and vehicular circulation have been provided in the context of the planned Town Center; and the development program has been designed to function in relation to the existing topography.

3. Environment

The proposed development program has been designed in respect of the existing environment. There are no features on the site such as a floodplain, stream valley, EQC, RPA, woodland, wetland or other environmentally sensitive areas that require preservation measures.

As noted above, the development program has been designed to function in relation to the existing topographic conditions, and the soil characteristics on the site should pose no development constraints.

Water quality and stormwater management will be accommodated in two (2) underground facilities that will be designed in accordance with current applicable ordinances. Drainage outfall has been reviewed and analyzed for adequacy.

Commitments that address noise impacts will be the subject of discussion and possible proffers as the application is processed during the forthcoming months. In particular, the residential units will be designed consistent with standard architectural quality control practices to mitigate the noise common to urban residential locations.

4. Tree Preservation and Tree Cover Requirements

There are no existing quality trees on the subject property. Tree cover and landscaping has been/will be provided with the proposed development program in accordance with the guidelines set forth in the adopted Merrifield Suburban Center Comprehensive Plan.

5. Transportation

The proposed development program has been designed to accommodate the transportation improvements planned for the Merrifield Area. More specifically, sufficient right-of-way for the improvement of Gallows Road has been provided in accordance with the most recent plans for this improvement; Strawberry Lane will be improved on a new alignment that will result in an improved intersection with Gallows Road; and site access points have been closely coordinated with the most recent plans for the Lee Highway/Gallows Road improvements.

Specific transportation improvements in the form of street design features to improve safety and mobility for non-motorized forms of transportation; signals and other traffic control measures; development phasing; dedications; and monetary contributions for improvements in the vicinity of the proposed development will all be the subject of discussion and possible proffers as the application is processed during the forthcoming months.

In addition, the provisions of bus shelters, participation in a shuttle bus service and/or programs designed to reduce vehicular trips will be the subject of discussion and possible proffers.

In reference to the interconnection of the street network, Strawberry Lane has been designed to connect with the adjacent property, and travel lane connections have been coordinated with the existing Fairfax Plaza development to the south. Traffic calming measures may be considered to reduce the vehicular speed on the proposed internal spine road and sufficient access will be provided for public safety vehicles.

The specifics of the internal non-motorized facility network will be designed in accordance with the guidelines set forth in the Merrifield Suburban Center Comprehensive Plan.

6. Public Facilities

Public facility impacts identified and evaluated during the review of the proposed development program will be the subject of discussion and possible proffers as the application is processed during the forthcoming months.

7. Affordable Housing

The criterion of affordable housing, either in the form of dedication of units or a contribution to the Housing Trust Fund, will be the subject of discussion and a proffer as the application is processed during the forthcoming months. Current intentions are to provide 5% of the total number of residential units in affordable dwelling units (ADUs) given the approval of the bonus density credit consistent with the application.

8. Heritage Resources

To the best of our knowledge, there are no heritage resources on the subject property.

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

SUBJECT: Comprehensive Plan Land Use Analysis: RZ 2003-PR-009
Uniwest Group, L.L.C.

DATE: 14 August 2003

This memorandum, prepared by Denise M. James, AICP, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the above referenced application and Conceptual and Final Development Plan (CDP/FDP) dated January 14, 2003, as revised through July 18, 2003. The extent to which the proposed use, intensity and development plan are consistent with the land use guidance contained in the Comprehensive Plan, is noted.

DESCRIPTION OF THE APPLICATION

The applicant requests approval to rezone approximately 7.48 acres of land from the I-5 to the PRM District in order to develop two (2) buildings for multi-family residential and retail use. The development plan depicts two (2) "U" shaped buildings on the north and south side of Strawberry Lane at the intersection of Gallows Road and Strawberry Lane. Four (4) levels of structured parking and first and second floor retail use are proposed with residential development proposed above up to a maximum of seven (7) stories. A summary description of the application is provided in the table below.

<i>Site Area</i>	<i>7.48 acres</i>
<i>Gross Floor Area</i>	<i>439,621 sf</i>
<i>Residential Units</i>	<i>334,125 sf (appx. 270 units)</i>
<i>Retail or other</i>	<i>105,596 sf</i>
<i>Floor Area Ratio (FAR)</i>	<i>1.35</i>
<i>Open Space</i>	<i>20% (minimum requirement)</i>
<i>Parking</i>	<i>1021 spaces (888 required)</i>
<i>Maximum Building Height</i>	<i>115 feet</i>
<i>Maximum Stories</i>	<i>7</i>

Other secondary uses proposed for the lower two (2) stories include: office, eating establishments, fast food restaurants, personal service establishments, financial institutions,

health clubs, and other similar uses. No outdoor recreational space is proposed; however, indoor and rooftop recreational amenities are proposed for the residential occupants. Sidewalks with streetscaping are generally depicted along the Gallows Road and Strawberry Lane site frontages. An open lawn and landscaped area described as Urban Park is depicted in the southwest portion of the property and is proposed to contain approximately 16,700 square feet in area.

LOCATION AND CHARACTER OF THE AREA

As previously noted, the site is located on the west side of Gallows Road at the intersection of Strawberry Lane and Gallows Road. The application property, which contains an assemblage of parcels, is largely developed with a variety of commercial structures which are proposed to be removed. Merrifield Post Office is situated to the west of the site.

COMPREHENSIVE PLAN CITATIONS:

Plan Map: Retail and other

Plan Text: In the Fairfax County Comprehensive Plan, Area I Volume, 2003 Edition, Merrifield Suburban Center, as amended through July 21, 2003, under the heading, *Land Unit F*, beginning on page 76, the Plan states:

“Land Unit F is comprised of approximately 107 acres and is bounded by Gallows Road on the east, Route 29 on the north, Prosperity Avenue on the west, and Land Unit G on the south. Existing development generally consists of retail uses in the eastern portion primarily along Gallows Road, industrial and office uses in the central portion, and the Merrifield Regional Post Office in the western portion of the Land Unit.

Most of Land Unit F, the portion east of the Merrifield Regional Post Office, is envisioned to redevelop as the “Town Center” for the Merrifield Suburban Center, with a mix of uses including office, retail, hotel, and residential uses. Buildings in the town center are envisioned to have retail and service uses located on the ground levels that are designed with a pedestrian orientation. Primary access points to the Town Center are envisioned to be at Merrilee Drive extension/realignment with Eskridge Road and Route 29, Gallows Road and Strawberry Lane, and Gallows Road and “Main Street/Festival Street”.

The major circulation improvements for this land unit include the extension of Eskridge Road to Williams Drive. Since Williams Drive connects with Route 50, this will complete the link from the Metro station through the “Town Center” to Route 50. Additional circulation improvements include aligning a Merrifield Regional Post Office entrance with the Dorr Avenue Extension to Route 29; the extension of Strawberry Lane west to connect with Eskridge Road; the movie theater access road extension south to connect with Williams Drive and/or Gatehouse Road (connecting with Gatehouse Road would require crossing Luther Jackson Intermediate School property); and an east/west road that connects Prosperity Avenue with Eskridge Road or Williams Drive. Within this area, at least one new road should function as the “Festival Street” as illustrated on Figure 28. The major arterial improvements include

the widening of Route 29 and Gallows Road, and the planned improvements at the intersection of the two roads.

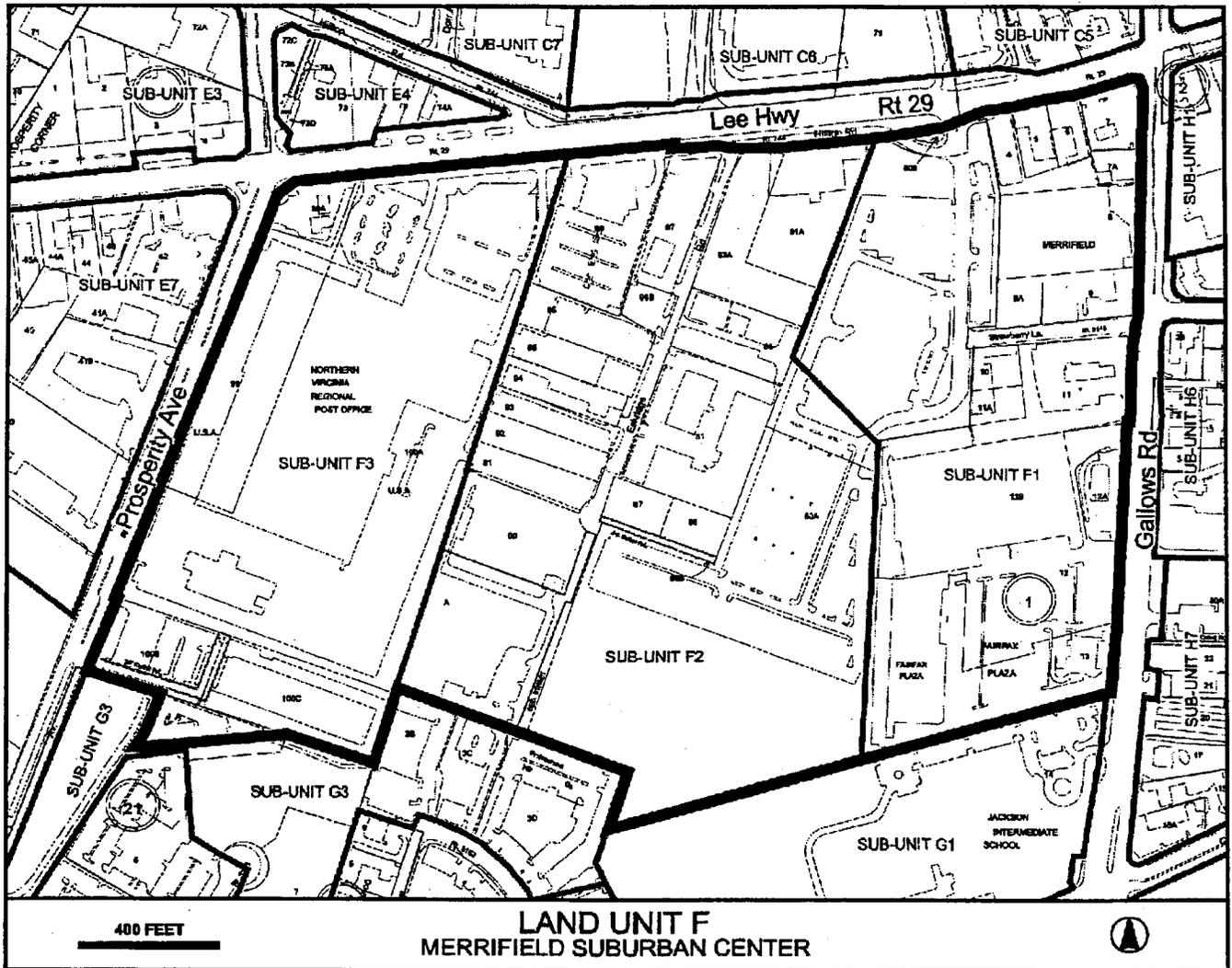


FIGURE 27

Guidance for evaluating development proposals is provided in the Area-Wide Recommendations under Land Use, Urban Design, Transportation, and Public Facilities/Infrastructure sections, as well as in the following specific sub-unit recommendations.

Sub-Units F1 and F2 (Town Center Area):

Sub-Unit F1 is the eastern portion of the Land Unit that is oriented to Gallows Road and is planned for community-serving retail up to .35 FAR. Additional freestanding single tenant uses and “drive-through” uses, such as fast-food restaurants and car washes, are discouraged because each may disrupt pedestrian access. Drive-through uses that are low traffic generators, such as financial institutions and drug stores, may be considered provided that the drive-through facility is integrated within a multi-tenant building and is designed in a manner that does not impede pedestrian access. In any new retail center, an office component could be provided, if it does not exceed .10 FAR (or approximately 30% of the development’s gross square feet), with any office component designed as an integral part of the retail center. Furthermore, any new retail center(s) should be designed in a manner that is consistent with the town center concept.

Sub-Unit F2 is the central portion of the Land Unit that is generally between the Post Office property and Sub-Unit F1. Sub-unit F2 is planned for and developed with industrial and office uses up to a .5 FAR, except for the portion of Tax Map 49-3((1))80A that is in Sub-Unit F2. This portion of Parcel 80A could be developed with office or a new theater complex. Any new development should be designed in a manner consistent with the town center concept.

Any modification, expansion, and/or reuse of the existing buildings should be consistent with guidelines for Existing Uses and Buildings under the Area-Wide Land Use section. Any additional development in Sub-unit F1 and F2 at this base level should have consolidation or a coordinated development plan that provides for circulation improvements and streetscape improvements, as well as addresses urban design and other planning objectives which include implementing the town center concept. Also for any additional development at this base level on property in Sub-Units F1 and F2 abutting Sub-Unit G1, inter-parcel access between these sub-units should be considered and provided if needed to improve access to the school.

Option 1: As an option, in both Sub-units F1 and F2, redevelopment within these sub-units to office and retail up to .65 FAR may be appropriate if the redevelopment creates a component of the envisioned “Town Center.” The retail component should comprise, at a minimum, 30% of the total development. Any development proposal under this option must address all applicable Area-Wide recommendations as well as the following guidelines.

- Consolidations of at least eight contiguous acres are encouraged. As an alternative, coordinated development plans with a combined land area of at least eight acres may be appropriate if the consolidation objectives are met. In any instance, it must be demonstrated that any unconsolidated parcels are able to develop in conformance with the Plan as described under the Land Use Guidelines in the Area-Wide Land Use section.

- Development proposals in these sub-units should provide for or contribute to road improvements as described in the Transportation Section of the Area-Wide recommendations. This area's recommended grid street system includes: the Eskridge Road extension south to Williams Drive and its realignment with Merrilee Drive to the north; the improvement of Strawberry Lane and its extension to Eskridge Road; the movie theater access road to connect with Williams Drive or Gatehouse Road. With the extension of the movie theater access road to either Williams Drive or Gatehouse Road, improvements to the intersection of Route 50/Williams Drive/Service Road should be made. Within this area, at least one road should function as the "Festival Street" that will have a concentration of retail and pedestrian activity (i.e., plazas, retail browsing areas and outdoor dining). See Figure 28 for an illustration of the grid system with the "Festival Street." Since a key transportation issue is the improvement of Eskridge Road and its realignment to Merrilee Drive, all development proposals under this option should contribute towards the Eskridge Road improvement in addition to providing other road improvements that improve circulation within this and adjacent areas as recommended in the Area-wide Transportation section.
- Development proposals should provide for inter-parcel access as well as other improvements that improve circulation within this and adjacent sub-units. For example, development proposals in Sub-Units F1 and F2 that abut Sub-Unit G1 should provide inter-parcel access to Sub-Unit G1 if needed to provide access to the school.
- Buildings should have retail and service uses located on the ground level that are designed to have a pedestrian orientation.
- Development should be designed with a pedestrian orientation, including open space amenities such as public plazas or greens as described under the Pedestrian and Transit Oriented Development Guidelines in the Urban Design section.
- Development should provide or contribute to the purchase of one to two acres of land for a public park within Sub-Units F1 and F2. This urban park should function as a public meeting and gathering place and should have a focal point such as a pavilion and/or fountain. As an alternative, this open space amenity could be a private facility if the space has public access and is available for public activities.
- Development should be designed with parking structures behind and/or under buildings.

Option 2: As an alternative to the office and retail option, mixed-uses with residential use and/or hotel use may be appropriate up to 1.2 FAR, if the redevelopment creates a component of the envisioned "Town Center." Development proposals should be in conformance with the Area-Wide Recommendations for alternative uses (see the Area-Wide Recommendations, Land Use Guidelines), and development proposals under this option must address the previous option's guidance, all applicable Area-Wide guidelines, as well as provide for the following:

- The alternative uses appropriate in this sub-unit are limited to residential, institutional, hotel, major entertainment uses, as well as retail and service uses. Only the portions of retail and service uses that exceed 20% of the total development's square footage are considered alternative uses as described under the Alternative Use Guidelines. Retail and service uses may comprise up to 35% of the development's square feet and may include employee amenities such as health clubs, day care and food services, all of which should be an integral part of the office, hotel and/or residential buildings.
- Major entertainment uses could include a "theater complex" and/or retail entertainment centers. These uses combined with retail and service uses should not exceed 55% of the development's total square footage.
- Institutional, cultural, recreational, and/or governmental uses are encouraged within the Town Center and should be provided consistent with the Area-Wide guidance.
- If residential development is proposed, affordable dwelling units should be provided on-site or as indicated under the Land Use Guidelines in the Area-Wide Land Use Section.
- Any proposed residential development should demonstrate that it is an integral component of the Town Center through design, architecture, materials, access and parking and should create a viable living environment by providing recreation and other amenities for the residents as indicated under the Land Use Section of the Area-Wide Recommendations.

Height Limit: Under the options, maximum building height is 95 feet when development is not integrated with structured parking. In order to encourage structured parking to be located under buildings, a height bonus of up to 20 feet (or a maximum height of 115 feet) is appropriate when at least 2 levels of structured parking are provided under the building, either at or below grade. The building height bonus should be contingent on increasing the amount of open space amenities. See the Building Heights Map, Figure 16, and the Building Height Guidelines under the Area-Wide Urban Design section."

****Additional Comprehensive Plan guidance for development review is contained at the end of this report.***

ANALYSIS

The application property is located in Sub-Unit F1 which is base planned for community serving retail use up to a .35 FAR. However, the applicant proposes to develop the site under Plan Option 2 which provides guidance for a "Town Center" residential mixed-use development up to a maximum 1.2 FAR. Development under this option may be appropriate provided the development proposal 1) meets the Area-Wide recommendations for alternative uses; 2) meets the Plan development conditions for development under Plan Option 1 for an office and retail "Town Center" concept; and, 3) meets the specific Plan conditions stipulated for development under Plan Option 2 for residential mixed use.

The proposed development would result in a maximum FAR of 1.35 which is inclusive of affordable dwelling units (ADUs) and bonus density. The applicant should provide tabulations on the CDP/FDP to clearly demonstrate that the floor area in excess of the Plan recommendation is attributable to ADUs and bonus density.

The following land use issues are raised in connection with the rezoning application based on Plan guidance which provides specific development criteria.

- *Consolidations of at least 8 contiguous acres are encouraged and, at a minimum, it must be demonstrated that any unconsolidated parcels are able to develop in conformance with the Plan.*

The application proposes a consolidation of land area totaling 7.48 acres which falls short of the Plan recommendation. Sheet 4 of the development proposal provides a conceptual layout which attempts to illustrate how the surrounding, unconsolidated areas could redevelop as part of a Merrifield "Town Center". Of particular concern is the failure to consolidate those adjacent parcels to the northeast, at the corner of Rt. 29 and Gallows Road. The proposed design exposes a major loading/utility area which has been designed along the development's northern edge. Redevelopment for the town center area should include a high quality image at this very visible corner since it represents the entrance and transition into the future town center planned for Sub-units F-1 and F-2. The extent to which future planned road improvements impact the existing parcels and development at the Gallows Rd./Rt. 29 intersection is not clear. Absent consolidation of properties in this northeastern corner of the sub-unit, the potential to ensure a high quality design and a strong visual focus on this area is greatly diminished.

Although the concept plan continues a grid street and building pattern which is established under the proposed application, it is not at all clear that the applicant's illustrative plan reflects the urban design concept described in the Comprehensive Plan. Plan guidance anticipates the establishment of a "Festival Street" potentially anchored by a town green at one end and a multi-screen cinema at the other. Moreover, the proposed development contributes approximately 17,000 square feet of land area towards a common green area out a total development proposal exceeding 400,000 gross square feet, including 270 residential units, which is a very small portion of the Plan recommendation to provide a 1-2 acre public park within Sub-units F1 and F2.

In order to implement the Town Center concept and establish a strong urban design pattern for the unconsolidated areas, the application should provide the minimum consolidation, as recommended, especially those parcels to the northeast, as noted above. Greater coordination with existing and potential development is strongly encouraged in order to achieve the recommended urban design goals.

- *Provide and/or contribute to road improvements as stipulated in the Area-Wide recommendations; provide at least one road to function as the "Festival Street" which concentrates retail and pedestrian activities.*

The development plan proposes two (2) “U” shaped buildings that front on Gallows Road, Strawberry Lane and an internal cross street that parallels Gallows Road. First and second floor retail is proposed along all of these street frontages which works against concentrating retail use along a single “Festival Street” concept as recommended. Insufficient details are provided with respect to the pedestrian amenities needed to achieve the “Festival Street” concept which should include: plazas; retail browsing areas; outdoor dining space; thematic facade and fenestration treatments and streetscape elements to create and sustain an interesting, pedestrian friendly environment.

- *Buildings should have retail and service uses on the ground floor; pedestrian orientation including open space amenities, public plazas and a public park of 1-2 acres within Sub-Units F-1 and F-2*

The application does provide for ground floor retail/service uses, but lacks sufficient design detail and amenities as discussed above. Approximately 17,000 square feet is proposed as an open lawn area and a water feature, but little information is provided regarding the design and function of this mini-park. Other than the undefined ‘water element’, the proposal does not include landscape design elements such as seasonal planting beds, focal elements, informational kiosks, lighting, or alternative paving or plaza areas. It appears that the area could be graded to function as a low-impact stormwater management area. No private or exclusive outdoor open space or recreational amenities are proposed for use by the future residents and no active indoor facilities are proposed.

- *Development should be designed with parking structures behind or under buildings.*

Structured parking is provided under and behind both of the retail/multi-family buildings; limited on-street parking is provided along the internal cross street which parallels Gallows Road. However, the loading function for the parking is centralized along the northern façade of the building and is not shown to be screened or otherwise designed to present a positive quality design image. The negative aesthetic visual impacts typically associated with loading areas have not been addressed with this application.

- *Retail and service uses may comprise up to 35% of the development’s square feet and should be an integral part of the office, hotel and/or residential buildings.*

The application proposes to have a development mix consisting of approximately 76% residential and 24% retail or other uses. All non-residential use is proposed to be within the first and second floor levels of buildings; no free-standing non-residential development is proposed.

- *Proposed development should demonstrate that it is an integral component of the Town Center through design, architecture, material, access and parking; for residential use, a viable living environment should be created with recreation and other amenities.*

The subject application is the first re-development proposal for an area that is planned to become a Town Center for the Merrifield Suburban Center. As such, it is paramount that the pattern and

character of development established reflect the urban design vision outlined in the Comprehensive Plan. The development proposal as submitted does not contain sufficient design information to discern a design theme or style. The building elevations provided for the retail and residential development are more characteristic of an office park development. No information is provided about the design, style and construction of the parking garage where it is visible on the street and in relationship to the primary building. Minimal design information is provided regarding the pedestrian and street furnishing. Based on the design deficiencies and lack of information, staff cannot conclude that a viable and attractive pedestrian environment will be established that will serve both the residential and retail development.

- *Building height bonus of up to 20 feet (or a maximum of 115 feet) is appropriate to encourage at least two (2) levels of structured parking; building height bonus should be contingent on increasing the amount of open space amenities.*

The application proposes both buildings to be at the maximum height of 115 feet. However, as previously discussed, the mini-park proposed satisfies the minimum 20% open space requirement for the PRM District. The intent of the height bonus was to increase the amount of open space amenities over and above the minimum. Of particular concern, is the lack of private open space amenities for the proposed 270 residential units. Design details for the development of roof top facilities and gardens as well as the provision of internal courtyards or plazas would be highly desirable to address this deficiency as well as providing more land area towards the establishment of the recommended 1-2 acre park.

Streetscape

The Merrifield Suburban Center Plan contains specific recommendations for providing a unifying streetscape theme to facilitate the creation of a functional, attractive pedestrian system that integrates landscaping, street furniture (lighting, signs, benches, trash receptacles, kiosks, etc.) and public plaza/open space areas. Guidance for Gallows Road and for a Town Center Main Street and Festival Street is contained in the Plan and includes recommended dimensions for pedestrian activity areas, sidewalks, landscaping strips and on-street parking (See Plan Figures 10 and 12, attached)

Gallows Road: The streetscape concept for Gallows Road recommends a 26-30 foot wide streetscape area which includes a double row of street trees on either side of the sidewalk. A 12 foot wide pedestrian activity area and/or landscape strip next to a six to eight (6-8) foot wide sidewalk. A second landscape area eight to ten (8-10) feet wide recommended adjacent to the along the outside edge adjacent to the curb; vegetations should include major shade trees, ground covers, understory plantings, ornamental shrubs and grass and flowering plants.

Although the application proposes the recommended 30 foot wide area along Gallows Road for streetscape and walkways, the approximately 20 feet of that area will be within the proposed right-of-way. Moreover, the streetscape proposes two (2) staggered rows of deciduous trees in planter boxes on either side of an eight (8) foot wide sidewalk. No understory or ornamental or flowering plants are included; no amenities such as seating or bus shelters are depicted. The

major shade trees should be provided in ground or with tree grates to promote and maintain healthy tree cover along the street for the long term. Planter boxes may be appropriate for understory shrubs and flowering and or seasonal plantings to accent the streetscape. Appropriate commitments which allow any special paver treatments and landscaping to be provided and maintained in the public right-way should be secured. The applicant should also ensure that public utilities will not impede the implementation of the streetscape in accordance with the Plan. The proposed streetscape should be redesigned to better address the specific streetscape recommendations and design concepts planned for Merrifield.

Main Street/Festival Street: The Streetscape Guidelines also provide a specific design concept for a Town Center Main Street or “Festival Street”. Based on the plan submitted, it appears that the realigned Strawberry Lane will function as a ‘festival street’. The streetscape area is recommended to be 22 feet in width and incorporate an eight (8) foot wide pedestrian activity or landscape area, a six (6) foot wide sidewalk, a second six (6) foot wide landscape area and a two (2) foot wide refuge strip immediately adjacent to the curb and on-street parking. A mix of street trees, supplemental understory plantings, ornamental shrubs, grasses, flowering plants and ground covers are recommended. The application depicts a streetscape that meets or exceeds the recommended streetscape width along both sides of Strawberry Lane. However, the streetscape consists of a single row of trees, also proposed in planter boxes. No street furnishings or pedestrian amenities are provided. The street is proposed to consist of 5 travel lanes total. No median strip is proposed. A planted road median is a recommended feature of the streetscape for this road. The applicant should redesign the Strawberry Lane frontage to address the design guidance for streetscaping, incorporating a variety of landscape plantings and pedestrian amenities, as recommended.

Summary

The primary urban design goals for the Town Center are to create a sense of place that provides attractive, landscaped and pedestrian friendly streets; that provides buildings with a distinctive architectural character and street presence; and, that provides high quality design in terms of integrated and coordinated building design and materials, open space amenities, and recreational space. The proposed development achieves some of the Town Center urban design goals by proposing structured and underground parking, maximizing building height, and integrating first and second floor retail use. However, as a result of insufficient consolidation and building design, inadequate open space and recreational amenities are proposed to serve the residents. The streetscaping and pedestrian street furnishings are not consistent with the Merrifield Suburban Center recommendations. The proposed development, including building elevations and park design, does not, in staff’s opinion, reflect the quality and character of development that is anticipated for the Merrifield Town Center, particularly when the proposal will essentially establish the development patterns, character and quality standards for future redevelopment in the Town Center area.

PGN:DMJ

OTHER COMPREHENSIVE PLAN CITATIONS

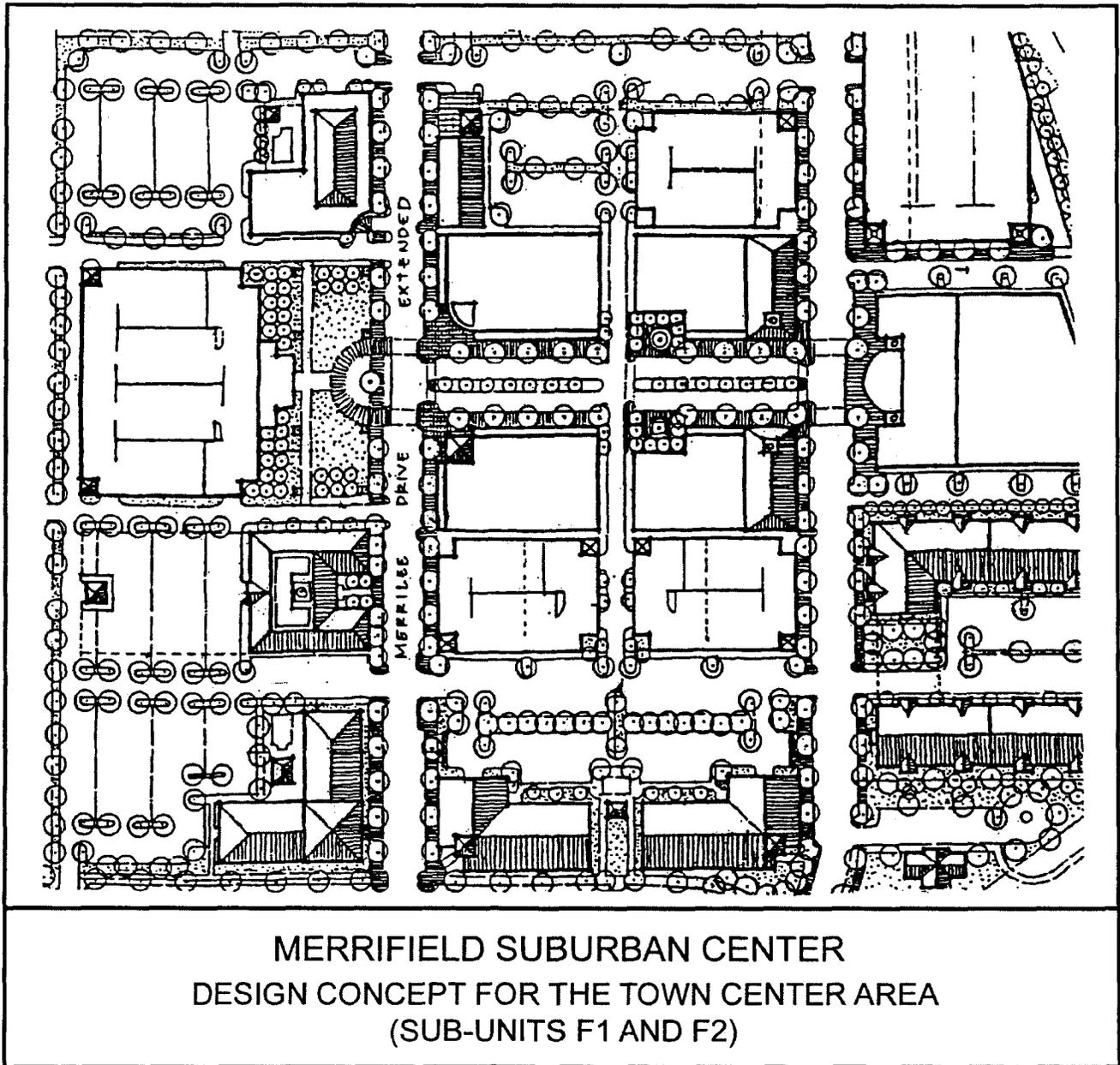
The following Plan citations should also be considered in evaluating the development proposal.

Plan Text: In the Fairfax County Comprehensive Plan, Area I Volume, 2003 Edition, Merrifield Suburban Center as amended through July 21, 2003, under the heading, *Land Unit F*, beginning on page 80, the Plan states:

“The following illustrative urban design plan shows an approach for creating a “sense of place” for the area south of Route 29 and west of Gallows Road, the new town center for the Merrifield Suburban Center (see Figure 28). The “sense of place” is provided through the creation of a “Festival Street,” which could be anchored at one end by the town green and at the other by a multiple screen theater. The Festival Street has wide sidewalks and pedestrian plazas fronting retail shopping and restaurants on the lower floors of the office buildings. It should be designed to foster both daytime and nighttime activity, reminiscent of the downtowns of earlier times and what has been achieved at other Town Centers such as the Reston Town Center. Residential areas are shown as ringing the southern boundary in this town center illustration. The purpose is to encourage more pedestrian activity by allowing people to live close to the town center’s shops, restaurants, theaters, offices, and parks.

The wide variety of land uses shown in this illustration, are integrated through both landscape and architectural transitions. Buildings front and address the street with finished facades that create the feeling of a mixed-use downtown. With attractive facades, low- to mid-rise building heights, and comparable building masses, non-residential uses can face residential uses across the street with no adverse impact. Where parking decks are located along a street, they are designed to incorporate street level retail as a mask to the garage behind, providing an appropriate transition to other uses. In some locations, formally landscaped green spaces provide transitions between non-residential and residential uses.”

FIGURE 28



Plan Text: In the Fairfax County Comprehensive Plan, Area I Volume, 2003 Edition, Merrifield Suburban Center as amended through July 21, 2003, under the heading, *Urban Design*, beginning on page 17, the Plan states:

“The Merrifield Suburban Center has developed over the years with a mix of industrial, office, retail, hotel, and multifamily uses. The development pattern that has resulted has not provided areas with a “sense of place”. The existing development tends to be auto-oriented with surface parking and abutting properties are isolated from each other due to the lack of an adequate network of pedestrian facilities. In order to facilitate the establishment of areas with a “sense of place” and with an overall improvement in image, redevelopment is encouraged within portions of the Merrifield Suburban Center.

The urban design concept identifies areas which should develop with a more urban and pedestrian-oriented environment, and which should include a mix of office, retail, and residential uses. These new more urban environments are to be concentrated in two core areas as described in the previous Land Use section: the Town Center and the Transit Station Area. Figure 5 illustrates the location of the two cores and how each is inter-linked with the surrounding areas (see Transportation Section for planned Roadway Improvements). The majority of the Merrifield Suburban Center, which is outside of the transit station area and the town center, will remain suburban in character and provide transitions in scale and intensity to the surrounding area.

The urban design concept for the Merrifield Suburban Center is designed to achieve a balance between the more urban character of the proposed Town Center and the Transit Station Area and the more suburban character of the rest of the Merrifield Suburban Center and the surrounding residential neighborhoods. The principles for establishing the Urban Design Concept are as follows:

- Create a sense of place by encouraging the development of mixed-use focus areas (i.e., the Transit Station Area and the Town Center);
- Provide transportation connections throughout the Merrifield Suburban Center by creating an extensive grid of well-lit and landscaped streets, pedestrian paths, and other transportation linkages;
- Integrate land uses through architectural and landscape transitions;
- Create buildings with a distinctive architectural character and a street presence;
- Encourage high-quality development in terms of site design, building design and materials, and open space amenities;
- Avoid a community dominated by surface parking;
- Accommodate alternative transportation modes (i.e., walking, bicycling, busses, shuttles, and metro); and

- Provide attractive and usable community-serving civic and recreation space.

Plan Text: In the Fairfax County Comprehensive Plan, Area I Volume, 2003 Edition, Merrifield Suburban Center as amended through July 21, 2003, under the heading, *Open Space and Pedestrian System Guidelines*, beginning on page 22, the Plan states:

“A part of the vision for the Merrifield Suburban Center is to create pedestrian-oriented areas with usable open space amenities. The following open space and pedestrian system design guidelines should be considered during the review process:

- In development proposals which entail new development or redevelopment, increased intensity/density, increased building heights, and/or which substantially change the design of a previously approved development commitment, pedestrian linkages should be provided to adjacent development and to the countywide trail system where feasible. The goal is to connect local sites with the larger community and to enhance the continuity of the pedestrian system. Pedestrian linkages could include sidewalks, trails, plazas, courtyards and parks with path systems.
- Additional sidewalks and trails beyond those indicated on Figure 8 (the Open Space and Pedestrian System Map) are encouraged, and are in some cases described in the Land Unit Recommendations Section. Providing fewer connections than those on the map is discouraged, unless it can be demonstrated that those connections are not needed because another circulation pattern would serve the same users as well or better.
- Opportunities should be provided for pedestrians to sit, especially in plazas, courtyards, urban greens and parks. Seating opportunities include the provision of low walls, wide steps, benches and other outdoor furniture.
- Auto and pedestrian traffic should be separated, i.e., pedestrians should not be required to walk in a travel lane or through a parking structure to reach their destination.
- Pedestrian safety should be an important factor in designing sidewalks, crosswalks and trails. Adequate lighting is essential. Pedestrian linkages between buildings and parking areas should be well-lit and landscaped. Site development should ensure that the landscaping does not impede visibility or create unsafe conditions.
- Pedestrians should be provided with safe and convenient access to transit stops/stations.
- Design of pedestrian linkages should minimize impacts on mature trees and other established vegetation. Where pedestrian linkages (existing or new) have few shade trees, additional trees should be planted.
- Signage along roadways should be provided to contribute to good pedestrian and vehicular orientation. Within the Merrifield Suburban Center, a signage theme should be established that provides consistency in terms of scale, design, color, materials and placement.
- Usable open space in the form of plazas, urban greens, courtyards or parks should be provided throughout the Merrifield Suburban Center, especially in the Transit Station Area and the Town Center, in order to create a strong pedestrian focus. Developments should

provide these pedestrian amenities, which include landscaped areas with shade trees, seating areas, public art and other amenities that make attractive gathering places for the local workforce, shoppers, and residents. In some instances, these open space amenities should be large enough and designed in a manner to accommodate informal activities as well as programmed events during lunch-hours and after-work hours.

- The siting of buildings and the quality of design also influences the pedestrian experience. Care should be taken to ensure that buildings are not designed to create barriers to pedestrian circulation.”

Plan Text: In the Fairfax County Comprehensive Plan, Area I Volume, 2003 Edition, Merrifield Suburban Center as amended through July 21, 2003, under the heading, *Streetscape Design*, beginning on page 23, the Plan states:

“Attractive streetscape includes a well-designed road edge with street furniture and other features and provides improved identity, visual continuity and user safety. The streetscape concept shown on Figure 9 provides a streetscape hierarchy with four types of streetscape designs: Boulevard, Ring Road, Main Street and Cross Street. These streetscapes should create a unifying theme along each of the roads to visually and physically link Merrifield. This unifying theme consists of guidance for street tree location, spacing, and size. Below are general guidelines for all streetscapes, which are followed by design guidelines for each individual streetscape type.

General Streetscape Guidelines

Underground utilities: Undergrounding of utilities should be encouraged and should be coordinated with future roadway improvements and the rebuilding of sidewalks to foster a pedestrian environment and other Plan objectives. New development should provide underground utility conduits or provide commitments to construct these improvements in the future. If undergrounding utilities is not feasible, consideration should be given to relocating the utilities to the rear or side of the development.

Street Lighting: Street lighting should be provided that maintains the overall character and quality of the area, while providing adequate lighting levels that ensure public safety without creating glare or light spillage into neighboring low-density residential areas.

Gateways: Gateways define the major approaches to the area and are shown on Figure 9. At these points of entry to the Merrifield Suburban Center, gateways should have additional plantings and tree groupings in addition to the basic streetscape, and could also include signage and other design treatments that distinguish the location as an entrance to the Merrifield Suburban Center.

Streetscape Design Flexibility: When infill or expansion of buildings or other existing features constrain a site’s design, variation from the streetscape guidance should be permitted when that variation results in acceptable sidewalk widths and amounts of street trees and landscaping. For example, if the guidance is to provide a double row of street trees, but due to site constraints not enough space exists for the staggered rows, an equal number of street trees planted in a single row may be an appropriate alternative.

When street trees and other plantings are to be located in proximity to roadways or within medians, safety and sight distance should be taken into consideration upon reviewing a development proposal's streetscape design. Modifications to the streetscape guidance is appropriate to account for these issues, but only if viable alternatives in streetscape design can be provided to ensure continuity in the streetscape pattern.

Streetscape Maintenance: The provision of the streetscape may be provided on a combination of publicly owned right-of-way and private property. In order for a future development to utilize the public right-of-way to provide streetscape improvements, commitments will need to be made by the property owner to maintain the streetscape area within the public right-of-way. In addition, in order to provide streetscape, the sidewalk may not be entirely within the right-of-way; therefore, additional right-of-way may be needed or a public access easement will need to be provided for that portion of the sidewalk located on private property.

Boulevard Streetscape Guidelines (Gallows Road, Route 29, and Route 50)

The boulevard streetscape, shown on Figure 10, should be used for Gallows Road, Route 29 and Route 50. This streetscape concept features a wide, tree-lined road with well-defined pedestrian and bicycle features that include wide sidewalks along both sides of the street, street trees evenly spaced, medians with plantings of flowering trees, shrubs, and flowers. Street lighting should be distinctive, and designed for both pedestrian and vehicular use. The following guidelines are provided for achieving the boulevard streetscape character:

- Landscape area next to curb: Along a boulevard, the landscape strip should be, at a minimum, 8 feet in width; however, a 10-foot wide landscape strip is encouraged. Plantings should occur closest to the sidewalk, leaving room adjacent to the road for street lighting and signage. Major shade trees should be planted with a spacing of 40 to 50 feet on center, using trees that are 2½ to 3-inch caliper in size at the time of planting. Vegetation within the planting strip should include supplemental plantings such as ornamental shrubs, ground cover, flowering plants, and grasses. Where appropriate, special pavement treatments and trees in grates may be considered as alternatives to a planting strip.
- Adjacent to the landscape strip along Route 29, an eight-foot wide sidewalk is planned along the north side of the road to provide continuity with the trail plan and along the south side, at a minimum, a six-foot wide sidewalk is planned. Along Gallows Road north of Route 50, an eight-foot wide sidewalk is planned for both sides of the road. Along Gallows Road south of Route 50, an eight-foot wide trail is planned along the west side of the road and a six-foot wide sidewalk is planned along the east side of the road. Along Route 50, an 8-foot wide trail is planned for the north side of the road and a 6-foot wide sidewalk is planned for the south side of the road.
- Pedestrian activity area and/or landscape area between the sidewalk and building and/or parking: A secondary landscape strip should be, at a minimum, 12 feet wide when adjacent to a building and 6 feet wide when surface parking is adjacent. Major shade trees should be planted with spacing of 40 to 50 feet on center, using trees that are 2½ to 3-inch caliper in size at the time of planting. The tree spacing along this landscape strip should be staggered with the first row of trees between curb and sidewalk, so that the effect of the two rows of trees is tree spacing at approximately 20 to 25 feet. Vegetation within the planting strip should include supplemental plantings such as ornamental shrubs, ground cover, flowering plants, and grasses. This pedestrian activity area/landscape strip, when adjacent to parking areas, should have supplemental plantings that will help to screen the parking from the pedestrian walkway and from the road. When ground level retail is provided in a building, a

portion of this pedestrian activity area/landscape strip can be used for retail browsing and/or outdoor dining.

- Median landscape strip: Median plantings should consist of flowering trees, low ornamental shrubs, and flowers. The median plantings may be informal; however, the massing of trees should be equivalent to the planting of a tree every 25 feet on center. Plantings should be selected that are drought tolerant and low in maintenance, resistant to disease, pollution, and heat.
- At pedestrian crossings, ramps and special pavement should be designed to create a well-delineated and safe area for pedestrians to cross the street. Medians should be designed to create a safety island for pedestrians waiting to finish crossing the street.

Main Street Streetscape Guidelines (Merrilee Drive/Eskridge Road and Festival Street)

The “Main Street” streetscape, shown on Figure 12, should be used in the Town Center as well as for the connection of the Town Center to the Transit Station Area, along Merrilee Drive to Eskridge Road. The streetscape treatment on the road connection from the transit station should help to provide an inviting, safe and direct vehicular and pedestrian link to the town center. At a minimum, streets should have two traffic lanes with on-street parking on each side of the street. Traffic calming features should be employed to enhance pedestrian and bicycle safety. A generous pedestrian area, generally between 20 to 25 feet wide, should be provided on each side of the street; this area should feature evenly spaced street trees, unified streetscape furniture design, and special paving accents. In the transit station area and the town center areas, buildings should have street-level retail, with restaurant and entertainment uses enlivening the street. Some segments of the “Main Street,” such as a “festival street” in the town center area, may contain a center median with special landscaping, paving and amenities (such as fountains). The following guidelines are provided for achieving the Main Street streetscape character:

- Landscape area next to curb: At a minimum, a 2-foot paved refuge strip should be located between the landscape area and the curb (refuge strip is where people get out of their cars that are parked on the street). Adjacent to the refuge area, a minimum 6-foot wide landscape area should be provided. Plantings should generally be placed in the center of the landscape strip, with major shade trees planted with a spacing of 25 to 30 feet on center, using trees that are 2½ to 3-inch caliper in size at the time of planting. Vegetation within the planting strip should include supplemental plantings such as ornamental shrubs, ground cover, flowering plants and grasses. Special pavement treatments and trees in grates should be considered as alternatives to a planting strip. Adjacent to this landscape strip should be a 6-foot wide sidewalk.
- Pedestrian activity area and/or landscape area between the sidewalk and building and/or parking: Between the sidewalk and the building, there should be, at a minimum, an 8-foot combination landscape strip and browsing area. Within the browsing area, outdoor seating for restaurants or sidewalk cafes may be appropriate as well as special entrance features to shops and buildings. A variety of treatments for this area may be used such as a plaza, a landscaped area with seating and lighting, a sidewalk and landscaped area, formal arrangements of trees (bosques), informally grouped trees and other plantings, and any of the above with public art or a water feature.

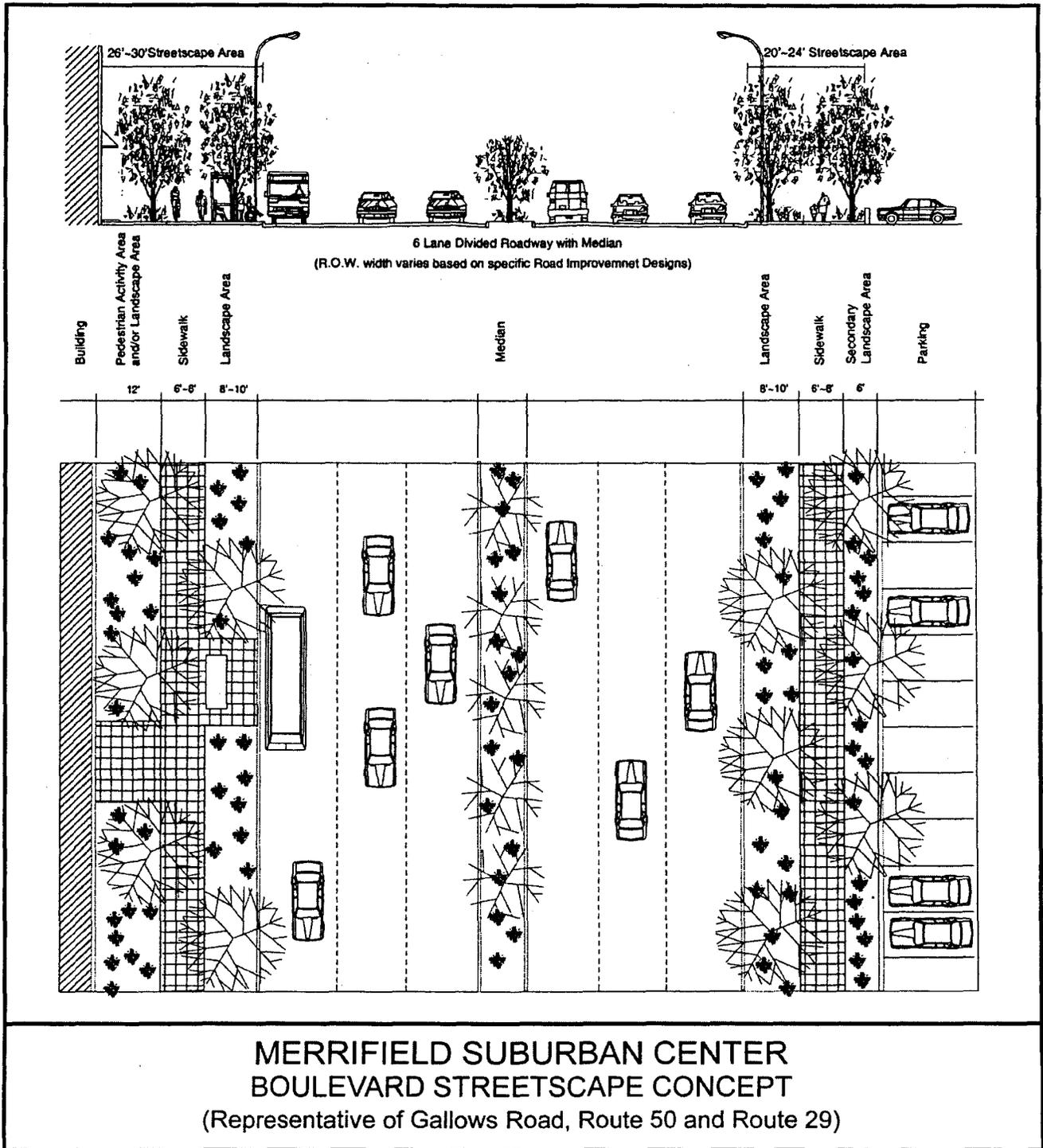


FIGURE 10

- Median landscape strip: When a median is provided, the area should have plantings consisting of flowering trees, low ornamental shrubs, and flowers. The median plantings may be informal, however the massing of trees should be equivalent to the planting of a tree every 25 feet on center. Plantings should be selected that are drought tolerant and low in maintenance, resistant to disease, pollution, and heat.
- At pedestrian crossings, ramps and special pavement should be designed to create a well-delineated and safe area for pedestrians to cross the street. Should a median be provided, it should be designed to create a safety island for pedestrians waiting to finish crossing the street.

A cross street, which applies to the majority of the streets within the Merrifield Suburban Center, not otherwise designated, helps to define the street grid system by connecting the boulevards, ring road and main streets. Providing additional cross streets will be critical in enhancing internal traffic flow within the core areas (i.e. the town center and transit station areas). Cross streets typically have two-traffic lanes with on-street parking along at least one side. Traffic calming measures such as raised mid-block pedestrian crossings, small traffic rotaries, and curb and sidewalk "bulb outs" at intersections should be provided. The cross street streetscape concept is shown on Figure 13 and features a tree-lined sidewalk on both sides of the street. The following guidelines are provided for achieving the Cross Street streetscape character:

- Landscape area next to curb: Streets with parking should have, at a minimum, a 2-foot paved refuge strip next to the curb. A refuge strip is where people get out of their parked cars. Adjacent to the refuge area, a minimum a 6-foot wide landscape area should be provided. Plantings should generally be placed in the center of the landscape strip, with major shade trees planted with a spacing of 25 to 30 feet on center, using trees that are 2½ to 3-inch caliper in size at the time of planting. Vegetation within the planting strip should include supplemental plantings such as ornamental shrubs, ground cover, flowering plants and grasses. Where appropriate, special pavement treatments and trees in grates may be considered as alternatives to a planting strip. Adjacent to this landscape strip should be a 6-foot wide sidewalk.

Cross Street Streetscape Guidelines

- Pedestrian activity area and/or landscape area between the sidewalk and building and/or parking: A secondary landscape strip should be, at a minimum, 12 feet wide when adjacent to a building and 6 feet wide when adjacent to surface parking. Supplemental plantings should be provided (to include shade and flowering trees, shrubs, flowering plants, ground cover, and grasses). When adjacent to parking areas, plantings should help buffer and screen parking from the pedestrian walkway and from the road. When ground level retail is provided in a building, a portion of this pedestrian activity area/landscape strip can be used for retail browsing and/or outdoor dining.
- At pedestrian crossings, ramps and special pavement should be designed to create a well-delineated and safe area for pedestrians to cross the street. Should a median be provided, it should be designed to create a safety island for pedestrians waiting to finish crossing the street."

Plan Text: In the Fairfax County Comprehensive Plan, Area I Volume, 2003 Edition, Merrifield Suburban Center as amended through July 21, 2003, under the heading, *Building and Site Design*, beginning on page 31, the Plan states:

“In addition to streetscape, siting of buildings, building materials and quality of design influence the pedestrian experience. The location of a building on a site should not create a barrier to pedestrians by interrupting the pedestrian circulation system. Also, a development’s site design should avoid creating pedestrian barriers; for example landscaping should not block the paths through a property. In addition, any signage within a development should be coordinated in terms of scale, design, color, materials, and placement. Since the Merrifield Suburban Center is envisioned to have areas with an urban as well as a suburban character, the siting of buildings in relation to the pedestrian system will vary.

Building and Site Design Guidelines for Core Areas and Areas Adjacent to the Cores

The core areas (i.e., Transit Station and Town Center Areas) and the areas adjacent to the cores are planned for highest intensities and have the greatest potential for high volumes of pedestrian traffic. These areas are envisioned to become more pedestrian and transit-friendly through building and site designs that have a more urban character. The following guidelines are intended to provide guidance for achieving this character. See Figure 14 for illustrations of this more urban character.

- To encourage a more urban environment, buildings should be close to roadways after allowing for streetscape amenities such as street trees, sidewalks, plazas, street furniture and landscaping. Building setbacks will vary based on which streetscape is applicable. For boulevards such as Route 29, Route 50, and Gallows Road, buildings should, at a minimum, be setback 26 feet from the curb; however in order to provide for plazas, retail browse areas and other pedestrian amenities, buildings should generally be about 30 to 40 feet from the curb. For the Ring Road, Main Street and Cross Streets, buildings should generally be setback about 20 to 25 feet from the curb. These setbacks would achieve the goal of bringing new buildings closer to the roadway while providing for streetscape amenities. See the Streetscape Design Guidelines for landscaping guidance within the setback areas.
- To encourage the siting of buildings closer to the street, the allowable angles of bulk plane should be 20 degrees in order to encourage a more urban environment and pedestrian scale. (See Figure 14)
- Having buildings closer to the roadway means that most off-street parking will be located in structures to the side or back of the buildings or beneath buildings. These structures should be integrated with the building design in a manner that maximizes usable open space and pedestrian linkages.
- For retail development on Gallows Road and Route 29 only, limited surface parking may be allowed in the front; however, streetscaping should be provided consistent with the appropriate streetscape design guidelines, with additional shrubs and/or berms for screening the parking. Typically, surface parking in the front of the building should be limited to no more than two rows of parking. In some instances, due to site constraints or in order to achieve other urban design objectives such as additional open space or better pedestrian access, surface parking in front of the building may exceed the two rows of parking; however, substantial internal parking lot landscaping should be provided. In addition,

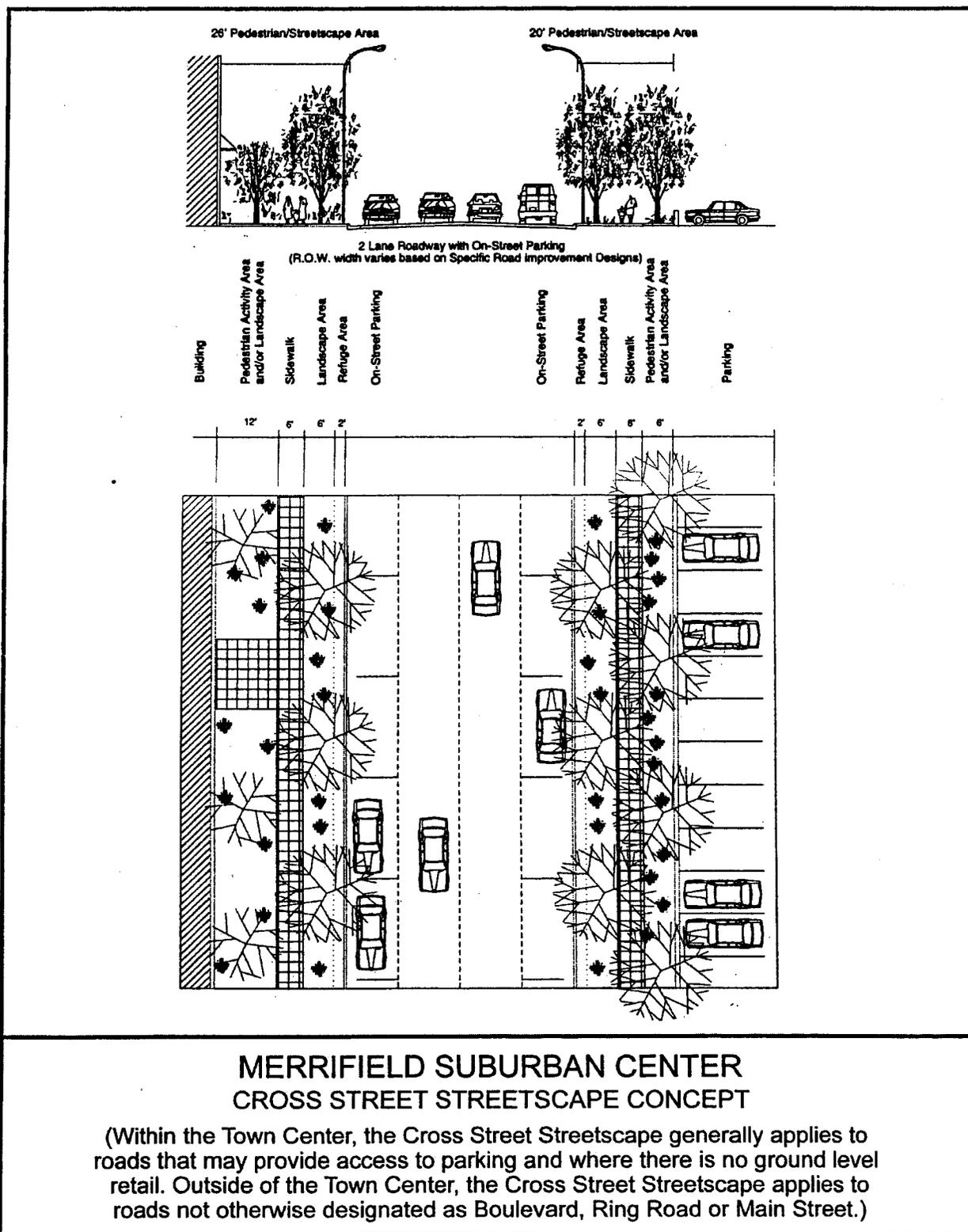


Figure 13

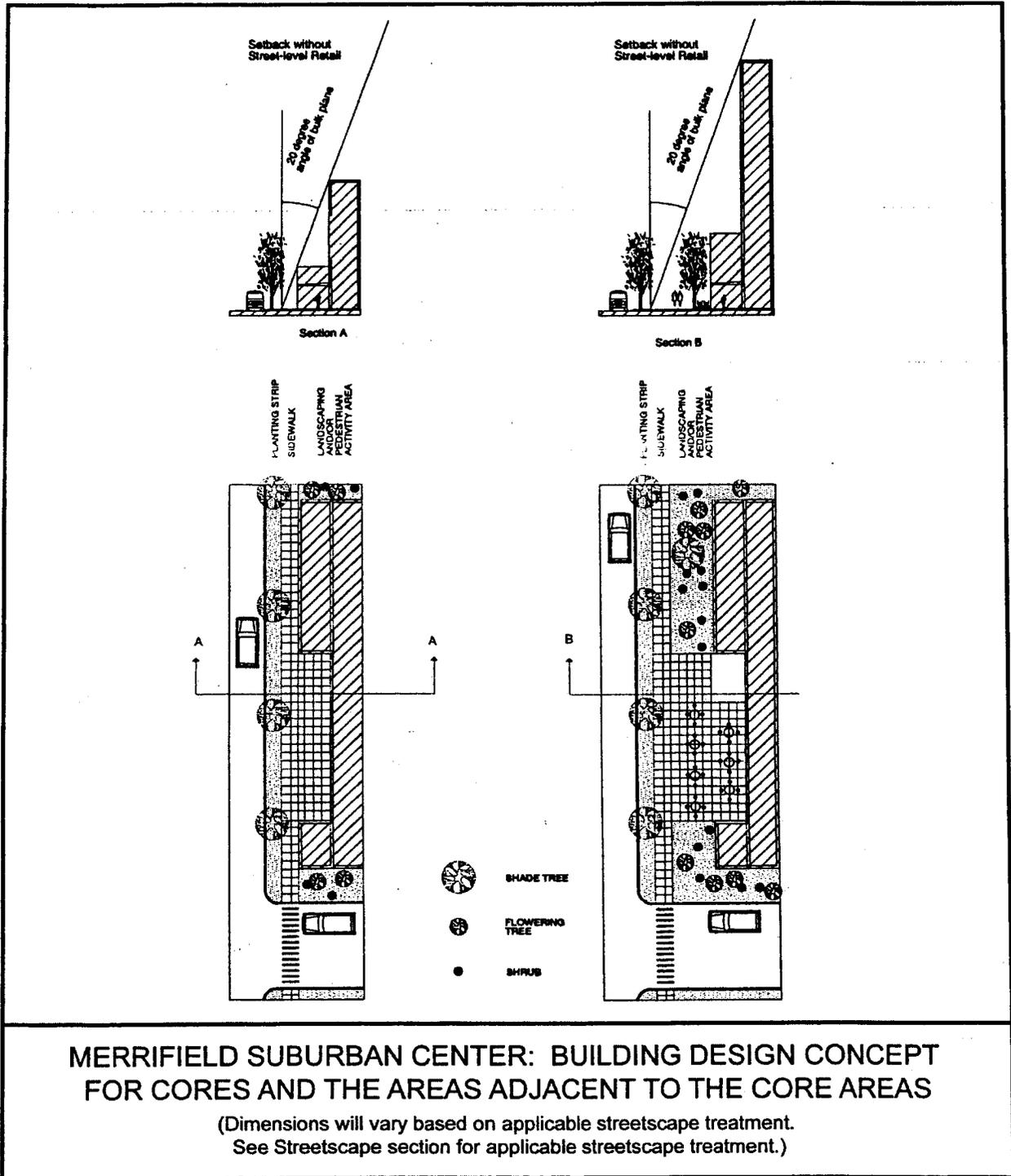


FIGURE 14

pedestrian paths from the street to the retail uses should be articulated with landscaping and special paving treatment.

- Building facades should establish a pedestrian scale relationship to the street with architectural features such as variations of window or building details, texture, pattern, and color of materials. Public space furniture and entry accent features are encouraged as are arcades, awnings, or other building features that distinguish ground floor retail uses.”

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

SUBJECT: Addendum
Comprehensive Plan Land Use Analysis: RZ 2003-PR-009
Uniwest Group, L.L.C.

DATE: 16 December 2003

This memorandum, prepared by Denise M. James, AICP, is based on the revised Conceptual and Final Development plan (CDP/FDP) dated January 14, 2003, as revised through November 14, 2003. The extent to which the revised submission and the companion application have addressed previously identified issues is discussed below.

BACKGROUND

The Comprehensive Plan Land Use Analysis dated August 14, 2003, raised concerns with the proposal to rezone the application property to the PRM District for mixed use development consisting of 105,500 square feet of retail space and 333,698 square feet (270 units) of high rise multi-family residential development. The Comprehensive Plan Land Use Analysis concluded that although the use and intensity were consistent with the optional Plan recommendations for the Merrifield Town Center, several deficiencies related to parcel consolidation, road improvements, pedestrian orientation and amenities, and streetscaping were identified.

Subsequent revisions to the development proposal have provided the requested urban design details related to the open space and park areas, the façade treatments, the street-level pedestrian and retail environment and roof-top residential amenities, including a pedestrian bridge over Strawberry Lane linking the two residential buildings.

DISCUSSION

Issue: Parcel Consolidation In order to implement the Merrifield Town Center vision, the Plan encourages the consolidation of at least eight (8) contiguous acres. In addition, any development proposal must demonstrate that unconsolidated parcels are able develop in conformance with the Plan. Although the application property consists of approximately 7.5 acres, consolidation of the remaining parcels at the corner of Gallows Road and Lee Highway was strongly encouraged due to the prominent and highly visible location of these unconsolidated parcels which are currently developed and utilized for a variety of low-intensity retail and storage uses. To address the

aesthetic concerns, the revised CDP/FDP depicts a landscaping and screening wall at the northern edge of the development which will be designed and constructed to match the materials and architecture of the proposed building. The applicant has also provided a conceptual drawing which depicts a potential redevelopment scenario for office and structured parking for those unconsolidated parcels to the north, including the potential for dedication of right-of-way for planned improvements at Gallows Road and Lee Highway. To facilitate the coordinated redevelopment of the unconsolidated parcels to the north, it would be desirable to provide for some flexibility to modify the screening wall and landscaping in order to accommodate future interparcel access and public access easements, as may be determined appropriate in the future.

Issue: Streetscape and Road Improvements In order to accommodate requested road improvements and standard turning lanes from Gallows Road into Strawberry Lane, the recommended streetscaping and plaza treatment initially proposed for the northernmost residential building was substantially reduced. Although some minor modifications to accommodate public road geometrics and safety standards may be acceptable, staff believes that the proposed loss of streetscape and plaza area is detrimental to the northern residential building and sets a negative precedent for the town center redevelopment. In order to implement and achieve a more urban sense of place and pedestrian friendly orientation, an appropriate compromise between road improvements, building setback and the recommended streetscape and pedestrian environment should be achieved. The applicant is encouraged to minimize lane widths, the number of turn lanes and the general expanse of pavement devoted to vehicle movement to better achieve revitalization goals. This concern remains outstanding.

Issue: Affordable Dwelling Units Initial submissions of the development proposal included the provision of 14 affordable dwelling units which is approximately 5% of the total number of units. The revised draft proffer statement dated November 14, 2003 has reduced that commitment to state that eight (8) affordable units shall be provided which is approximately 3% of the total number of units. The applicant proposes to develop at the maximum 1.2 floor area ratio (FAR) recommended under the mixed-use/residential option and, with bonus density, achieves a maximum FAR of 1.35. In light of the maximum intensity proposed and the opportunity to provide affordable units in close proximity to a variety of existing and future employment opportunities, the applicant is strongly encouraged to reinstate the initial commitment to provide additional affordable units. This concern remains outstanding.

PGN:DMJ

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

SUBJECT: ENVIRONMENTAL ASSESSMENT for: RZ/FDP 2003-PR-009
Uniwest Group, LLC

DATE: August 11, 2003

This application proposes to rezone approximately 7.48 acres of land from the I-5 (General Industrial) District to the PRM (Planned Residential Mixed Use) District. The application proposes four hundred thirty-nine thousand, six hundred twenty-one (439,621) square feet of gross floor area resulting in a floor area ratio (FAR) of 1.35. Seventy-six (76) percent of the development is proposed for residential use and the remaining twenty-four (24) percent is proposed for retail use. This memorandum, prepared by Mary Ann Welton, AICP, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed development as depicted on the revised development plan dated July 18, 2003. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS

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

The Fairfax County Comprehensive Plan, Area I Volume, 2003 Edition, under the heading Merrifield Suburban Center as amended through July 21, 2003, Area-Wide Recommendations, page 47, states:

“Storm Water Management: The Merrifield Suburban Center is located within two drainage sheds: Accotink and Cameron Run. There are existing storm water management facilities in the Merrifield Suburban Center such as the regional ponds at Willow Oaks Corporate Park and at Fairview Park, as well as several dry ponds. As development (i.e., new development, redevelopment and building expansions) occurs in the Merrifield Suburban Center, storm water management and Best Management Practices (BMPs) will

need not only to meet on-site requirements, but also to help alleviate existing downstream drainage issues that are identified during the development review process.”

The Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Environment section as amended through August 5, 2002, pages 5 through 7, states:

“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

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

Policy b. Update BMP requirements as newer, more effective strategies become available...

Policy k. For new development and redevelopment, apply low-impact site design techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County’s streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation.
- Where feasible, convey drainage from impervious areas into pervious areas.
- Encourage cluster development when designed to maximize protection of ecologically valuable land.
- Encourage the preservation of wooded areas and steep slopes adjacent to stream valley EQC areas.
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting

where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.

- Where appropriate, use protective easements in areas outside of private residential lots as a mechanism to protect wooded areas and steep slopes.
- Encourage the use of open ditch road sections and minimize subdivision street lengths, widths, use of curb and gutter sections, and overall impervious cover within cul-de-sacs, consistent with County and State requirements.
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements.
- Encourage shared parking between adjacent land uses where permitted.
- Where feasible and appropriate, encourage the use of pervious parking surfaces in low-use parking areas.
- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements.

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

The Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Environment section as amended through August 5, 2002, page 8, states:

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

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

The Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Environment section as amended through August 5, 2002, pages 9 and 10, states:

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

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

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

New development should not expose people in their homes, or other noise sensitive environments, to noise in excess of DNL 45 dBA, or to noise in excess of DNL 65 dBA in the outdoor recreation areas of homes. To achieve these standards new residential development in areas impacted by highway noise between DNL 65 and 75 dBA will require mitigation. New residential development should not occur in areas with projected highway noise exposures exceeding DNL 75 dBA. Because recreation areas cannot be screened from aircraft noise and because adverse noise impacts can occur at levels below DNL 65 dBA, in order to avoid exacerbating noise and land use conflicts and to further the public health, safety and welfare, new residential development should not occur in areas with projected aircraft noise exposures exceeding DNL 60 dBA. Where new residential development does occur near Washington Dulles International Airport, disclosure measures should be provided.”

The Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Environment section as amended through August 5, 2002, page 10, states:

“Increasing urbanization requires that care be taken to reduce unfocused emissions of light and that efforts be made to avoid creating sources of glare which may interfere with residents' and/or travelers' visual acuity.

Objective 5: Minimize light emissions to those necessary and consistent with general safety.

Policy a. Recognize the nuisance aspects of unfocused light emissions.”

The Fairfax County Comprehensive Plan, Area I Volume, 2003 Edition, under the heading Merrifield Suburban Center as amended through July 21, 2003, General Streetscape Guidelines, page 23, states:

“*Street lighting:* Street lighting should be provided that maintains the overall character and quality of the area, while providing adequate lighting levels that ensure public safety without creating glare or light spillage into neighboring low-density residential areas.”

The Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Environment section as amended through August 5, 2002, page 15, states:

“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

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

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.”

ENVIRONMENTAL ANALYSIS

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

Stormwater Management

Issue: The subject property is currently developed; thus, this application qualifies as a redevelopment activity under the requirements for the County's Chesapeake Bay Preservation Ordinance (CBPO). The CBPO stipulates a ten (10) percent phosphorous removal requirement for redevelopment activities. The applicant has indicated in Note # 6 of the development plan that water quality and quantities requirements will be handled by underground detention facilities. The proposed facilities are shown on Sheet 15 of the development plan. In the event that the proposed underground facilities are not permitted for this development which includes a residential component, it is recommended that the applicant seek a waiver of underground detention. In addition, the applicant should identify a possible location on site for a best management practices facility in the event that a waiver of water quality requirements is not granted by DPWES. The applicant is also encouraged to provide a narrative on adequate outfall and mitigation of potential downstream drainage issues in the vicinity of this development.

Highway Noise

Issue: A highway noise analysis was performed for Gallows Road (Route 650). The analysis produced the following noise contour projections (note DNL dBA is equivalent to dBA L_{dn}):

65 dBA L_{dn}	382 feet from centerline
70 dBA L_{dn}	177 feet from centerline

The entire site falls within the 65-70 dBA L_{dn} impact area and may be adversely affected by projected traffic noise. In order to reduce noise in interior areas to 45 dBA L_{dn} or less, all structures in this proposed development which include a residential component, should be constructed with building materials that are sufficient to provide this level of acoustical mitigation.

Lighting

Issue: The development plan provides little information regarding lighting details for this proposed development except for the general commitment stated in Note #25 to provide fully shielded lights. To ensure consistency with the Comprehensive Plan policy, the Zoning Ordinance requirements and the Merrifield Suburban Center Streetscape Design, the applicant is encouraged to provide more information regarding all aspects of lighting for the development.

TRAILS PLAN

The trails and streetscape recommendations for this portion of the Merrifield Suburban Center are discussed as part of the Land Use Analysis.

PGN: MAW

FAIRFAX COUNTY, VIRGINIA
MEMORANDUM

APPENDIX 7

TO: Barbara A. Byron, Director
Zoning Evaluation Division,
Department of Comprehensive Planning

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

FILE: 3- 4 (RZ 2003-PR-009)

SUBJECT: Transportation Impact

REFERENCE: RZ 2003-PR-009, FDP 2003-PR-009; Uniwest/ Merrifield Town Center
Traffic Zone: 1523
Land Identification Map: 48-4 ((01)) 4,8,9,9A,10,11,11A,12B

DATE: October 10, 2003

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on updated plans dated October 2, 2003 and proffers dated September 29, 2003.

The applicant requests to rezone 7.48 acres from the I-5 District to the PDC District to permit a mixed-use development at an FAR of 1.35. Approximately, 270 residential units along with two parking garages and approximately 105,500 square feet of retail space are proposed with this subject application.

The applicant's proposal includes the realignment of Strawberry Lane opposite Porter Road and also includes intersection and roadway improvements to Strawberry Lane and Gallows Road.

The department has reviewed the subject application and offers the following comments:

Note: VDOT has not had sufficient time to review the revised October 2, 2003 plan and therefore VDOT comments related to this revised plan are not prescribed herein.

Strawberry Lane

- The outer lanes on Strawberry Lane should be 14-ft. width to curb.
- The receiving dual left turn lanes on Strawberry Lane should be 15-ft. in width with outer lanes 15-ft to face-of-curb.
- The applicant should provide proffer language for Strawberry Lane for its design for public street standards and its changeover from private to public.
- The provision of stamped crosswalks and an overhead walkway should be verified with VDOT.
- The provision of 11-ft. wide thru lane(s) on Strawberry Lane would have to be approved by VDOT.
- The applicant should provide traffic signal pole and equipment easements on Strawberry Lane and Gallows Road for the ultimate signal system.

Gallows Road

- Applicant should dedicate additional right-of-way necessary for an ultimate southbound right-turn lane along the site @ Gallows Road. Note: The VDOT plans for improvements to Gallows Road did not examine the need for right-turn lanes along undeveloped properties.
- The provision of interim 11-ft. wide lane(s) on Gallows Road would have to be approved by VDOT.

Plans-Site, Area and Comprehensive Plan

- The interparcel at the north-western portion of the site should allow for a variable easement to the east to transition easier to the remaining lots.
- The applicant should demonstrate how trucks can maneuver in the loading area.
- The applicant should address the Comprehensive Plan for Merrifield comment for their option #2 for the Construction of Eskridge Road Improvement.

TDMs

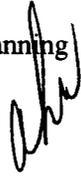
- The first sentence under Transportation Management Strategies should be extended to include, "of the transportation generated according to the Institute of Transportation Engineers ("ITE") Trip Generation Manual, 6th edition."
- Under Transportation Proffer 3 (Smart Trip Card), the incentive should be substantial enough to encourage transit ridership. Therefore, the initial 270 residents should be provided with a Smart Card or the like with an initial balance incentive of \$ 200.00 each, not as \$ 10.00 as currently purposed. If the Smart Trip Card is to become discontinued the remaining incentive balance is to be applied to an alternative TDM strategy or strategies.
- Under Transportation Proffer 3 (Smart Trip Card) omit the entire last sentence, "If the Smart Trip program is no longer offered at the time the 270 new residents...in lieu of providing Smart Trip cards to residents."
- An alternative to the Smart Trip Card Strategy as proposed is to include the Smart Trip Card in the proffered list of potential strategies without a specified initiative incentive.
- A proffer should be provided for an annual sum of \$0.10 per square foot of occupied gross floor area and will be contributed by the Applicant to a transportation coordinator each year. Such funds will be available after 70% of the Residential Use Permits are issued for all buildings. These monies will fund the "strategies" as noted in Transportation Management Strategies. The terms of this proffer shall expire fifteen years after the last RUP is issued.
- In addition, if the annual multi-mode transportation split survey indicates that the reduction has not occurred, an additional \$0.05 per square foot shall be contributed to the TMS Fund until such time as the reduction has occurred.

AKR/AK:ak

c:\mword\rz-cases\rz03pr009Uniwest/MerrifieldTownCenter...BM
cc: Michele Brickner, Director, Office of Site Review, DPW & ES

**FAIRFAX COUNTY, VIRGINIA
MEMORANDUM**

TO: Barbara A. Byron, Director
Zoning Evaluation Division,
Department of Comprehensive Planning

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

FILE: 3- 4 (RZ 2003-PR-009)

SUBJECT: Transportation Impact Addendum

REFERENCE: RZ 2003-PR-009, FDP 2003-PR-009; Uniwest/ Merrifield Town Center
Traffic Zone: 1523
Land Identification Map: 48-4 ((01)) 4,8,9,9A,10,11,11A,12B

DATE: November 21, 2003

Transmitted herewith are comments from the Department of Transportation with respect to this application.

The applicant requests to rezone 7.48 acres from the I-5 District to the PRM District to permit a mixed-use development at an FAR of 1.35. Approximately 270 residential units along with two parking garages and approximately 105,500 square feet of retail space are proposed with this subject application.

The applicant's proposal includes the realignment of Strawberry Lane opposite Porter Road and also includes intersection and roadway improvements to Strawberry Lane and Gallows Road.

The department has reviewed the subject application including the following submitted site engineering materials: a Traffic Impact Study (parts I and II); a revised development plan dated November 14, 2003; proffers dated November 14, 2003; a VDOT e-mail of October 16, 2003; traffic consultant response comments dated October 2, 2003; Uniwest Group L.L.C. comments from Mr. Michael D. Collier, President, dated October 24, 2003; and VDOT's signed correspondence dated November 12, 2003. This department offers the following comments.

- The applicant should address the Merrifield Plan language regarding the construction the Eskridge Road improvement.

The Merrifield Plan demonstrates the future alignment of Eskridge Road with Merilee Drive at Route 29. The difference in elevation will require infill and sufficient design measures. Therefore, in accordance with the Merrifield Plan the applicant should escrow funds. The applicant is proffering only \$ 5,000.00 towards this improvement.

- The applicant should provide traffic signal pole and equipment easements on Strawberry Lane and Gallows Road for the ultimate signal system.

The provision of easements for traffic signal equipment and pole is currently addressed in amended proffer V.9; however, it is not clear that these easements will also be provided for the ultimate signal location.

Barbara A. Byron
November 17, 2003
Page two

The following issues as stated in this department's previous transportation memo dated October 10, 2003 have been verified adequate and acceptable per the following enclosed justifications.

Strawberry Lane

- The outer lanes on Strawberry Lane should be 14-ft. width to curb.

The eastbound outer lane on Strawberry Lane, proposed at a width of 12-ft. to curb, was verified adequate and acceptable by VDOT Land Use per a meeting with the applicant on November 4, 2003. VDOT's Land Use reviewer, Mr. Kevin Nelson, has signed-off on a November 12, 2003 correspondence verifying the same.

- The receiving dual left turn lanes on Strawberry Lane should be 15-ft. in width with outer lanes 15-ft to face-of-curb.

The proposed receiving lanes on Strawberry Lane from the northbound dual left turn lanes from Gallows Road were verified acceptable per VDOT Land Use per meeting with the applicant on November 4, 2003 by reasons stated in the consultants traffic impact response comments dated October 2, 2003.

- The applicant should provide proffer language for Strawberry Lane for its design for public street standards and its changeover from private to public.

The applicant's submitted proffer V.8 has been amended to adequately address the issue of design for a public street for Strawberry Lane and its transition from private to public street at the appropriate time.

- The provision of stamped crosswalks and an overhead walkway should be verified with VDOT.

The process for the coordination, review and acceptance by VDOT for the proposed stamped crosswalks and overhead walkway has been addressed in Proffer V.4

- The provision of 11-ft. wide thru lane(s) on Strawberry Lane would have to be approved by VDOT.

The provision of two 11-ft. wide eastbound lanes on Strawberry Lane was verified adequate and acceptable by VDOT Land Use per meeting with the applicant on November 4, 2003. VDOT has signed-off on a November 12, 2003 correspondence verifying the same.

Barbara A. Byron
November 17, 2003
Page three

Gallows Road

- Applicant should dedicate additional right-of-way necessary for an ultimate southbound right-turn lane along the site @ Gallows Road

The applicant has provided adequate right-of-way dedication in the ultimate Gallows Road improvement to provide a southbound 100-ft. (in length) right-turn lane with a 50-ft. taper. An ultimate right-turn lane with the previously mention length has been verified as acceptable per VDOT's Land Use reviewer, Mr. Kevin Nelson, per the November 12, 2003 correspondence verifying the same.

- The provision of interim 11-ft. wide lane(s) on Gallows Road would have to be approved by VDOT.

The provision of one northbound left turn lane on Gallows Road with interim width of 11-ft. has been verified adequate and acceptable by VDOT Land Use per meeting with the applicant on November 4, 2003. VDOT has signed-off on a November 12, 2003 correspondence verifying the same.

Plans-Site, Area and Comprehensive Plan

- The interparcel at the north-western portion of the site should allow for a variable easement to the east to transition easier to the remaining lots.

The applicant has amended proffer V.10 to adequately address this issue.

- The applicant should demonstrate how trucks can maneuver in the loading area.

The applicant has provided a schematic drawing demonstrating the loading dock truck entry and exit paths for anticipated sized trucks. VDOT has verified the adequacy of the docking area dimensions as well as the turning movements for the three point turn in-and-out for anticipated articulated trucks.

TDMs

The applicants proposed TDMs in proffers dated November 14, 2003 address issues previously raised by this department.

AKR/AK:ak

c:\mword\rz-cases\rz03pr009Uniwest/MerrifieldTownCenter...BM
cc: Michele Brickner, Director, Office of Site Review, DPW & ES

MEMORANDUM

TO: Staff Coordinator
Zoning Evaluation Division, OCP

DATE: March 14, 2003

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

SUBJECT: Sanitary Sewer Analysis Report



REFERENCE: Application No. RZ/FDP 2003-PR-009 1999-PR-035
Tax Map No. 049-4 /01/ /0004, 0008, 0009, 0009A, 0010, 0011, 0011A, 0012B

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

1. The application property is located in the CAMERON RUN (I-1) Watershed. It would be sewerred into the Alexandria Sanitation Authority Treatment Plant.
2. Based upon current and committed flow, there is excess capacity available in the Alexandria Authority Treatment Plant at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An Existing 8 inch line pipe located in AN EASEMENT and IN GALLOWS ROAD AND HILLTOP ROAD AND APPROX.30 AND 10 FEET RESPECTIVELY FROM the property is adequate for the proposed use at the present this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

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

5. Other pertinent information of comments: GALLOWS ROAD INDUSTRIAL PARK REIMBURSEMENT CHARGES ARE APPLICABLE.

FAIRFAX COUNTY WATER AUTHORITY

8570 EXECUTIVE PARK AVENUE - P.O. BOX 1500

MERRIFIELD, VIRGINIA 22116-0815

PLANNING AND ENGINEERING DIVISION
C. DAVID BINNING, P.E., DIRECTOR

TELEPHONE
(703) 289-6325

FACSIMILE
(703) 289-6382

February 27, 2003

Ms. Barbara A. Byron, Director
Zoning Evaluation Division
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway
Suite 801
Fairfax, Virginia 22035-5505

Re: FDP 03-PR-009
RZ 03-PR-009
Water Service Analysis

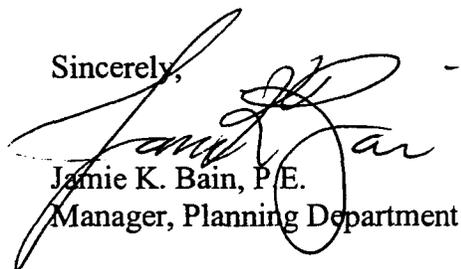
Dear Ms. Byron:

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

1. The application property is not located within the Fairfax County Water Authority service area.
2. Water service is not available from FCWA. The site is located in the City of Falls Church service area. See enclosed map. The Generalized Development Plan has been forwarded to Plan Control for distribution to Engineering Firm.
3. FCWA has facilities in the vicinity of the proposed site. FCWA approval must be obtained for the formal site plan.

If you have any questions regarding this information please contact me at (703) 289-6302.

Sincerely,



Jamie K. Bain, P.E.
Manager, Planning Department

Enclosures (as noted)

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

February 10, 2003

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

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

SUBJECT: Fire and Rescue Department Preliminary Analysis of Final Development Plan
FDP 2003-pr-009 and Rezoning application RZ 2003-pr-009

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 #30, Merrifield.
2. After construction programmed for FY 20____, this property will be serviced by the fire station planned for the _____.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is ____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

DATE: 5/8/2003

FROM: Carl Bouchard, Director
Stormwater Planning Division
Department of Public Works & Environmental Services



SUBJECT: Rezoning Application Review

Name of Applicant/Application: Uniwest Group, LLC

Application Number: RZ/FDP 2003-PR-009

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

Date Received in SWPD: 2/10/2003

Date Due Back to DPZ: 3/6/2003

Site Information: Location - 049-4-01-00-0004, 8, 9, 9A, 10, 11, 11A and 12B
Area of Site - 15.52 acres
Rezone from - I-5 to PDC
Watershed - Accotink Creek

Stormwater Planning Division (SWPD), Maintenance and Stormwater Management Division (MSMD), and Planning and Design Division (PDD) Information:

i. Drainage:

- **MSMD/PDD Drainage Complaints: There are no downstream complaints on file with PDD, relevant to this proposed development.**
- **Master Drainage Plan, proposed projects, (SWPD): No downstream deficiencies are identified in the Fairfax County Master Drainage Plan.**
- **Ongoing County Drainage Projects (SWPD): None.**
- **Other Drainage Information (SWPD): The SWPD is currently engaged in developing watershed management plans for all areas of the County. As part of this effort, a comprehensive stream physical/habitat assessment was conducted and the data will be available later this year. The results of this assessment may or may not indicate severe stream channel conditions warranting some immediate measures to alleviate existing and/or anticipated future degradation. Please consult with SWPD for additional information as needed.**

II. Trails (PDD):

Yes No Any funded Trail projects affected by this application?

If yes, describe:

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

If yes, describe:

III. School Sidewalk Program (PDD):

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

If yes, describe:

Yes No Any funded sidewalk projects affected by this application?

If yes, describe:

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

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

If yes, describe:

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

If yes, describe:

V. Other Projects or Programs (PDD):

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

If yes, describe:

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

If yes, describe:

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

If yes, describe:

Other Program Information (PDD): **None.**

Application Name/Number: Uniwest Group, LLC / RZ/FDP 2003_PR-009

******* SWPD AND PDD, DPWES, RECOMMENDATIONS*******

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

DRAINAGE RECOMMENDATIONS (SWPD): The proposed underground facilities appear to be small for the site. Applicant should submit the actual size of the underground facilities and calculations demonstrating that they are adequate for the 2 and 10 year storms and that they will provide BMP for the site.

STREAM PROTECTION STRATEGY (SPS) RECOMMENDATIONS, (SWPD): This site is in the "Watershed Restoration Level II" management category as determined by the Stream Protection Strategy baseline Report 2001. The primary goal of this category is to maintain areas to prevent further degradation and implement measures to improve water quality to comply with regulations and water quality standards. In this regard, this site should be developed with the use of innovative BMPs and a reduction in imperviousness and if appropriate, sections of on site streams that need stabilizing should be restored or stabilized.

TRAILS RECOMMENDATIONS (PDD): None.

SCHOOL SIDEWALK RECOMMENDATIONS (PDD): None.

SANITARY SEWER E&I RECOMMENDATIONS (PDD): None.

Yes NOT REQUIRED Extend sanitary sewer lines to the development boundaries on the _____ sides for future sewer service to the existing residential units adjacent to or upstream from this rezoning. Final alignment of the sanitary extension to be approved by Department of Public Works and Environmental Services during the normal plan review and approval process.

Other E&I Recommendations (PDD): **None.**

OTHER SWPD and PDD PROJECT/PROGRAM RECOMMENDATIONS: None.

SWPD and PDD Internal sign-off by:
Planning Support Branch (Ahmed Rayyan) ab
Utilities Design Branch (Walt Wozniak) mg
Transportation Design Branch (Larry Ichter) nc
Stormwater Management Branch (Fred Rose) FR
RS

CEB/RZ/FDP 2003-PR-009

cc: Gordon Lawrence, Coordinator, Office of Safety, Fairfax County Public Schools (only if sidewalk recommendation made)

Date: 9/12/03

Case # RZ-03-PR-009

Map: 49-4

PU 2294

Acreage: 7.48

Rezoning

From : I-5 To: PRM

TO: County Zoning Evaluation Branch (DPZ)

FROM: FCPS Facilities Planning (246-3609)

SUBJECT: Schools Impact Analysis, Rezoning Application

The following information is submitted in response to your request for a school impact analysis of the referenced rezoning application.

- I. Schools that serve this property, their current total memberships, net operating capacities, and five year projections are as follows:

School Name and Number	Grade Level	9/30/02 Capacity	9/30/02 Membership	2003-2004 Membership	Memb/Cap Difference 2003-2004	2007-2008 Membership	Memb/Cap Difference 2007-2008
FairHill 3087	K-6	629	501	527	102	574	55
Jackson 3081	7-8	900	1052	991	-91	1157	-257
Falls Church 3090	9-12	2000	1481	1525	475	1632	368

- II. The requested rezoning could increase or reduce projected student membership as shown in the following analysis:

School Level (by Grade)	Unit Type	Proposed Zoning			Unit Type	Existing Zoning			Student Increase/Decrease	Total Students
		Units	Ratio	Students		Units	Ratio	Students		
K-6	HR	270	X.063	17	-	-	-	-	17	17
7-8	HR	270	X.011	3	-	-	-	-	3	3
9-12	HR	270	X.028	8	-	-	-	-	8	8

Source: FY 2004-2008, Facilities Planning Services Office Enrollment Projections

Note: Five-year projections are those currently available and will be updated yearly. School attendance areas subject to yearly review.

Comments

Based on the approved proffer guidelines the 28 students generated by this rezoning would justify a \$210,000 proffer for schools. (28 students x \$ 7,500 per student)

The foregoing information does not take into account the potential impacts of other proposals pending that could affect the same schools.



FAIRFAX COUNTY PARK AUTHORITY
.....
M E M O R A N D U M



APPENDIX 13

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

FROM: Lynn S. Tadlock, Director
Planning and Development Division

DATE: October 21, 2003

SUBJECT: **Revised Report**
RZ/FDP 2003-PR-009, Uniwest/Merrifield Town Center
Tax Map Number: 49-4((1)) 4, 8, 9, 9A, 10, 11, 11A

BACKGROUND

The Fairfax County Park Authority (FCPA) staff previously reviewed this application and forwarded a report on July 3, 2003. Since that time the applicant has submitted a revised application and proffers. The following comments are based on the revised Development Plan and proffers dated September 3, 2003.

COMPREHENSIVE PLAN CITATIONS

1. **Park Services and New Development** (The Policy Plan, Parks and Recreation Objective 4, p. 180)

“Maximize both the required and voluntary dedication, development, and renovation of lands and facilities for parks and recreation to help ensure an equitable distribution of these resources commensurate with development throughout the County.”

Policy a: “Provide neighborhood park facilities on private open space in quantity and design consistent with County standards; or at the option of the County, contribute a pro-rata share to establish neighborhood park facilities in the vicinity...”

Policy b: “Mitigate the cumulative impacts of development that exacerbate or create deficiencies of Community Park facilities in the vicinity. The extent of facilities, land or contributions to be provided shall be in general accordance with the proportional impact on identified facility needs as determined by adopted County standards. Implement this policy through application of the Criteria for Assignment of Appropriate Development Intensity.”

2. Recreational Facilities in Residential Development (Area-wide Recommendations, Merrifield Suburban Center, Area I, p. 15)

“Residential Use: In the town center... Recreational uses should be appropriately designed and located to serve the residents within these developments and may include, but not be limited to, facilities such as tot lots, playgrounds, multi-use courts, tennis courts, pools, fitness centers, picnic areas, and park benches.”

3. Land Unit Recommendations (Land Unit F, Merrifield Suburban Center, Area I, p. 82)

“Development should be designed with a pedestrian orientation, including open space amenities such as public plazas or greens as described under the Pedestrian and Transit Oriented Development Guidelines in the Urban Design section.”

“Development should provide or contribute to the purchase of one to two acres of land for a public park within Sub-Units F1 and F2. This urban park should function as a public meeting and gathering place and should have a focal point such as a pavilion and/or fountain. As an alternative, this open space amenity could be a private facility if the space has public access and is available for public activities.”

4. Commercial Development Contribution (Area-wide Recommendations, Merrifield Suburban Center, Area I, p. 46)

“Contributions should be made by both new residential and non-residential development for offsite public park facilities that serve the Merrifield Suburban Center.”

ANALYSIS AND RECOMMENDATIONS

Park Facilities

The residents of this development will need access to outdoor recreational facilities. Typical recreational needs include playground/tot lots, basketball, tennis and volleyball courts and athletic fields. Based on the Zoning Ordinance Sections 6-110 and 16-404, the applicant shall provide \$955 per non-ADU (affordable dwelling unit) residential unit for outdoor recreational facilities to serve the development population. With 243 non-ADUs proposed, the Ordinance-required contribution is \$232,065.

The \$955 per unit funds required by Ordinance offset only a portion of the impact to provide recreational facilities for the new residents generated by this development. Typically, a large portion if not all of the Ordinance-required funds are used for outdoor recreational amenities onsite (such as an outdoor pool). As a result, the Park Authority is not compensated for the increased demands caused by residential development for other recreational facilities that the Park Authority must provide (such as picnic areas, ball fields, and basketball courts). In order to offset the additional impact caused by the proposed development, the applicant should provide an additional \$140,393 to the Park

Authority for recreational facility development at one or more of our sites located within the service area of this development.

The Comprehensive Plan for the Merrifield area calls for contributions from non-residential development. The Development Plan shows 105,500 square feet of proposed new office construction. FCPA uses previous non-residential development contributions in Merrifield as a guide to determine an appropriate contribution. Twenty-seven cents per square foot is the average dedication from three recent applications for commercial use in the Merrifield area. Applying this rate to the proposed 105,500 square feet of new office use proposed on this site, the suggested contribution for the non-residential component of the development is \$28,485.

The total impact to recreation facilities and services is \$407,943. The Development Plan currently shows a proposed urban park to be developed by the applicant and dedicated to FCPA. The value of this park and proffered park maintenance agreement meet the intent of the Comprehensive Plan's guidance and are sufficient to offset the impact on recreational services and facilities.

Urban Park

The Plan calls for an urban park between one and two acres in size in the Merrifield Town Center. The Conceptual Development Plan shows a small plaza area approximately one-third of one acre in size. The proffers indicate that the applicant will dedicate to the Board of Supervisors the urban park in fee simple. The Board of Supervisors does not want park land dedicated to them. In accordance with the December 11, 2000 BOS resolution, "park, recreation or open space should be deeded directly to the Fairfax County Park Authority without first being deeded to the Board". The proffers should be revised to dedicate the land directly to the FCPA and a note indicating such should be added to the Development Plan. FCPA will accept dedication of the park.

Recreation proffer 2 states that the applicant shall construct the improvements in the Urban Park as detailed on sheet 12. The correct reference is sheet 13. FCPA also requests several design changes including orientation of the park toward the future park expansion to the west, providing signage as an FCPA park maintained by the applicant, and adding a mountable curb along one portion of the park.

Recreational proffer 3 for park maintenance by the applicant is acceptable.

cc: Kirk Holley, Manager, Planning and Land Management Branch
Michael Rierson, Manager, Resource Management Division
Gail Croke, Senior Right of Way Agent, FCPA
Chron Binder
File Copy

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara Byron, Director **DATE:** September 17, 2003
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Harry Swanson, Deputy Director, Revitalization and Real Estate
Department of Housing and Community Development 

REFERENCE: Referral Dated 1/28/03

SUBJECT: RZ/2003-PR-009/Mixed Use Development West Side of Gallows
Road/Uniwest Group, LLC/Tax Map Ref. 49-4((1))4,8,9,9A,10,
11,11A

Staff from the Design, Development and Construction Division of the Department of Housing and Community Development has reviewed the above referenced application with respect to its proposed commitment to affordable housing. The proposed project would permit a total of 439,621 square feet of development, consisting of 243 multi-family dwelling units in two five story buildings with elevators and 165,496 square feet of retail space in two stories, plus three story structured parking for 1021 vehicles. The zoning requested is for PRM at an overall FAR of 1.35 and density of 32.48 dwelling units per acre on a 7.35 acre site. The applicant proposes to proffer fourteen affordable dwelling units (ADUs) within the project. These ADUs are not required by the ADU Ordinance, which is currently applicable only to multi-family structures without an elevator, unless three stories or less. The following comments are provided.

- We are pleased to see the proffer for the fourteen ADUs from this project. It is rare for projects of this type to generate ADUs. It is our understanding that the derivation of fourteen ADUs is based on the formula of 17 percent density bonus to 5 percent ADUs, adopted by the Board of Supervisors, which will take effect on January 31, 2004. Even then, the ADU requirement will not be applicable to protected (2b) construction, which appears to be the construction type of these structures. We recommend that the ADUs be provided in conformance with ADU Program rules and regulations.
- This is a complex development with commercial and residential uses combined in each of the two structures. The plans that have been

presented with this application are not detailed enough to help us fully understand how these uses relate to one another.

- From a design perspective we have some concern with the location of open space for the housing on the roof of the retail structures; the unclear assignment of parking spaces to both retail and residential uses; and what appears to be a bridge as the primary pedestrian connection between the residential components of the two main structures.
- No indication is given as to whether the housing will be rental or for sale. If for sale, the monthly fees needed to maintain the common facilities such as structured parking, pedestrian bridges and roof deck recreation areas could be at prohibitive levels for ADU owners. If for rent, ADU tenants could be faced with high charges for facility access not included in ADU rent controls such as parking.

The Design, Development and Construction Division is not aware of any other affordable housing issues that might affect this application. Our recommendation is based solely on our perception of the proposal's ability to contribute to the Board of Supervisors' affordable housing goal, particularly as stated, in part, that "... It should be a vital element in high density and mixed use development projects,...". These comments should not be considered to be an interpretation or statement of implied complicity with any and all applicable codes or ordinances. If you have specific questions, or require additional comment, please call Gordon Goodlett at 703-246-5164.

cc: Paula Sampson, Director, HCD

John Payne, Director, Design, Development and Construction Division,
HCD

Gordon Goodlett, Development Officer, Design, Development and
Construction Division, HCD

6-401 Purpose and Intent

The PRM District is established to provide for high density, multiple family residential development, generally with a minimum density of 40 dwelling units per acre; for mixed use development consisting primarily of multiple family residential development, generally with a density of at least twenty (20) dwelling units per acre, with secondary office and/or other commercial uses. PRM Districts should be located in those limited areas where such high density residential or residential mixed use development is in accordance with the adopted comprehensive plan such as within areas delineated as Transit Station Areas, and Urban and Suburban Centers. The PRM District regulations are designed to promote high standards in design and layout, to encourage compatibility among uses within the development and integration with adjacent developments, and to otherwise implement the stated purpose and intent of this Ordinance.

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

6-406 Use Limitations

1. All development shall conform to the standards set forth in Part 1 of Article 16.
2. A final development plan shall be submitted and approved concurrently with the conceptual development plan for the proposed development. The conceptual and final development plan shall specify the uses and gross floor area for the proposed development and shall provide site and building designs that will integrate with the adjacent communities and complement existing and planned development by incorporating high standards of urban design. The plan shall also be in general accordance with any specific urban design concept and streetscape plans for the area including the provision of convenient and accessible pedestrian walkways and connections, all as set forth in the adopted comprehensive plan.
3. The principal residential use shall be multiple family dwelling units. Single family attached dwellings may be allowed at the periphery of the development to provide a transition from the high density development to adjacent lower density development.
4. All uses shall be designed to be harmonious with and not adversely affect the use or development of neighboring properties.
5. When a use presented in Sect. 403 above as a Group or Category use is being considered for approval on a final development plan, the standards set forth in Articles 8 or 9 shall be used as a guide.
When a use presented in Sect. 403 above as a Group or Category use is being considered for approval as a special exception use, pursuant to Sect. 405 above, the use shall be subject to the provisions of Article 9 and the special permit standards of Article 8, if applicable. Provided that such use is in substantial conformance with the approved conceptual development plan and any imposed development conditions or proffered conditions and is not specifically precluded by the approved final development plan, no final development plan amendment shall be required.
In either of the above, all Category 3 medical care facility uses shall be subject to the review procedures presented in Part 3 of Article 9.
6. Secondary uses may be permitted only in a PRM District where at least fifty (50) percent of the total gross floor area in the development is devoted to multiple family dwellings. The floor area for dwellings shall be determined in accordance with the gross floor area definition, except the following features shall not be deemed gross floor area: balconies, porches, decks, breezeways, stoops and stairs which may be roofed but which have at least one open side; or breezeways which may be roofed but which have two (2) open ends. An open side or open end shall have no more than fifty (50) percent of the total area between the side(s), roof and floor enclosed with railings, walls, or architectural features.

7. Drive-through facilities shall not be permitted.
8. Vehicle transportation service establishments shall be permitted in accordance with the following:
 - A. The total number of company vehicles permitted on site at any given time shall not exceed five (5).
 - B. There shall be no maintenance or refueling of vehicles on site.
 - C. Notwithstanding the provisions of Par. 15 of the Transitional Screening and Barrier Matrix, the use shall be subject to the provisions of Par. 9 of the Matrix.
9. Off-street parking and loading facilities and private streets shall be provided in conformance with the provisions of Article 11, to include the possible parking reductions based on hourly parking accumulation characteristics of the various uses and/or proximity to a mass transit station. It is intended that a substantial portion of the required parking should be provided in above and/or below grade parking structures.
10. Signs shall be permitted in accordance with the provisions of Article 12.
11. All uses permitted pursuant to the approval of a final development plan shall be in substantial conformance with the approved final development plan as provided for in Sect. 16-403.
12. All uses shall comply with the performance standards set forth in Article 14:

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.

RESIDENTIAL DEVELOPMENT CRITERIA

Fairfax County expects new residential development to enhance the community by: fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on other public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing and, being responsive to the unique site specific considerations of the property. To that end, the following criteria are to be used in evaluating zoning requests for new residential development. The resolution of issues identified during the evaluation of a specific development proposal is critical if the proposal is to receive favorable consideration.

Where the Plan recommends a possible increase in density above the existing zoning of the property, achievement of the requested density will be based, in substantial part, on whether development related issues are satisfactorily addressed as determined by application of these development criteria. Most, if not all, of the criteria will be applicable in every application; however, due to the differing nature of specific development proposals and their impacts, the development criteria need not be equally weighted. If there are extraordinary circumstances, a single criterion or several criteria may be overriding in evaluating the merits of a particular proposal. Use of these criteria as an evaluation tool is not intended to be limiting in regard to review of the application with respect to other guidance found in the Plan or other aspects that the applicant incorporates into the development proposal. Applicants are encouraged to submit the best possible development proposals. In applying the Residential Development Criteria to specific projects and in determining whether a criterion has been satisfied, factors such as the following may be considered:

- the size of the project
- site specific issues that affect the applicant's ability to address in a meaningful way relevant development issues
- whether the proposal is advancing the guidance found in the area plans or other planning and policy goals (e.g. revitalization).

When there has been an identified need or problem, credit toward satisfying the criteria will be awarded based upon whether proposed commitments by the applicant will significantly advance problem resolution. In all cases, the responsibility for demonstrating satisfaction of the criteria rests with the applicant.

1. Site Design:

All rezoning applications for residential development should be characterized by high quality site design. Rezoning proposals for residential development, regardless of the proposed density, will be evaluated based upon the following principles, although not all of the principles may be applicable for all developments.

- a) *Consolidation:* Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the

Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.

b) *Layout:* The layout should:

- provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences);
- provide dwelling units that are oriented appropriately to adjacent streets and homes;
- include usable yard areas within the individual lots that accommodate the future construction of decks, sunrooms, porches, and/or accessory structures in the layout of the lots, and that provide space for landscaping to thrive and for maintenance activities;
- provide logical and appropriate relationships among the proposed lots including the relationships of yards, the orientation of the dwelling units, and the use of pipestem lots;
- provide convenient access to transit facilities;
- Identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; encourage utility collocation where feasible.

c) *Open Space:* Developments should provide usable, accessible, and well-integrated open space. This principle is applicable to all projects where open space is required by the Zoning Ordinance and should be considered, where appropriate, in other circumstances.

d) *Landscaping:* Developments should provide appropriate landscaping: for example, in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots.

e) *Amenities:* Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

2. **Neighborhood Context:**

All rezoning applications for residential development, regardless of the proposed density, should be designed to fit into the community within which the development is to be located. Developments should fit into the fabric of their adjacent neighborhoods, as evidenced by an evaluation of:

- transitions to abutting and adjacent uses;
- lot sizes, particularly along the periphery;
- bulk/mass of the proposed dwelling units;

- setbacks (front, side and rear);
- orientation of the proposed dwelling units to adjacent streets and homes;
- architectural elevations and materials;
- pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses;
- existing topography and vegetative cover and proposed changes to them as a result of clearing and grading.

It is not expected that developments will be identical to their neighbors, but that the development fit into the fabric of the community. In evaluating this criterion, the individual circumstances of the property will be considered: such as, the nature of existing and planned development surrounding and/or adjacent to the property; whether the property provides a transition between different uses or densities; whether access to an infill development is through an existing neighborhood; or, whether the property is within an area that is planned for redevelopment.

3. Environment:

All rezoning applications for residential development should respect the environment. Rezoning proposals for residential development, regardless of the proposed density, should be consistent with the policies and objectives of the environmental element of the Policy Plan, and will also be evaluated on the following principles, where applicable.

- a) *Preservation:* Developments should conserve natural environmental resources by protecting, enhancing, and/or restoring the habitat value and pollution reduction potential of floodplains, stream valleys, EQCs, RPAs, woodlands, wetlands and other environmentally sensitive areas.
- b) *Slopes and Soils:* The design of developments should take existing topographic conditions and soil characteristics into consideration.
- c) *Water Quality:* Developments should minimize off-site impacts on water quality by commitments to state of the art best management practices for stormwater management and low-impact site design techniques.
- d) *Drainage:* The volume and velocity of stormwater runoff from new development should be managed in order to avoid impacts on downstream properties. Where drainage is a particular concern, the applicant should demonstrate that off-site drainage impacts will be mitigated and that stormwater management facilities are designed and sized appropriately. Adequate drainage outfall should be verified, and the location of drainage outfall (onsite or offsite) should be shown on development plans.
- e) *Noise:* Developments should protect future and current residents and others from the adverse impacts of transportation generated noise.

- f) *Lighting:* Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.
- g) *Energy:* Developments should use site design techniques such as solar orientation and landscaping to achieve energy savings, and should be designed to encourage and facilitate walking and bicycling.

4. Tree Preservation and Tree Cover Requirements:

All rezoning applications for residential development, regardless of the proposed density, should be designed to take advantage of the existing quality tree cover. If quality tree cover exists on site as determined by the County, it is highly desirable that developments meet most or all of their tree cover requirement by preserving and, where feasible and appropriate, transplanting existing trees. Tree cover in excess of ordinance requirements is highly desirable. Proposed utilities, including stormwater management and outfall facilities and sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas.

5. Transportation:

All rezoning applications for residential development should implement measures to address planned transportation improvements. Applicants should offset their impacts to the transportation network. Accepted techniques should be utilized for analysis of the development's impact on the network. Residential development considered under these criteria will range widely in density and, therefore, will result in differing impacts to the transportation network. Some criteria will have universal applicability while others will apply only under specific circumstances. Regardless of the proposed density, applications will be evaluated based upon the following principles, although not all of the principles may be applicable.

Transportation Improvements: Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:

- Capacity enhancements to nearby arterial and collector streets;
- Street design features that improve safety and mobility for non-motorized forms of transportation;
- Signals and other traffic control measures;
- Development phasing to coincide with identified transportation improvements;
- Right-of-way dedication;
- Construction of other improvements beyond ordinance requirements;
- Monetary contributions for improvements in the vicinity of the development.

- b) *Transit/Transportation Management:* Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:

- Provision of bus shelters;
- Implementation and/or participation in a shuttle bus service;
- Participation in programs designed to reduce vehicular trips;
- Incorporation of transit facilities within the development and integration of transit with adjacent areas;
- Provision of trails and facilities that increase safety and mobility for non-motorized travel.

c) *Interconnection of the Street Network: Vehicular connections between neighborhoods should be provided, as follows:*

- Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
- When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;
- Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
- Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;
- The number and length of long, single-ended roadways should be minimized;
- Sufficient access for public safety vehicles should be ensured.

d) *Streets:* Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.

e) *Non-motorized Facilities:* Non-motorized facilities, such as those listed below, should be provided:

- Connections to transit facilities;
- Connections between adjoining neighborhoods;
- Connections to existing non-motorized facilities;
- Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;
- An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;
- Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
- Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;
- Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.

- f) *Alternative Street Designs:* Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

6. Public Facilities:

Residential development impacts public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). These impacts will be identified and evaluated during the development review process. For schools, a methodology approved by the Board of Supervisors, after input and recommendation by the School Board, will be used as a guideline for determining the impact of additional students generated by the new development.

Given the variety of public facility needs throughout the County, on a case-by-case basis, public facility needs will be evaluated so that local concerns may be addressed.

All rezoning applications for residential development are expected to offset their public facility impact and to first address public facility needs in the vicinity of the proposed development. Impact offset may be accomplished through the dedication of land suitable for the construction of an identified public facility need, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. Selection of the appropriate offset mechanism should maximize the public benefit of the contribution.

Furthermore, phasing of development may be required to ensure mitigation of impacts.

7. Affordable Housing:

Ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County. Part 8 of Article 2 of the Zoning Ordinance requires the provision of Affordable Dwelling Units (ADUs) in certain circumstances. Criterion #7 is applicable to all rezoning applications and/or portions thereof that are not required to provide any Affordable Dwelling Units, regardless of the planned density range for the site.

- a) *Dedication of Units or Land:* If the applicant elects to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance: a maximum density of 20% above the upper limit of the Plan range could be achieved if 12.5% of the total number of single family detached and attached units are provided pursuant to the Affordable Dwelling Unit Program; and, a maximum density of 10% or 20% above the upper limit of the Plan range could be achieved if 6.25% or 12.5%, respectively of the total number of multifamily units are provided to the Affordable Dwelling Unit Program. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board.

- b) *Housing Trust Fund Contributions:* Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs. This contribution shall be payable prior to the issuance of the first building permit. For for-sale projects, the percentage set forth above is based upon the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. For rental projects, the amount of the contribution is based upon the total development cost of the portion of the project subject to the contribution for all elements necessary to bring the project to market, including land, financing, soft costs and construction. The sales price or development cost will be determined by the Department of Housing and Community Development, in consultation with the Applicant and the Department of Public Works and Environmental Services. If this criterion is fulfilled by a contribution as set forth in this paragraph, the density bonus permitted in a) above does not apply.

8. Heritage Resources:

Heritage resources are those sites or structures, including their landscape settings, that exemplify the cultural, architectural, economic, social, political, or historic heritage of the County or its communities. Such sites or structures have been 1) listed on, or determined eligible for listing on, the National Register of Historic Places or the Virginia Landmarks Register; 2) determined to be a contributing structure within a district so listed or eligible for listing; 3) located within and considered as a contributing structure within a Fairfax County Historic Overlay District; or 4) listed on, or having a reasonable potential as determined by the County, for meeting the criteria for listing on, the Fairfax County Inventories of Historic or Archaeological Sites.

In reviewing rezoning applications for properties on which known or potential heritage resources are located, some or all of the following shall apply:

- a) Protect heritage resources from deterioration or destruction until they can be documented, evaluated, and/or preserved;
- b) Conduct archaeological, architectural, and/or historical research to determine the presence, extent, and significance of heritage resources;
- c) Submit proposals for archaeological work to the County for review and approval and, unless otherwise agreed, conduct such work in accordance with state standards;
- d) Preserve and rehabilitate heritage resources for continued or adaptive use where feasible;
- e) Submit proposals to change the exterior appearance of, relocate, or demolish historic structures to the Fairfax County Architectural Review Board for review and approval;

- f) Document heritage resources to be demolished or relocated;
- g) Design new structures and site improvements, including clearing and grading, to enhance rather than harm heritage resources;
- h) Establish easements that will assure continued preservation of heritage resources with an appropriate entity such as the County's Open Space and Historic Preservation Easement Program; and
- i) Provide a Fairfax County Historical Marker or Virginia Historical Highway Marker on or near the site of a heritage resource, if recommended and approved by the Fairfax County History Commission.

ROLE OF DENSITY RANGES IN AREA PLANS

Density ranges for property planned for residential development, expressed generally in terms of dwelling units per acre, are recommended in the Area Plans and are shown on the Comprehensive Plan Map. Where the Plan text and map differ, the text governs. In defining the density range:

- the "base level" of the range is defined as the lowest density recommended in the Plan range, i.e., 5 dwelling units per acre in the 5-8 dwelling unit per acre range;
- the "high end" of the range is defined as the base level plus 60% of the density range in a particular Plan category, which in the residential density range of 5-8 dwelling units per acre would be considered as 6.8 dwelling units per acre and above; and,
- the upper limit is defined as the maximum density called for in any Plan range, which, in the 5-8 dwelling unit per acre range would be 8 dwelling units per acre.
- In instances where a range is not specified in the Plan, for example where the Plan calls for residential density up to 30 dwelling units per acre, the density cited in the Plan shall be construed to equate to the upper limit of the Plan range, and the base level shall be the upper limit of the next lower Plan range, in this instance, 20 dwelling units per acre.

GLOSSARY

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

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

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

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

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

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

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

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

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

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

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

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

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

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

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

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

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

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

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

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

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

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

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

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

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

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

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

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

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

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

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

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

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

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

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